



**Dallas Police Department**

**Chief of Police**

**Eddie Garcia**

**General Orders**

**Revised: April 19, 2024**



## Dallas Police Department General Order

### 100.00 Table of Contents

Revised 4/19/2024

- 100.00 Purpose
- 100.01 Authority, Organizational Structure, Chain of Command
- 100.02 Echelons of Command
- 100.03 Order of Succession
- 100.04 Organizational Commander
- 100.05 Duty Commander
- 100.06 Command Presence for Lieutenants
- 100.07 Morning Reports
- 100.08 Assignment of Personnel
- 100.09 Assessment of Personnel Allocation

#### **101.00 OFFICE OF THE CHIEF OF POLICE**

- 101.01 Office of the First Assistant Chief of Police
- 101.02 Office of the Chief of Staff
- 101.03 Financial & Contract Management Division
- 101.04 Criminal Law & Police Unit

#### **102.00 INVESTIGATIONS BUREAU**

#### **103.00 PATROL BUREAU**

- 103.01 Patrol Divisions

#### **104.00 STRATEGIC DEPLOYMENT BUREAU**

#### **105.00 ADMINISTRATIVE BUREAU**

- 105.01 Caruth Police Institute (CPI)

#### **106.00 SUPPORT BUREAU**

#### **107.00 DIRECTORY OF FACILITIES**

- 107.01 Directory of Major Local Hospitals



## Dallas Police Department General Order

# 100.00 Organization

Revised 4/19/2024

### 100.00 Purpose

The purpose of this policy is to describe the jurisdiction and organization of the police department, outline its rank structure, and assign responsibilities, functions, and duties.

### 100.01 Authority, Organizational Structure, Chain of Command

#### A. Authority (Accred)

1. Dallas City Chapter XII Section 1, authorizes the creation of the Dallas Police Department to be headed by a Chief of Police. The Chief of Police is responsible for directing all activities of the department. This direction is accomplished through written and oral orders as well as by personal leadership. Written orders take the form of general orders, standard operating procedure, and other directives as needed.
2. As the Chief executive of the department, the Chief of Police has full authority and responsibility for the management, direction and control of the operation and administration of the department.

#### B. Agency Jurisdiction (Accred)

1. The jurisdiction of the Dallas Police Department is limited to inside the city limits of the city within certain exceptions and procedures identified in General Orders.
2. Police Officers appointed by the city have all the authority granted to them by the State of Texas as Peace Officers. Appointed officers have the responsibility to act within the law, preserve order, arrest offenders, and protect the residents and visitors to our city.
3. Officers have arrest authority anywhere within the State of Texas; however, the exercise of that authority will be limited when outside the city limits to those situations involving a felony or the use of violence or threatened use of violence against a person, and then only to the extent that the officer is able to safely intervene. When off-duty or out of our primary jurisdiction, officers seldom have appropriate equipment, communications, or the assistance needed to properly intervene in dangerous situations. Intervention in these cases may be resolved by calling appropriate authorities and remaining on scene to provide witness information. An official map of the city limits will be maintained in each patrol briefing room.
4. Officers have authority to enforce the law on property owned by the city but not outside the city limits.
5. Officers have authority to pursue offenders outside the city limits who have committed violations inside the city pursuant to the department's pursuit policy, when approved per G.O. 301.08. When investigating a crime that occurred inside the city, officer may utilize their authority to conduct investigations; including interviewing witnesses, interrogating suspects, executing search and arrest warrants, and making lawful arrests without warrants anywhere in the State of Texas.
6. Officers have authority to enforce the law in another jurisdiction pursuant to a properly executed mutual aid agreement.
7. While officers have full authority to make arrests, issue summonses, and use force in enforcing the law, officers are also expected to use discretion and common sense in the application of this authority. Officers should always seek the least intrusive level of intervention appropriate to preserve the peace and protect public safety.

#### C. License and Oath of Office Required (Accred)

1. Employees must hold a Texas Peace Officer license before performing law enforcement duties.
2. Article XVI, Section 1, of the Texas Constitution requires that all sworn officers will swear or affirm any oath required by state law or city ordinance before assuming law enforcement duties. All sworn officers shall abide by the Law Enforcement Officer's Code of Ethics. A copy of the law enforcement Code of Ethics is provided to each sworn officer.
3. Such oath shall be made public and shall be witnessed by the city secretary or other notary who shall witness and record it on the form approved by the department. The oath shall be filed in the officer's personnel file.

### 100.02 Echelons of Command

Echelons of command below the Office of the Chief of Police are established throughout the Department by grade of the sworn officer or non-sworn employee appointed or delegated to command, direct, manage, or supervise a specific function. Each employee will be accountable for the use of this authority while carrying out the Department's mission. Assistant Chiefs and Assistant Directors scope of command shall be directed by the Chief of Police.

Level of Command	Rank Sworn	Rank Non-Sworn
Department	Chief of Police	None
Operation	Executive Assistant Chief of Police	None
Bureau	Assistant Chief of Police	Assistant Director
Group	Deputy Chief of Police	911 Administrator
Division	Major	Tier III Executive
Section	Captain	Forensic Administrator
Unit	Lieutenant	Manager III
Squad/Team	Sergeant	Supervisor I-IV, Manager I-II

**Dallas Police Department General Order**  
**100.00 Organization**

Revised 4/19/2024

**100.03 Order of Succession**

The Chief of Police shall designate the order of succession of the assistant chiefs, who shall perform the duties of the chief in the event of the chief's disability, absence from the city, or inability to perform duties from any other cause. Should the Chief of Police become incapacitated through illness, death, or for any other reason is absent from the city, command of the Department will be assumed in this order of succession:

Patrol and Administrative Operations Commander  
Investigations and Special Operations Commander  
Patrol Bureau Commander  
Tactical and Special Ops Bureau Commander  
Investigations Bureau Commander  
Administrative Bureau Commander  
Community Engagement & Operations Bureau Commander  
Chief of Staff

Should every Commander listed above be unable to assume command of the Department, the order of succession will continue through the rank of Deputy Chief, by seniority in that rank. If seniority in a particular rank is equal, seniority in the previously held rank will be the determining factor.

**100.04 Organizational Commander**

The term "Organizational Commander," as used throughout the General Orders, refers to all Chief Officers/Directors and to any sworn Commander or Civilian Manager who commands/manages an organizational level assigned its own organizational number.

**100.05 Duty Commander**

A. Requirements

1. The Duty Commander is a command level responsibility that includes Majors, Deputy Chiefs, and Assistant Chiefs.
2. The Duty Commander assignment for 'non-holiday' weekends runs from Friday at 5:00 p.m. and concludes the following Monday at 8:00 a.m. The Duty Commander will be present in the field from 7:00 p.m. to 3:00 a.m. on Friday and Saturday nights, 5:00 p.m. to 1:00 a.m. on Sunday nights, and will be on call back status during the remainder of their Duty Commander schedule. Major events on Mondays will be handled by the Patrol Group Deputy Chiefs. Patrol Division Majors will then assume Duty Command presence on Tuesday, Wednesday, and Thursday during their normal assigned duty hours. The assignment for weekends with an attached City holiday (ie. M. L. King Day, President's Day, Memorial Day, Labor Day (all of which are recognized on Mondays) and Thanksgiving Day and the Day After Thanksgiving (which are on Thursday and Friday) will be tied in with that week's Duty Commander assignment.

The following holidays when not occurring on a Monday or Friday will be tied in with the nearest weekend Duty Commander assignment.

New Year's Day  
Fourth of July  
Christmas Day

- The hours for New Year's Day Duty Commander assignment are: December 31<sup>st</sup> at 7:00 p.m. to January 1<sup>st</sup> at 3:00 a.m.
- The hours for Fourth of July are 7:00 p.m. to 3:00 a.m.

These two holidays require the Duty Commander to be present in the field. The other seven City holidays, the Duty Commander will be on call only. Commanders may schedule their regular days off at the completion of their weekly tour of duty.

3. Notification of major incidents during weekday administrative hours (8:00 a.m. to 5:00 p.m.) will be made to the affected Group Commanders, Bureau Commanders, Executive Assistant Chiefs, and the Office of the Chief of Police.
4. The Duty Commander roster will be prepared by the Planning Unit and will be maintained in the Communications Group. Alterations to the roster by commanders wishing to trade weeks will be accomplished via memo to the Office of the Chief, with information copies sent to the Communications Group and the Planning Unit. If a Duty Commander is unable to perform their Duty Command on any given scheduled day, it will be their responsibility to find a replacement and notify the Communications Group and the Planning Unit of the changes.

B. Incidents Requiring Duty Commander Notification

1. Incidents briefed to the Duty Commander but not warranting a response will be summarized by the Communications Group in a Command Staff notification via e-mail.
2. Types of incidents which require notification of the Duty Commander, but not necessarily requiring a response at the scene, may include but are not limited to:
  - a. Barricaded persons.
  - b. Robberies resulting in substantial loss or serious bodily injury.
  - c. Incidents involving prominent citizens and officials.
  - d. A member of the Department is arrested.
  - e. A member of the Department dies from natural causes.

C. Incidents Requiring Duty Commander Response

**Dallas Police Department General Order**  
**100.00 Organization**

Revised 4/19/2024

1. The Duty Commander will respond to major or unusual incidents warranting his or her presence. He or she will also determine whether to make immediate notification to the Assistant City Manager, Chief of Police, Executive Assistant Chiefs, Bureau Commander, or any Group Commander.
  - a. A major incident is defined as any incident of such magnitude as to require additional administrative or command action, or which may attract significant media attention.
  - b. Types of incidents requiring Duty Commander field presence:
    - i. The line-of-duty death or any death from off-duty related activities of a member of the Department.
    - ii. Any member of the Department is admitted to the hospital for treatment for line-of-duty injuries.
    - iii. Mobilization of a significant number of officers to handle an incident.
    - iv. Disasters causing extensive damage and/or loss of life.
    - v. Police-involved shootings where injury occurs.
    - vi. Any incident where a member of the Department is involved in the death or serious injury of a citizen to include injuries resulting from police chases.
    - vii. Incidents that, in the Duty Commander's opinion, are of such importance as to warrant his or her response. This includes incidents likely to draw widespread media attention.
    - viii. Situations requiring a special command function (i.e., Crimes Against Persons, homicide/ shooting investigations, Internal Affairs Division investigations, etc.) will remain in effect, but Duty Commanders will receive briefings and will coordinate the response to media inquiries.
  - c. Types of incidents requiring the Duty Commander to immediately contact the affected Bureau, Executive Assistant Chiefs, and the Chief of Police or their designee include:
    - i. Police involved shootings, as they occur.
    - ii. Police officers killed in the line-of-duty. (Other injuries will be included in the morning report.)
    - iii. Mobilization of a significant number of officers to handle an incident.
  - d. Types of incidents requiring the Duty Commander to immediately contact the Assistant City Manager:
    - i. Police officers killed in the line-of-duty. (Other injuries will be included in the morning report.)
    - ii. Mobilization of a significant number of officers to handle an incident.
2. Incidents warranting a Duty Commander response, but not immediately briefed to the Chief of Police, will be briefed to the Office of the Chief by 8:30 a.m., Monday through Friday, in person, by telephone, or email.

**100.06 Command Presence for Lieutenants**

- A. Requirements
  1. The Command Presence assignment is a command responsibility for all Lieutenants.
  2. Two Command Presence Lieutenants will work each weekend and will report to the Duty Commander assigned during the same weekend. Their primary responsibility will be to assist the Duty Commander with notifications, field presence, and other duties.
  3. Command Presence Lieutenants will be present in the field from 7:00 p.m. to 3:00 a.m. on Friday and Saturday nights, and 5:00 p.m. to 1:00 a.m. on Sunday nights.
  4. During the work week of their command presence, and with their supervisor's assistance and approval, lieutenants will take reasonable steps to adjust their work schedule to reduce or avoid overtime expenditure.
  5. Notification of major incidents during the Command Presence hours will be made to the affected Lieutenants assigned to Command Presence.
  6. Command Presence assignments will be prepared by the Planning Unit based on seniority. The Planning Unit will distribute a copy of the schedule to the Communications Group, and the Patrol Assistant Chief.
  7. Alterations to the roster by Lieutenants wishing to trade weekends will be accomplished via memo to the Patrol Assistant Chief, with information copies sent to the Communications Group and the Planning Unit. If a lieutenant is unable to perform their Command Presence assignment on any given scheduled day, it will be their responsibility to find a replacement and notify the Patrol Bureau Commander where the Command Presence is scheduled, the Communications Group and the Planning Unit of the changes.
- B. Incidents Requiring Command Presence Response
  1. During Command Presence, the lieutenant assigned will respond to major or unusual incidents warranting his or her presence, and immediately contact the Duty Commander.
    - a. A major incident is defined as any incident of such magnitude as to require administrative or command action, or which may attract media attention.
    - b. Types of incidents requiring lieutenants assigned to Command Presence field presence:
      - i. Police officers killed in the line of duty. (Other injuries will be included in the morning report.)
      - ii. Police-involved shootings where injury occurs.
      - iii. Police-involved shootings, as they occur.
      - iv. Mobilization of a significant number of officers to handle an incident.
      - v. Any member of the Department is admitted to the hospital for treatment for line-of-duty injuries.
      - vi. Disasters causing extensive damage and/or loss of life.
      - vii. Any incident where a member of the Department is involved in the death or serious injury of a citizen to include injuries resulting from police chases.
      - viii. Incidents that, in the lieutenant's opinion, are of such importance as to warrant his or her response. This includes incidents likely to draw widespread media attention.
      - ix. Situations requiring a special command function (i.e., Crimes Against Persons, homicide/ shooting investigations, Internal Affairs Division investigations, etc.).
      - x. Barricaded persons.
      - xi. Robberies resulting in substantial loss or serious bodily injury.
      - xii. Incidents involving prominent citizens and officials.
      - xiii. A member of the Department is arrested.
      - xiv. A member of the Department dies from natural causes.

**100.07 Morning Reports**

**Dallas Police Department General Order**  
**100.00 Organization**

Revised 4/19/2024

- A. Officers in the field will ensure that a supervisor is informed of a major incident if one is not present at the scene. Officers assigned to the call of a major incident are responsible for drafting an entry for their divisional Morning Report.
- B. The field supervisor will coordinate with the Communications Group to ensure that the Duty Commander is notified of incidents listed that require notification or response of the Duty Commander.
- C. The First Watch for each patrol station will: Input the Morning Report information into the Morning Report form located in N:\Administrative Reports\Morning Report, by 7:45 a.m. each day.

**100.08 Assignment of Personnel**

- A. The mission of the Police Department to provide for public safety on a 24-hour, 7 days a week basis requires that the needs of the Department and the community served will take precedence in regard to personnel assignments. The Chief of Police or their designee may take into consideration these special needs for the assignment of personnel. All assignments are the prerogative of the Chief of Police. For the purposes of General Order 407.00, the word "transfer" refers to and means a "reassignment" as defined in Section 34-13 of the Personnel Rules, which states that "A department director may reassign positions and staff within a department to provide for the best interest of the employee or the department. A reassignment is not grievable."
- B. No employee, sworn or non-sworn, has a property right to a specific assignment within the Department. This transfer procedure is designed to allow individual growth and increased job knowledge of employees.

**100.09 Assessment of Personnel Allocation**

- A. The Patrol Bureau will complete a review on an as needed basis, but not less than every two years, to assign newly hired sworn employees to the areas that show need as determined by the current guidelines to meet the best interest of the community and Department.
- B. Non-Patrol Bureaus will allocate personnel according to a Workload Assessment that will be conducted biannually by the Division Commanders. This assessment should include at a minimum the following:
  - 1. Identification of workload according to shifts.
  - 2. The number of incidents / tasks handled during a specific period,
  - 3. The average time required to handle the incident or complete the task,
  - 4. A calculation of the average percent of time that should be available to handle incidents/tasks during a specific period.
- C. The Workload Assessment should be supported with calculations used, factors considered, and citation source data. Source documents need not accompany assessments but should be available if requested.
- D. The assessment should be completed and forwarded to the Division Commander of Personnel by the final sworn pay period of May on even numbered years.
- E. The Personnel Division will conduct a review of the Division Assessments and compile the assessments to make comparisons of workload analysis before forwarding to the Executive Command Staff.
- F. The Division Commander of Personnel will forward the analysis to the Executive Command Staff for review and possible action.



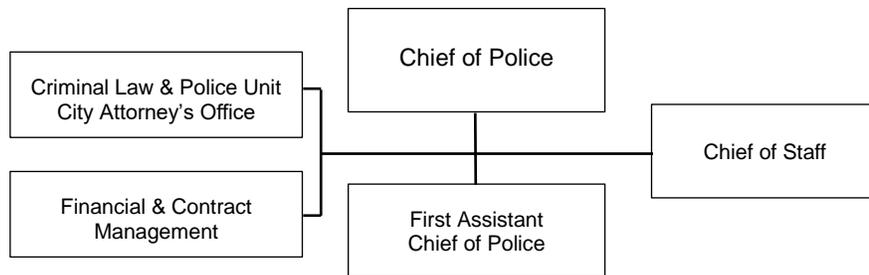
# Dallas Police Department General Order

## 101.00 Office of the Chief of Police

Revised 07/29/2020

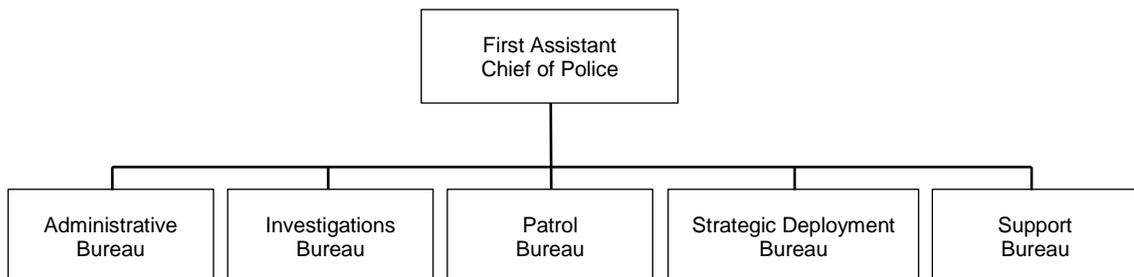
### 101.00 OFFICE OF THE CHIEF OF POLICE:

- A. Commanded by the Chief of Police
- B. Appointed by and directly responsible to the City Manager.
- C. Have ultimate responsibility for administration, command, and external relations of the Department.
- D. Develop and propose such programs to the City Manager as deemed necessary to maintain a modern, efficient, and effective Police Department.
- E. Develop, present, and justify budget estimates for departmental operations.
- F. Submit annually, to the City Manager, a written report covering the operations of the Department. The report will contain the Department's goals and objectives for each major component. Departmental goals and objectives will be made available to all agency personnel via the Department's intranet page.
- G. Appoint without examination, to serve at the pleasure of the Chief of Police, executive level positions as specified in the City Charter.
- H. Maintain high standards of confidence through instruction and training for and by members of the Department.



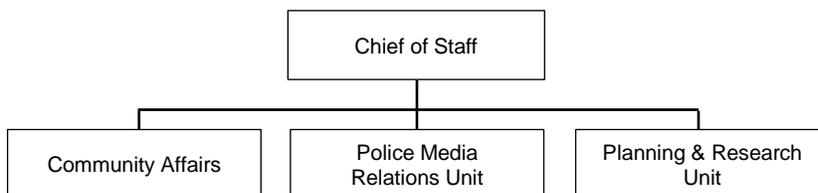
### 101.01 Office of the First Assistant Chief of Police

- A. Commanded by the First Assistant Chief of Police who is directly responsible to the Chief of Police.
- B. Have responsibility for administration, command, and external relations of the Department during the absence of the Chief of Police.
- C. Develop and propose such programs to the Chief of Police as deemed necessary to maintain efficient and effective departmental operations.
- D. Present and justify budget estimates for departmental operations.
- E. Maintain high standards of performance through instruction/training for and by members of the Department.



### 101.02 Office of the Chief of Staff

- A. Commanded by an Assistant Chief of Police who is directly responsible to the Chief of Police.

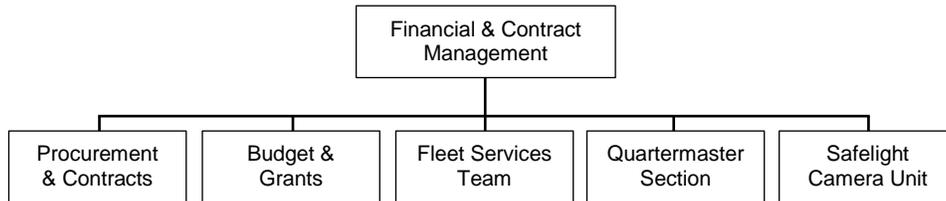


**Dallas Police Department General Order  
101.00 Office of the Chief of Police**

Revised 07/29/2020

**101.03 Financial & Contract Management Division**

- A. Managed by an Assistant Director II who is directly responsible to the Chief of Police.
- B. Serve as liaison between the Police Department and the Office of Financial Services.



**101.04 Criminal Law & Police Unit**

- A. Supervised by an Assistant City Attorney who is directly responsible to the Chief of Police.
- B. Serve as liaison between the Police Department and the City Attorney's Office.
- C. Be responsible for:
  - 1. Providing written and verbal legal advice to Department personnel.
  - 2. Providing training to Department personnel.
  - 3. Providing legal services between the Police Department, the City Attorney's Office, and other attorneys and agencies of the criminal justice system.
  - 4. Assisting in the development of policy statements that affect legal procedures of the Department.
  - 5. Assisting in preparation of legislation, City Ordinances, and other special projects.
  - 6. Assisting in legal proceedings affecting Department personnel.



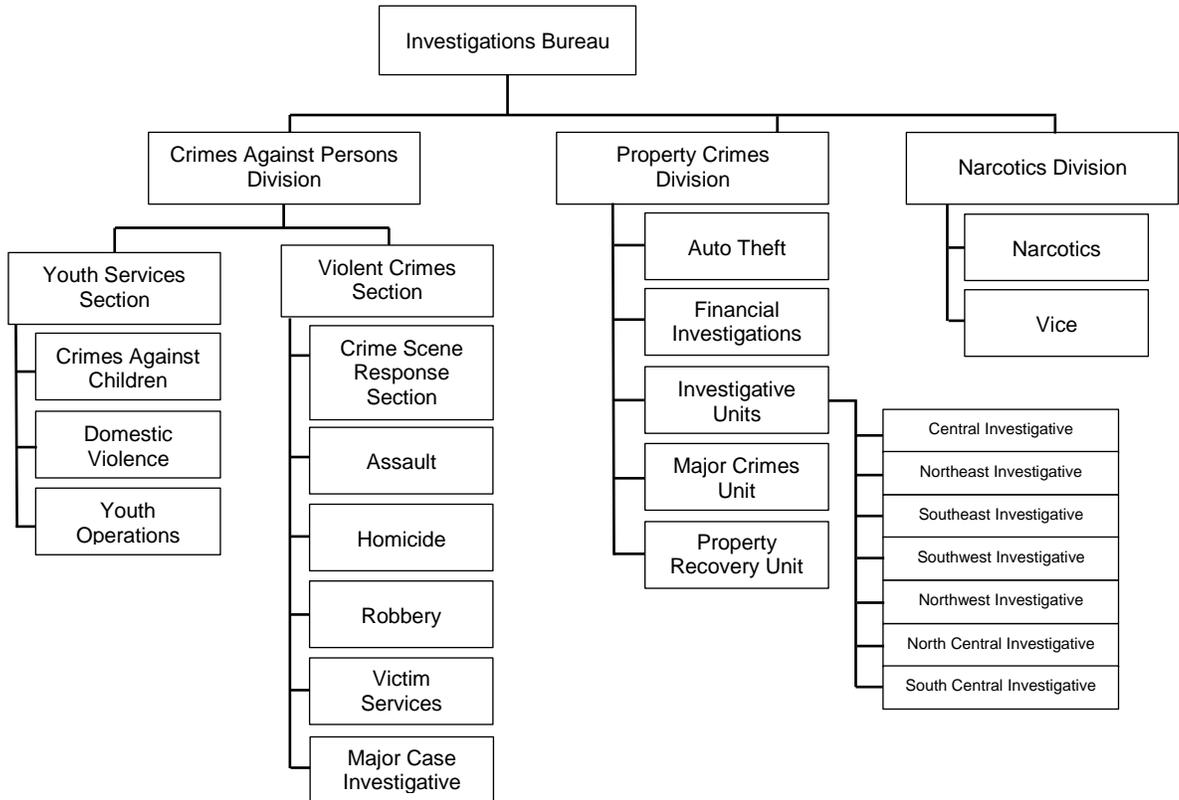
# Dallas Police Department General Order

## 102.00 Investigations Bureau

Revised October 6, 2014

### 102.00 Investigations Bureau:

- A. Commanded by an Assistant Chief of Police who is directly responsible to the First Assistant Chief of Police.
- B. Investigate cases assigned per General Order 210.05





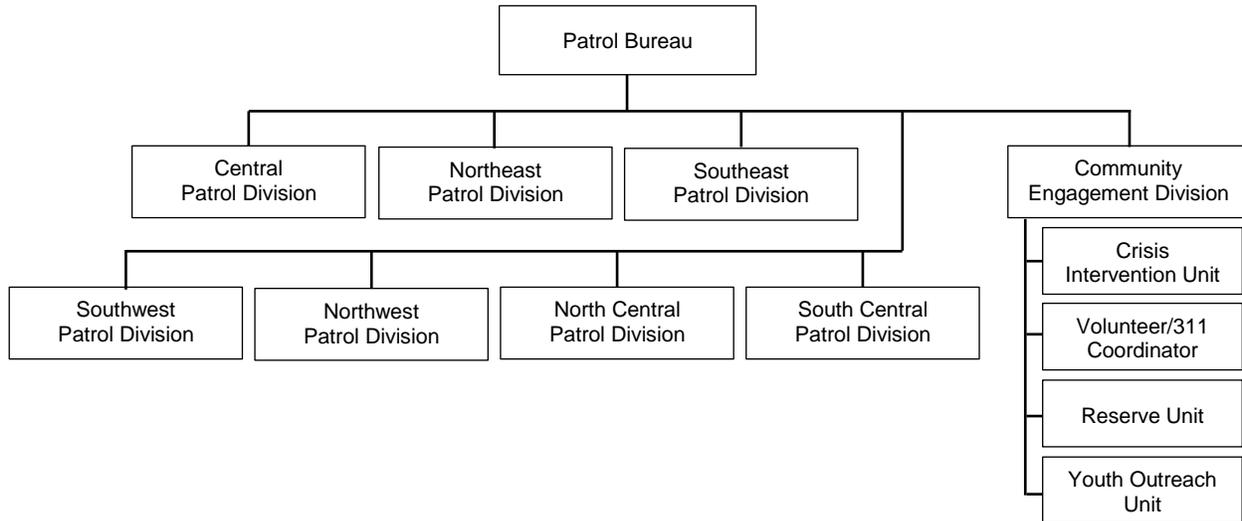
## Dallas Police Department General Order

# 103.00 Patrol Bureau

Revised August 4, 2014

### 103.00 Patrol Bureau:

- A. Commanded by an Assistant Chief of Police who is directly responsible to the First Assistant Chief of Police.
- B. Have responsibility for the Patrol Divisions and the Community Engagement Division.



### 103.01 Patrol Divisions:

- A. Commanded by a Deputy Chief of Police.
- B. A Major will report directly to the Deputy Chief and will serve as the Division Commander in the absence of the Deputy Chief.
- C. Consist of:
  - 1. Patrol Watches, commanded by Lieutenants, and each watch geographically divided into sectors supervised by Sergeants.
  - 2. A Community Engagement Unit commanded by a lieutenant.
- D. Central Patrol will also consist of:
  - 1. The Central Business District Unit composed of a 2nd and 3rd Watch.
  - 2. A Storefront Operations Team
  - 3. A Parking Enforcement Unit
- E. A Community Engagement Division commanded by a Deputy Chief of Police.



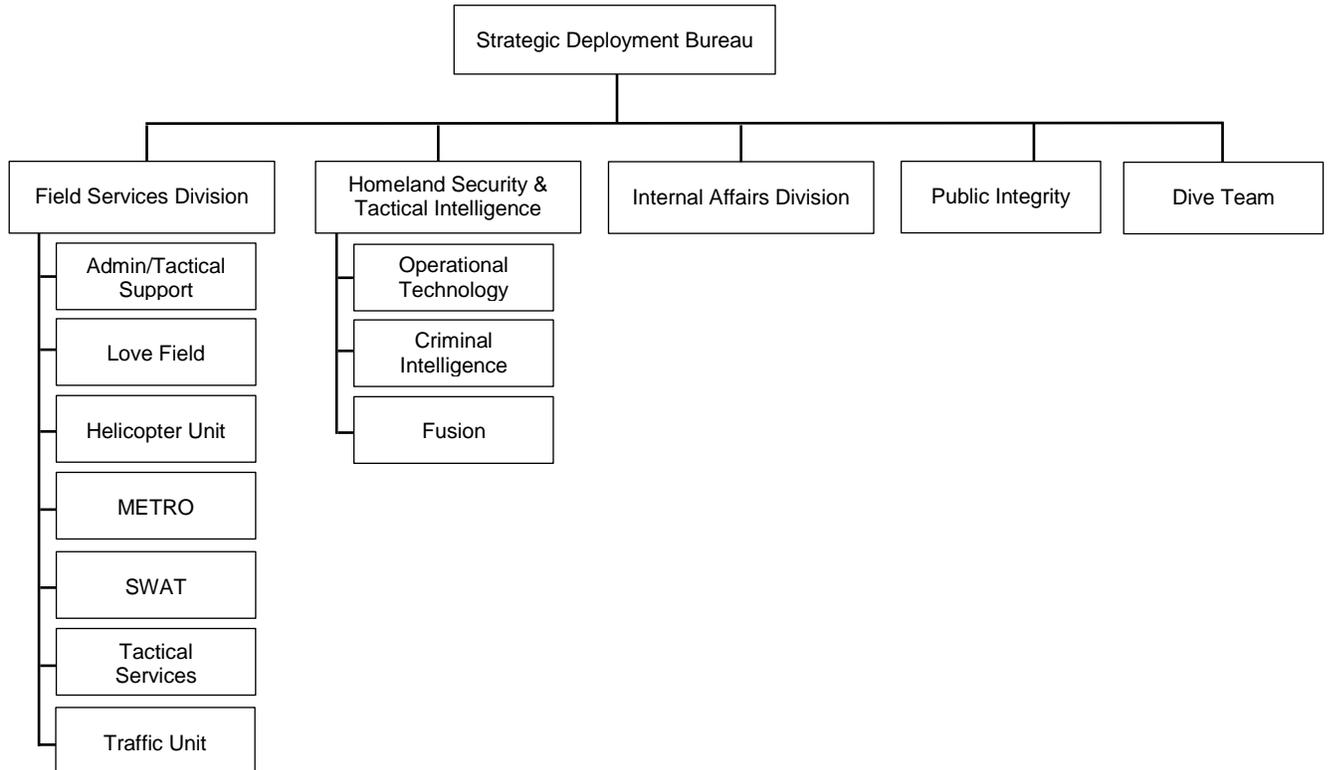
# Dallas Police Department General Order

## 104.00 Strategic Deployment Bureau

Revised October 22, 2014

### 104.00 Strategic Deployment Bureau:

A. Commanded by an Assistant Chief of Police who is directly responsible to the First Assistant Chief of Police.





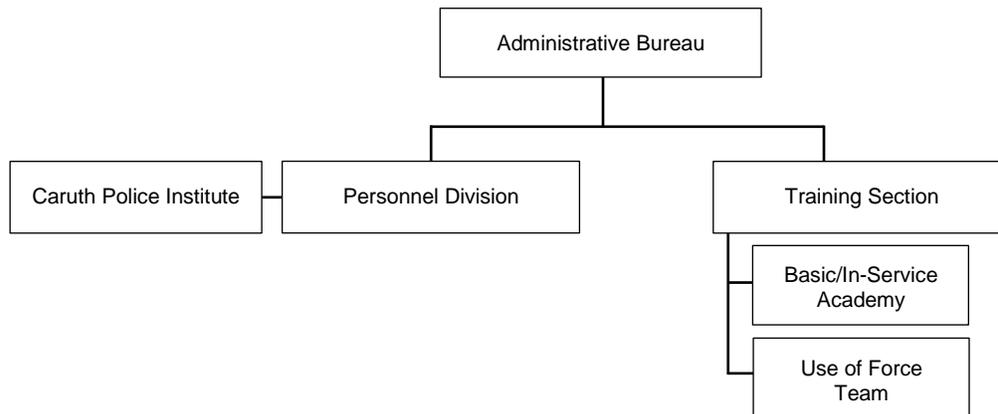
## Dallas Police Department General Order

# 105.00 Administrative Bureau

Revised August 4, 2014

### 105.00 Administrative Bureau:

- A. Commanded by an Assistant Chief of Police who is directly responsible to the First Assistant Chief of Police.



### 105.01 Caruth Police Institute (CPI):

- A. Managed by an Executive Director.
- B. Direct programs to enhance leadership training through all the ranks within the Department.
- C. Conduct research and develop programs designed to enhance Departmental problem solving, evidence based crime fighting, and act as a national resource for new crime fighting practices.



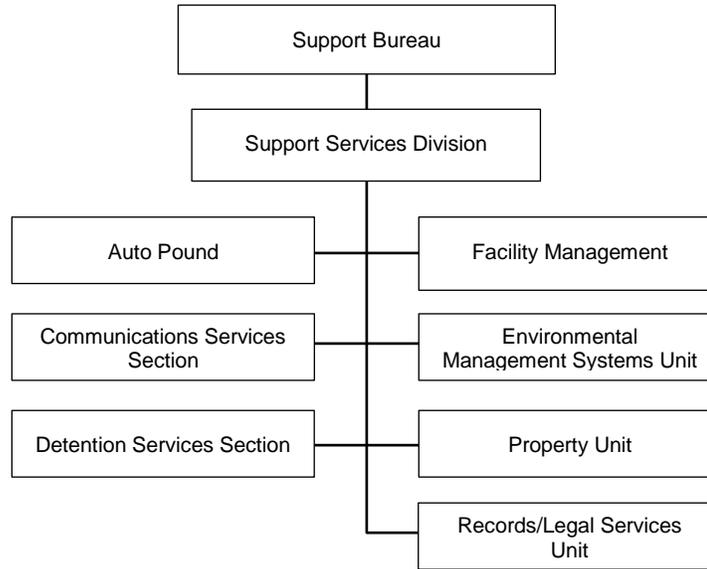
# Dallas Police Department General Order

## 106.00 Support Bureau

Revised October 6, 2014

### 106.00 Support Bureau:

- A. Commanded by an Assistant Chief of Police who is directly responsible to the First Assistant Chief of Police.





## Dallas Police Department General Order

### 107.00 Directory of Facilities

Revised August 4, 2014

#### 107.00 DIRECTORY OF FACILITIES

Directory of Facilities owned or controlled by the City of Dallas and those of other agencies, which are used or frequently visited by police employees. The Directory of Facilities is not intended to be an all-inclusive listing, but rather one showing those most frequently needed.

Auto Pound	1955 Vilbig Rd. 75208
Central Business District Unit	1400 S. Lamar St. 75215
Central Operations Division	334 S. Hall St. 75226
Child Abuse	5351 Samuell Blvd. 75228
Communications Division	1500 Marilla St. 75201
Equipment Services Section	1600 S. Lamar St. 75215
Helicopter Unit	5775 S. Hampton Rd. 75232
Firearms Training Center	3200 Mountain Creek Pkwy 75236
In-Service Training	5610 Red Bird Center Drive #300, 75237
Jack Evans Police Headquarters	1400 S. Lamar St. 75215
Love Field Unit	8008 Cedar Springs Rd. 75235
Lew Sterrett Justice Center	111 Commerce St, 75207
Municipal Courts Building	2014 Main St. 75201
North Central Operations Div.	6969 McCallum Blvd. 75252
Northeast Operations Div.	9915 E. Northwest Hwy. 75238
Northwest Operations Div.	9800 Harry Hines Blvd 75220
Property Section	1725 Baylor St. 75226
Public Inebriate Detention Center	1600 Chestnut St. 75226
South Central Operations Division	1999 E. Camp Wisdom Rd 75241
Southeast Operations Division	725 N. Jim Miller Rd. 75217
Southwest Operations Division	4230 W. Illinois Ave. 75211
Homeland Sec/Special Operations Division	334 S. Hall St. 75226
Training Section	5310 Red Bird Center Drive, 75237

#### 107.01 Directory of Major Local Hospitals

Children's Medical Center	1935 Motor Street	214-456-7000
Baylor University Medical Center	3501 Junius St.	214-820-0111
Doctor's Hospital	9440 Poppy Drive	214-324-6100
Medical City Hospital	7777 Forest Lane	972-566-7000
Methodist Central Hospital	221 W. Colorado Blvd.	214-943-2551
Methodist Charlton Hospital	3500 W. Wheatland Rd.	214-947-7777
Parkland Memorial Hospital	5201 Harry Hines Blvd.	214-678-9884
Presbyterian Hospital	8200 Walnut Hill Lane	214-345-6789
University General Hospital	2929 S. Hampton Road	214-623-4400
St. Paul Hospital	5909 Harry Hines Blvd.	214-522-0210
Scottish Rite Hospital	2222 Welborn Street	214-559-5000
UT Southwestern Medical Center	5323 Harry Hines Blvd.	214-648-3111



## Dallas Police Department General Order

### 200.00 Administration Table of Contents

Revised 08/01/2023

#### **200.00 ADMINISTRATION**

#### **201.00 RETENTION AND DISPOSITION OF RECORDS**

#### **202.00 WRITTEN DIRECTIVES**

- 202.01 General Orders
- 202.02 Operation Orders
- 202.03 Personnel Orders
- 202.04 Training Orders
- 202.05 Administrative Orders
- 202.06 Standard Operating Procedures
- 202.07 Budget Performance Measures
- 202.08 Memoranda and Agency Forms
- 202.09 Staff Studies and Research Projects
- 202.10 Interlocal Agreements
- 202.11 Legal Opinions
- 202.12 Movie/TV Show Procedures
- 202.13 Electronic Communication
- 202.14 Departmental Issued Cellular Telephones and the Use of Personal Cellular Telephones on Duty
- 202.15 Requirement to Access BlueTeam Account Daily

#### **203.00 CORRESPONDENCE**

- 203.01 Intra-Departmental Correspondence
- 203.02 Outgoing Correspondence
- 203.03 Instructions for Block Form Letter
- 203.04 File Copies of Correspondence
- 203.05 Electronic Mail

#### **204.00 REPORTS TO THE CHIEF OF POLICE**

- 204.01 Required Reports to the Chief of Police
- 204.02 Instructions for Writing to the Chief of Police

#### **205.00 WRITTEN COMMUNICATION DISTRIBUTION AND INSPECTION SYSTEM**

- 205.01 General Policy
- 205.02 Definitions
- 205.03 Procedures
- 205.04 Logbook and Roster Inspections

#### **206.00 TIME AND PAYROLL ISSUES**

- 206.01 Personnel Time Records
- 206.02 Time Cards
- 206.03 Reviewing Time Cards
- 206.04 Exception Payroll System
- 206.05 Monthly Strength Report
- 206.06 Work Schedules
- 206.07 Absences
- 206.08 Overtime and Compensatory Time
- 206.09 Earning Overtime or Compensatory Time and Authorization Level
- 206.10 Special Compensation (Court and Approved Functions During Off-Duty Hours)

**Dallas Police Department General Order**  
**200.00 Administration Table of Contents**

Revised 08/01/2023

- 206.11 Out of Town Travel
- 206.12 Compensatory Time Relating to Employees in "On Call" or "Call Back" Status
- 206.13 Temporary Assignment in Next Higher Grade
- 206.14 Field Training Officer Pay
- 206.15 Patrol Duty Assignment Pay
- 206.16 Detective Assignment Pay
- 206.17 Shift Assignment Pay
- 206.18 Educational Incentive Pay
- 206.19 Language Skills Assignment Pay
- 206.20 TCOLE Certification Pay
- 206.21 Longevity Service Pay
- 206.22 Administrative Leave and Ineligibility for Assignment Pays
- 206.23 Requests for Business Leave
- 206.24 Mileage Reimbursement
- 206.25 Restricted Duty and Ineligibility for Assignment Pays
- 206.26 Trade Time Policy
- 206.27 FLEX Time
- 206.28 Mental Health Leave
- 206.29 Employee Shift Swap Program

**207.00 EMPLOYEES INJURED AND WORKERS COMPENSATION**

- 207.01 Forms Used
- 207.02 Hospitalization of Employees Injured On-Duty
- 207.03 Treatment and Billing
- 207.04 City of Dallas Supervisor's Injury Investigation Report
- 207.05 Dallas Police Department Supervisor's Investigation of Injury Report
- 207.06 Supervisor's Supplemental Report of Injury
- 207.07 Physician's Limited Duty Recommendation
- 207.08 Positions Relating to Employees Not Available for Full Time Duty
- 207.09 Progress Report
- 207.10 Salary Continuation for an Injured Employee
- 207.11 Medical Records

**208.00 NOTARY COMMISSIONS**

- 208.01 Notary Allocations
- 208.02 Notary Coordinators
- 208.03 Application for Appointment
- 208.04 Use of Bond

**209.00 INFORMATION TECHNOLOGY AND COMPUTER RELATED SERVICES**

- 209.01 Requests for Data Processing Services
- 209.02 Software Usage

**210.00 OFFENSE REPORTING SYSTEM**

- 210.00 Offense Reporting System
- 210.01 Reporting Officer Responsibilities
- 210.02 Reporting Procedures
- 210.03 Supervisor Responsibilities
- 210.04 Communications Section Responsibilities
- 210.05 Assignment of Offenses
- 210.06 Investigative Units Case Management Procedures
- 210.07 LEA TechShare Case Filing System

**Dallas Police Department General Order**  
**200.00 Administration Table of Contents**

Revised 08/01/2023

- 210.08 Response Disposition System
- 210.09 Use of Surnames and Identifying Information in Reports
- 210.10 Direct Filing

**211.00 RESEARCH BY THE CARUTH POLICE INSTITUTE**

**212.00 APPLICATION FOR LICENSE TO CARRY HANDGUN BY RETIRED OR ACTIVE OFFICERS**

- 212.01 Application for License to Carry Handgun by Retired Officers
- 212.02 Application for License to Carry Handgun by Active Officers
- 212.03 Application for Certificate of Proficiency by Retired Peace Officers

**213.00 BULLETIN BOARDS**

**214.00 USE OF SOCIAL NETWORKING SITES**

- 214.01 Purpose
- 214.02 Definitions
- 214.03 Department-Authorized Use of Social Networks
- 214.04 Employee Personal Use of Social Media
- 214.05 Third-Party Involvement on Personal Social Media Sites



## Dallas Police Department General Order

### 201.00 Retention and Disposition of Records

Revised 01/30/07

#### 201.00 RETENTION AND DISPOSITION OF RECORDS

Retention and/or disposition of Police Department records are governed by Chapter 39C of the Dallas City Code and state law. Division and Bureau Commanders should refer to the Departmental Records Retention and Disposition Schedule, approved by the City Council, for guidance on the retention and/or disposition of specific types of records.



# Dallas Police Department General Order

## 202.00 Written Directives

Revised 10/19/2023

### 202.00 WRITTEN DIRECTIVES

- A. All City of Dallas employees work under the regulations established by the City of Dallas Administrative Directives, Personnel Rules, and Civil Service Rules and Regulations. Written Directives of the Dallas Police Department are intended to supplement these regulations.
- B. All city and departmental regulations are available on the city's internet and DPD's intranet.
- C. All state regulations are available on the state's website.
- D. Orders and regulations issued at any level of command will not conflict with orders or regulations issued by a higher command.
- E. All orders and regulations of general application and enduring nature will be distributed out to employees who will acknowledge receipt and understanding.
- F. Orders of specific application not in conflict with General Orders may be issued verbally as necessary.
- G. The Planning Unit will be responsible for the Department's continued compliance with the Texas Police Chief's Association Best Practices Accreditation Program.

### 202.01 General Orders

- A. The Chief of Police will approve General Orders to establish:
  - 1. General Departmental regulations, guidelines, or procedures.
  - 2. General regulations, guidelines or procedures affecting two or more bureaus.
  - 3. Specific responsibilities and/or duties.
- B. General Orders may be amended by cancellation or total or partial revision.
- C. Every year, the Planning Unit will send written notification to all Bureau Commanders requesting feedback on areas in the General Orders that need addition, revision, or clarification. Any recommendations for changes will be sent to the Planning Unit for review.
- D. Any requested revision to the General Orders will be submitted to the Planning Unit and referred to as a General Order Revision request.
- E. Prior to submitting a General Order Revision Request, the requesting unit will contact the Planning Unit at [DPDPlanningunit@dallas.gov](mailto:DPDPlanningunit@dallas.gov) of their intent to begin the process of revising or creating a particular General Order as well as to receive the General Order in Microsoft Word Format.
- F. When requesting a General Order Revision, a memorandum will be sent to the Planning Unit Commander through the initiating Bureau Commander and will include the following information:
  - 1. A brief background explaining the reason for the General Order Revision Request.
  - 2. The number and title of the General Order that will be affected by the revision.
  - 3. A copy of the page(s) in the General Orders that will be affected by the revision, and the exact, typewritten new text using Track Changes feature in Microsoft Word.
- G. Upon receipt of a request, the Planning Unit will:
  - 1. Put the General Order Revision Request on a tracking form and be responsible for editing the General Order Revision draft to ensure consistency in authority, proper referencing, accreditation compliance, and correct style.
  - 2. Staff the proposal to the appropriate level of commanders as directed by the Commander of the Planning Unit.
  - 3. Submit the proposed General Order Revision Request to the Executive Assistant Chiefs of Police and the Chief of Police for their consideration.
- H. If the order is approved, the Planning Unit will log, publish, and distribute notification of the new General Order.
- I. The new General Order will become effective as of the revised date on the General Order, and all Department personnel will be promptly notified by email of the General Order revision.
- J. Individual employees are responsible for the content of the General Orders and Code of Conduct whether or not they choose to maintain a personal copy.
- K. Special Orders are issued by the Public Information Office on behalf of the Chief of Police. Special Orders are used to establish a temporary, emergency, or interim regulation, procedure, or guideline at the departmental level on a formal basis and are issued, authorized, or directed by the Chief of Police. Special Orders will subsequently follow the same review process as a General Order Revision facilitated by the Planning Unit.
- L. Chief's Updates are messages from the Chief of police and are issued by the Public Information Officer to all members of the Department. The Chief's Updates are utilized to communicate promotional announcements, important messages, current issues, and any other messages the Chief of Police wishes to send out department wide.
- M. Roll Call Training Bulletins are issued by the Planning Unit and contain detailed procedures and specific guidelines employees are to follow when certain situations occur. Roll Call Training Bulletins are also used as updates to specific training.
- N. Only the Chief of Police, or designee acting on their behalf, may circumvent the General Order Revision Process.

### 202.02 Operation Orders

- A. Operation Orders will be issued on authority of the Chief of Police by the Strategic Deployment Bureau to cover specific operations or events.
- B. Operation Orders will contain a self-canceling statement.

### 202.03 Personnel Orders

Personnel Orders will be issued on authority of the Chief of Police by the Personnel and Development Division to announce the following:

- A. Appointments.

# Dallas Police Department General Order

## 202.00 Written Directives

Revised 10/19/2023

- B. Assignments or transfers.
- C. Promotions, reductions in rank, or reclassifications.
- D. Suspension from and restoration to duty.
- E. Termination by retirement, resignation, dismissal, or death.
- F. Departmental awards.

### 202.04 Training Orders

Training Orders will be issued by the Training Section to:

- A. Announce forthcoming schools, classes, or training sessions.
- B. Assign personnel for training purposes.
- C. Establish training material consistent with departmental policy.

### 202.05 Administrative Orders

- A. Administrative Orders will be issued on the authority of the Chief of Police by the Personnel and Development Division to announce personnel information regarding boards and committees, and by the Planning Unit to announce duty commander assignments.
- B. Administrative Orders will be sent only to Organizational Commanders and persons affected.
- C. A self-canceling statement will be included in the Administrative Orders.
- D. Administrative Orders will not be numbered.

### 202.06 Standard Operating Procedures

**All personnel, regardless of permanent assignment, will be accountable for adherence to the Patrol Bureau Standard Operating Procedures when performing any patrol related functions.**

- A. Standard Operating Procedures Manual
  - 1. A current Standard Operating Procedures manual will be maintained by the bureau, division, section and/or unit, as applicable.
  - 2. Any Standard Operating Procedures manual that has been revised will be forwarded to the Planning Unit thru the originating unit's bureau commander upon completion of the revisions. The revised Standard Operating Procedures will be considered effective the date received by the Planning Unit. The Planning Unit will maintain approved Standard Operating Procedures on the Department's intranet or shared access drive.
  - 3. All Standard Operating Procedures manuals will include the following sections:
    - a. Organization.
    - b. Operations.
    - c. Emergency Procedures.
    - d. Others, as determined by the Organizational Commander.
  - 4. Each unit's Standard Operating Procedure will include a section on administrative reports, such as daily reports, monthly reports and annual reports. The Standard Operating Procedure entry will include:
    - a. A listing of all administrative reports.
    - b. A statement as to the person(s) or position(s) responsible for the formulation of the report(s).
    - c. A statement of the purpose of the report(s).
    - d. A statement of the frequency of the report(s).
    - e. A statement of the distribution of the report(s).
  - 5. Each unit's Standard Operating Procedure will include a section identifying assignments for which specialized training is required. Specialized training includes supervised on-the-job training provided by the department, training mandated by governmental authority and training necessary for development of knowledge and skills particular to an area of specialization. Examples include, but are not limited to, breathalyzer operator, motorcycle units or marine patrol. The Standard Operating Procedure entry will include:
    - a. A description of the required training.
    - b. Any retraining requirements.
  - 6. When any Standard Operating Procedure is amended, the change will be described in a dated memorandum and attached as a preface to the Organizational Commander's unit copy of the manual.
    - a. Copies of any rescinded portions will be maintained as an annex to the manual in the commander's unit copy.
    - b. When employees are not furnished personal copies of a change to procedure or training guide, they will read and initial a copy as documentation of their review.
  - 7. Organizational Commanders will ensure their employees have access to a current copy of the Standard Operating Procedures manual. This may be accomplished by one of the following:
    - a. Maintaining an organizational copy that is readily accessible to all on-duty employees.
    - b. Issuing each employee a copy of the Standard Operating Procedures.
    - c. Issuing each employee a copy of only those section(s) that directly affect an employee's usual operational activities.
  - 8. Organizational Commanders will ensure all affected personnel are made aware of procedural changes either through issuance of a personal copy of the change or by circulating a copy to be initialed. Employees issued personal copies of the Standard Operating Procedures, as outlined in 5 (b and c), are responsible for:
    - a. Keeping their copy updated with all issued changes.
    - b. Having their copy readily accessible for reference or inspection during normal duty hours.
- B. Other Organizational Procedures - The following documents will be dated and maintained by the originating or issuing unit either as part of the Standard Operating Procedures manual or as a separate file or log: any standing policy and/or

# Dallas Police Department General Order

## 202.00 Written Directives

Revised 10/19/2023

procedure; training manual; training bulletin; legal bulletin; safety bulletin; and any document directing, informing, or advising employees inside or outside the organizational unit.

### 202.07 Budget Performance Measures

Each unit's Standard Operating Procedure will include a section on the budget performance measure process. Performance measures are indicators used by the City of Dallas to evaluate a department's operational performance activity. The section on performance measures will include:

- A. Listing of current required performance measure(s).
- B. Definition of the performance measure(s) and data source.
- C. Description of the performance measure(s) calculation to include a step by step process for exporting source data (e.g. include report parameters), calculating the performance measure(s) (including formula used), and inputting the measure into the system (e.g. PerformanceSoft).
- D. Listing of all employees involved in the performance measure process, their responsibilities, including retention of source documentation, supervisory review of original performance measure calculation and entry into system (e.g. PerformanceSoft), and training. Training should include a description of required training and a training log documenting all required personnel have been trained on the performance measure process.
- E. Define and document the supervisory review process for all duties related to performance measures to ensure training continues for new and current employees, completeness of all necessary information, accuracy of calculations, and timely input of data.
- F. Quarterly review of performance measures must be conducted by the impacted Bureau Commander for final review.

### 202.08 Memoranda and Agency Forms

- A. Memoranda will not be a part of the directive system, but will be used for exchange of information.
- B. Departmental approved forms are available to all officers on the shared access N: drive. Additionally, forms inherent to daily patrol duties will be located at the patrol divisions. It will be the responsibility of the watch commander to ensure that these forms are accessible and available to all officers.
- C. Any new forms or modifying existing forms that will be utilized throughout the department will require approval through the Bureau Commander. A copy of the approved changes will be forwarded to the Planning Unit.
- D. Forms utilized within specific divisions will only require the approval of the Division Commander.

### 202.09 Staff Studies and Research Projects

- A. A copy of all staff studies and research projects conducted by Police Department personnel will be forwarded to the Planning Unit for inclusion in the Staff Study File.
- B. Each report will contain a cover sheet with the title, *Dallas Police Department*, name of the organizational level conducting the study and date of the report. The last page of the study should list the name, rank/title of the person completing the study.

### 202.10 Interlocal Agreements

- A. Any interlocal agreement with any city, law enforcement agency, or other entity that involves departmental operations must be approved by the Chief of Police prior to its presentation to the other entity for consideration.
- B. Prior to submitting the agreement to the Chief of Police for approval, the following procedures should be completed:
  1. A proposed draft of the agreement/contract will be submitted with an explanatory memorandum to the supervising attorney in the Criminal Law and Police Unit.
  2. The supervising attorney will review the proposed agreement/contract and ensure it meets the requirements of the Walker Consent Decree in addition to any other legal requirements.
  3. After the review and any necessary modification, the draft of the agreement, the explanatory memorandum, and a cover memorandum from the supervising attorney indicating approval and compliance with the Walker Consent Decree will be sent to the Chief of Police for approval.
- C. Upon approval of the Chief of Police, the package will be returned to the requesting agency/unit that will obtain the proper City of Dallas signatures prior to execution by the outside party.
- D. Upon implementation, the unit initiating the agreement/contract will forward a finalized copy to the Legal Services Section. Legal Services will maintain informational copies, to be used for reference only, of all agreements/contracts the Dallas Police Department has with other agencies or cities. The agreements/contracts may be in the form of formal contracts, Council Resolutions, Administrative Actions, Letters of Agreement, or Memorandums of Understanding, and they may contain policies and procedures including: guidelines and procedures for task forces; vehicle pursuits between cities; provisions for training, computers, or other services; or use of DPD facilities by other agencies.
- E. If an agreement/contract expires and is not renewed, the unit responsible for the agreement/contract will notify the Legal Services Section. This will ensure the agreement/contract is removed from the reference files. Individual units are responsible for maintaining and renewing agreements/contracts within their area of responsibility.
- F. Each June, the Planning Unit will review the Greater Dallas/Fort Worth Regional Law Enforcement Interlocal Assistance Agreement and the list of participants to ensure the information on the list is current.

### 202.11 Legal Opinions

- A. The Criminal Law and Police Unit is responsible for issuing legal opinions within the Dallas Police Department. Any legal issues or concerns regarding policies or procedures involving the operations of the Department should be

# Dallas Police Department General Order

## 202.00 Written Directives

Revised 10/19/2023

submitted in writing and directed to the Criminal Law and Police Unit of the City Attorney's office located in the Jack Evans Police Headquarters Building.

- B. The following procedures should be completed to request a legal opinion:
1. The request will be written in a memorandum, forwarded through the appropriate chain of command, approved by the division commander, and submitted to the supervising attorney of the Criminal Law and Police Unit.
  2. The request will include any information and documentation needed to facilitate the review of the issue (i.e., copies of arrest reports, previous bulletins, etc.) A contact person and their telephone number are to be included in the event the assistant attorney needs to contact the requestor for more information or clarification.
  3. The Criminal Law and Police Unit will review and issue a legal opinion as appropriate. A legal bulletin will be issued when it is determined that the information should be disseminated throughout the Department.
  4. The Criminal Law and Police Unit will be responsible for maintaining copies of all legal opinions and bulletins.

### 202.12 Movie/TV Show Procedures

- A. Contract Issues - When a movie/TV production company wishes to film in the Dallas area and the City Seal or City Property will be used, a contract between both parties is required. Depending upon the type of request the production company is making, certain City Departments and/or personnel will be involved in the contractual process. This will determine the type of contract that is written by the City Attorney's Office.
1. The production company must also agree to and sign the Police Department's Use of Equipment Guidelines.
  2. If the production company is requesting to film inside a City facility only and not inside an area controlled by the Police Department, the Police Department will not have any involvement in the request. These requests will be forwarded to the Equipment/Building Services Department.
- B. Request to Film, Photograph or Interview Employees or City Property for Commercial Purposes
1. Department employees receiving a request to film, photograph or interview any employee; to use City vehicles captured on film as part of the project or to film at any City facility for commercial purposes will forward the request through their chain of command to the Office of Chief of Police.
    - a. This includes, but not limited to, requests for films, television movies, series, commercials, music videos, corporate films, fund raising and promotional videos.
    - b. This directive applies to both for-profit and non-profit organizations.
    - c. This does not apply to news media covering local stories for daily news broadcast.
  2. The Police Media Relations Unit will notify the Office of Special Events when a request is received and the Department is considering accepting the request.
  3. If the request is approved by the Office of the Chief of Police, the request will be forwarded to the Police Media Relations Unit who will notify the Office of Special Events of the Department's approval of the proposal.
  4. The Office of Special Events will then be the point of contact for permitting and liaison between the Department and the film applicant to facilitate all meetings.
  5. No employee other than the Chief of Police or their designee can approve requests covered in this section.
  6. Employees will not sign any documents: waiver/location releases and/or contracts related to filming, photographing or interviews made or produced by any entity without the approval of the City Attorney's Office.
  7. The City of Dallas policy on Commercial Filming is covered in Administrative Directive 2-46.
- C. Outside Employment by Production Companies Permitted by the Office of Special Event.
1. Production companies involved in filming or photographing on City Property or of Department personnel are required to be permitted by the Office of Special Events.
  2. The approved permit will designate the number of off-duty officers the production company must employ while filming/photographing. Officers who serve as coordinators for these jobs will ensure the designated number of officers is present during the activity allowed by the permit.
  3. The coordinator will obtain a copy of the Commercial Filming Permit from the production company or Office of Special Events prior to working the job. If the coordinator will not be at the location during the entire period of filming/photographing, the coordinator will ensure an off-duty officer who will be at the location has a copy of the permit.
  4. Officers working off-duty for a production company will not authorize the company to hire fewer officers than designated in the permit. If an officer believes the job can be safely conducted with fewer officers, then the officer may contact the Office of Special Events to determine if the off-duty officer requirement can be reduced. A reduction must be approved by the Office of Special Events prior to fewer officers being utilized.
  5. Off-duty officers will not authorize production companies to conduct filming outside of public areas designated by the permit or engage in unauthorized activities. An on-duty supervisor will be contacted if a production company refuses to comply with the permit.
  6. Production companies who are granted a Commercial Filming Permit must still comply with all City of Dallas ordinances governing noise. The presence of an officer does not authorize companies to create noise outside of allowable levels or hours established by ordinance. Off-duty officers working for production companies will not authorize noise violations or fail to enforce them when violations are observed.
  7. If an officer, whether on duty or off duty, is filmed on private property for commercial use, a Commercial Filming Permit is required.
  8. All officers will adhere to the guidelines in General Order 421.00 (Off-Duty Employment) when working in an off-duty capacity for any movie/television show production company.
- D. Equipment Use
- The Chief of Police, or their designee, may approve the use of Dallas Police Department equipment (including marked police vehicles) by movie/TV production companies, providing the production company has a signed contract with the City of Dallas.
1. Non-Vehicular Equipment
    - a. The production company must provide a list of desired equipment a minimum of three working days prior to the start of shooting/filming.

# Dallas Police Department General Order

## 202.00 Written Directives

Revised 10/19/2023

- b. An individual must be designated by the production company to check out equipment from the Dallas Police Department. This individual must be an employee of the production company, must reside within Dallas County or any adjoining county to Dallas County, and must possess a valid Texas Driver's License.
  - c. The production company must provide the Chief of Police or their designee with an updated schedule of dates, times, and locations for all shoots. Any changes in the schedule will be made prior to the shoot.
  - d. Production companies may not provide any of the equipment provided by the Dallas Police Department to another movie/TV production company, either during or after completion of the shooting of the movie/TV production.
2. Vehicular Equipment
- a. Actually Utilized in the Production
    - I. Production companies may request to lease marked vehicles to be used in the production. Dallas Police vehicles can only be driven to and from movie/TV production sets, used only as props, and may not be driven by anyone other than a uniformed, off-duty Dallas Police Officer hired by the production company. The production company will be billed for the leased vehicles at the current business rate, which is determined by the Department in December of each year. The rate will begin when the vehicle leaves the City facility where it is housed and will include the time it takes to return the vehicle to the same location.
    - II. A request for leasing vehicles must be made in writing to the Chief of Police or their designee.
  - b. Replicated for Use in the Production
    - I. Dallas Police vehicles that are replicated by production companies will not be driven on public streets unless all logos and overhead visibars are completely covered. If not covered, the vehicles must be trailered.
    - II. Production companies may not provide any of the vehicles to another movie/TV production company, either during or after completion of the shooting of the movie/TV production identified in the contract.
    - III. Within five working days of completion of the Dallas area filming by the movie/TV production company, all product/logo markings on replicated vehicles must immediately be removed and provided to the Dallas Police Department for destruction.
  - c. Utilized for Traffic Control
    - I. Production companies may request to lease marked police vehicles for traffic control only. The production company will be billed at the current rate for the leased vehicles. The rate will begin when the vehicle leaves the City facility where it is housed and include the time it takes to return the vehicle to the same location.
    - II. Production companies may lease marked police vehicles only. The request for leasing vehicles must be made in writing to the Chief of Police or designee at least three business days in advance. These vehicles may only be driven by off-duty Dallas Police officers hired by the production company.
- E. Other Issues
- 1. The Dallas Police Department may inspect the handling of the equipment without notice at any time.
  - 2. The equipment must remain in Dallas County or an adjoining county. The equipment may not be removed from Dallas County or an adjoining county without approval from the Chief of Police or their designee.
  - 3. Any issues not covered will be referred to the Chief of Police or their designee.

### 202.13 Electronic Communication

The use of City of Dallas electronic information resources is a privilege and the policies implementing usage are located in Administrative Directive 2-33. All city employees are required to sign Exhibit A, *E-MAIL AND INTERNET USE CONSENT FORM*, of AD 2-33. By signing this form, the employee consents that all network activity is the property of the City and any E-Mail or Internet activity should not be considered private. This signed form should be kept in each employee's unit folder at place of assignment.

E-Mail and Internet access is provided for business related purposes as representatives of the City of Dallas and the Dallas Police Department only. As such, employees will:

- 1. Refrain from adding any inspirational messages, quotes of any type, etc., at the beginning or end of the actual message content when sending an internal or external electronic communication.
- 2. Refrain from expressing personal opinions as if they were an official City of Dallas position.

### 202.14 Departmental Issued Cellular Telephones and the Use of Personal Cellular Telephones on Duty

- A. Scope -Cellular telephones are equipment provided by the City of Dallas that is intended for duty-related business purposes. It is the policy of the Dallas Police Department to limit the use of these telephones to departmental business.
- B. Use of City Issued Departmental Telephones:
  - 1. Cellular telephones are authorized for official departmental business. Exceptions may be made for family situations or personal matters that require attention and where alternative forms of communication are not suitable or easily available. Every effort should be made to keep these calls short in duration.
  - 2. Cellular telephone numbers will not be provided to members of the public. Exceptions may be made under the following guidelines:
    - a. Immediate future contact between a police employee and a victim, witness, or other person may be critical or;
    - b. User of the cellular telephone has granted authorization or;
    - c. The release of a cellular telephone number was authorized by a supervisor.
  - 3. Cellular telephones will not be used to send inappropriate photographic images, emails or text messages unless they can be clearly linked to the conduct of official police business.

**Dallas Police Department General Order**  
**202.00 Written Directives**

Revised 10/19/2023

4. Cellular telephones will not be used to record photographic images of crime scenes except when issued for this purpose (e.g. departmental authorized social media)
  5. Cellular telephones will not be used to access social networking sites unless it is for official police business.
  6. Supervisors will conduct a periodic "spot" review of cellular telephone usage.
  7. Employees may be asked to justify any non-duty related cellular telephone calls.
  8. Supervisors will monitor the use of cellular telephones on a regular basis and will document the audit.
- C. Use of Personal Cellular Telephones on Duty:
1. The use of personal cellular telephones while operating a police vehicle must not interfere with the safe operation of the vehicle nor impede a response to a call for service. Employees operating police vehicles are responsible for operating vehicles in a safe manner at all times and will be held accountable for unacceptable driving.
  2. Employees shall limit the use of personally owned cellular telephones and the use shall not interfere with or cause personnel to be inattentive to duty.
  3. Employees are prohibited from reading, sending, or replying to emails or text messages while operating a police vehicle.
  4. Employees are prohibited from recording any crime scenes, potential evidence, suspects, and victims on their personal cellular telephones unless exigent circumstances exist in the preservation of evidence and it is approved by a supervisor.
  5. Employees are prohibited from sending inappropriate photographic images, emails, or text messages to departmentally issued cellular telephones.
  6. Telephones will be placed in a vibration or silent mode while attending court, training, meetings, and any other time needed to prevent interruption or annoyance.

**202.15 Requirement to Access BlueTeam Account Daily**

- A. Employees shall submit BlueTeam reports that are required by the performance of their duties or by competent authority prior to the end of their tour of duty. Employees shall sign into their assigned BlueTeam account each day they are working in an on-duty capacity, and they shall take appropriate action on all BlueTeam reports which have been returned for correction, assigned by a competent authority, or are pending their review. After taking action on all BlueTeam report(s), employees shall forward the report(s) to the appropriate user within BlueTeam or the Internal Affairs Division ("Program Administrator") in a timely manner. Employees shall not allow reports to remain in their BlueTeam account past 30 days.
- B. When an employee separates from the Department, it shall be the responsibility of the employee and their supervisor to ensure all BlueTeam reports assigned to the employee are resolved prior to their separation.



## Dallas Police Department General Order

### 203.00 Correspondence

Revised 02/19/2019

#### 203.00 CORRESPONDENCE

##### 203.01 Intra-Departmental Correspondence

- A. Official intra-departmental communications will be addressed directly to the Chief of Police and signed by the writer. This does not include personal communications relative to personnel and the routine operations of the Police Department.
- B. Communications, although addressed to the Chief of Police, will be forwarded through channels. No officer of any rank has the authority to stop any communication addressed to the Chief of Police. All such communications will be forwarded to the Office of the Chief of Police with the least possible delay. Each officer in the chain-of-command will initial each communication before forwarding.
- C. Police officers below the rank of Lieutenant signing intra-departmental communications or reports will place their identification numbers after their name.
- D. Transmittal of Intra-Departmental Correspondence
  - 1. When sending non-confidential correspondence, the sender will address a routing slip and staple it to the correspondence or use a manila envelope designed specifically for intra-departmental and inter-departmental mail.
  - 2. When sending confidential correspondence by intra-departmental mail, the sender will either:
    - a. Use a manila envelope with CONFIDENTIAL stamped on both sides. The envelope will be stapled and a small piece of tape will go over the flap.
    - b. Use a City of Dallas envelope with CONFIDENTIAL stamped on both sides. Mark *DO NOT MAIL* in the upper right-hand corner where the stamp is normally affixed and attach a routing slip.

##### 203.02 Outgoing Correspondence

- A. Only sworn officers in the rank of Lieutenant or above and section managers may forward necessary communications to persons or groups outside the department in connection with the operations of their areas of responsibility.
- B. Copies of correspondence sent to persons or groups outside of the department will be maintained for future reference in unit files and disposed of in accordance with the departmental Records Retention and Disposition Schedule.
- C. Official communications originating in bureaus, divisions, sections, or units and not of a routine nature for the operation of that area will be coordinated with the Office of the Chief of Police.
- D. All references in correspondence regarding police officers below the rank of Lieutenant will include the officer's identification number immediately after the officer's name.

##### 203.03 Instructions for Block Form Letter

- A. A block form letter will be used on all correspondence sent outside the department.
- B. The date will be twelve lines from the top of the page. The number of spaces between the date and the inside address, as well as the margins, will vary in order to center the letter on the page. Use two spaces between paragraphs and other component parts.
- C. When additional pages are needed, start the heading at the left margin on the sixth line from the top of the page and adhere to the following format:

Page 2  
Mr. John Doe  
June 20, 1992

- D. After the last paragraph of the letter, skip two lines and type the complimentary close (Sincerely). Skip two lines and type the name of the Chief of Police in all capital letters. On the next line type CHIEF OF POLICE. Skip four lines and type the name of the person signing the letter, title, and place of assignment.
- E. The composer and typist's *initial line* will consist of the initials of the person dictating or writing the letter and the person typing it.

##### 203.04 File Copies of Correspondence

All correspondence will be signed by the issuing authority before being reproduced for filing.

##### 203.05 Electronic Mail

All employees shall open their city issued email account and review all received messages each day they are in an on-duty capacity. Email is the primary means this Department uses to inform employees about current events, issue updates to any rules and regulations, and provide clarification to procedures via training bulletins.



## Dallas Police Department General Order

### 204.00 Reports to the Chief of Police

Revised 08/04/2017

#### 204.00 REPORTS TO THE CHIEF OF POLICE

##### 204.01 Required Reports to the Chief of Police

- A. Members of the Department are often involved in incidents, which cannot be introduced into the normal reporting system. Because of the uniqueness and/or magnitude of these incidents, the Chief of Police needs a factual report immediately from the personnel involved. The purpose of this order is to establish the requisites and format for writing a report to the Chief of Police.
- B. In the following instances, reports will be submitted immediately to the Chief of Police by the personnel involved when:
  1. Requested or ordered.
  2. An officer discharges a firearm while on duty or in the line of duty.
- C. Members of the Department may become aware of informal requests, newsworthy events, or issues of which the Chief of Police should be apprised. In such an instance, the employee must notify the Office of the Chief of Police as soon as reasonably possible. If the employee is non-supervisory, the employee will notify a supervisor who will make the notification. Notification will be made through the City's e-mail system under the following circumstances:
  1. An informal request is made by the City Manager's Office;
  2. An informal request is made by the Council;
  3. Any request that is received from the news media that may well result in a news story;
  4. Any major newsworthy event; or
  5. Any other issues that would be considered to be of concern to the Chief of Police and would reasonably require their immediate attention or knowledge thereof.
- D. This message should be a very brief synopsis of the issue and include what action, if any, will be taken.
- E. This system of notification does not substitute for personal and immediate notification on issues a member of the Department considers urgent. Also, this system may not be for some issues that should be addressed in person.

##### 204.02 Instructions for Writing to the Chief of Police

The following instructions will be used as a guide for the submission of an original and three copies of all reports to the Chief of Police.

- A. The report will be submitted on the City of Dallas Memorandum form.
- B. The date will be the date the report is written.
- C. Address - All reports will be directed to the Chief of Police.
- D. Subject - Briefly explain why the report is written.
- E. Body - Use the following as a guide:
  1. The report will be written in the first person.
  2. The block form for paragraphs will be used; double-spaced between paragraphs.
  3. The opening paragraph will contain the date and time the officer was dispatched, notified, or observed the incident reported; assigned element; and the nature and location of the call or incident observed. It will identify the actors, times, places, and any pertinent information concerning the incident.
  4. The report will follow the sequence of events, starting at the beginning and continuing in chronological order of actions and events, until it reaches the completion of the incident.
  5. The report must be factual and contain only those events that actually transpired.
  6. The report will be brief, concise, complete, and accurate.
  7. The report will contain names, addresses, ages, sex, and races of the persons involved.
  8. The closing paragraph will contain the disposition or action taken or recommended in handling the incident.
- F. Complimentary Close - "Respectfully submitted," will be used on all reports to the Chief of Police.
- G. Signature - The signature will contain the officer's name, identification number, rank, and organizational level to which assigned.



## Dallas Police Department General Order

### 205.00 Written Communication Distribution

Revised 01/30/07

#### 205.00 WRITTEN COMMUNICATION DISTRIBUTION AND INSPECTION SYSTEM

##### 205.01 General Policy

It is the responsibility of Organizational Commanders to ensure that each member of their command receives all applicable written communications. This order establishes a procedure requiring each Organizational Commander to maintain a logbook which will contain a record of written communication "To Be Logged," and a description of how that communication was conveyed to the employees.

##### 205.02 Definitions

For the purposes of this order,

- A. *Applicable written communications* means any document, regardless of origin, approved for distribution by the authority of a Captain or above. Generally, *applicable written communications* are documents such as Administrative Directives, General Orders, Special Orders, Legal Bulletins, Safety Bulletins, Training Bulletins, or any other document that could affect units of the Department or its personnel.
- B. *Document transmittal control sheet* is a control document titled *To Be Logged*, showing the document control number, date, type of communication, subject, approving authority, issuing individual or organization, level of distribution, and a means of acknowledgment of receipt of the document.
- C. *Logbook* is a record maintained by Organizational Commanders. The logbook will be used only for the control of documents forwarded to Organizational Commanders with a document transmittal control sheet (*To Be Logged*), approved for distribution by a Captain or above.
- D. *Written Communication Roster* is a list of employees within a given organizational level. The style of the roster may vary from one level to another and may be typed or computer-generated, but must contain at a minimum: the names of the employees, date the document was received, and employee signatures.

##### 205.03 Procedures

- A. The issuing individual or organization is responsible for the following:
  1. Preparing the document.
  2. Designating the level of distribution.
  3. Obtaining approval from a Captain or above.
  4. Obtaining a document control number from the Planning Unit. (A document control number may be obtained by telephone. Submission of the document is not required.)
  5. Distributing the document. (The original document will be maintained by the issuing individual or organizational unit.)
  6. Ensuring the document has been received by all Organizational Commanders through retention of the returned and signed document transmittal control sheet. (Length of retention is governed by the Department's Records Retention and Disposition Schedule.)
- B. Each Organizational Commander will maintain a logbook for the control of applicable written communications.
  1. The logbook form will be on 8 1/2" X 11" paper and titled *Written Communications Log*. It will contain the year and page number at the top of the form. The logbook forms will be maintained in a binder by calendar year, with consecutively numbered pages.
  2. The logbook will record each document control number, the type of document received, the subject, the date received, and the method and level of distribution to employees.
  3. The method of distribution can include mandatory viewing of a videotape; or in the case of a document, reading the document to the employees, or providing employees with a copy of the document, or both.
  4. The level of distribution can be: *ALL*, *SWORN*, *NON-SWORN*, or *ORGANIZATIONAL COMMANDERS*.
  5. The Bureau Commander's logbook need only reflect the above information for each Organizational Commander in the Bureau Commander's chain-of-command.
- C. Organizational Commanders will ensure that each employee designated to receive information signs or initials a Written Communications Roster for that document. The roster will state the type and subject of communication, the date the document was read or presented to the employees, and the level of distribution. Rosters will be maintained at the Organizational Commander level.

##### 205.04 Logbook and Roster Inspections

On a quarterly basis, Bureau Commanders or their designees will conduct inspections of Organizational Commander logbooks and rosters. This inspection will determine if departmental communications have been received, logged, and distributed in the proper manner.



## Dallas Police Department General Order

### 206.00 Time and Payroll Issues

Revised 8/1/2023

#### 206.00 TIME AND PAYROLL ISSUES

- A. In any conflict or difference between department rules or orders, and state or federal law, the law will take precedence. If any provision of these rules or orders conflicts with a meet and confer agreement adopted by city council, the provision of the meet and confer agreement will prevail.
- B. Compensation issues for all employees will be applied strictly within the guidelines established by law and department rules or procedures. Application of all laws, policies, and procedures will be made within the context of the best interests of the City of Dallas and the employee.
- C. The Department has an obligation to guard against indiscriminate payment of overtime or compensatory time that is not earned. Supervisors are to review all requests for compensation to guard against inaccurate or unjustified payments. The payroll supervisor is responsible for reviewing requests for overtime and compensatory time prior to submitting a payroll report.
- D. It is the duty of all Commanders to be fiscally responsible, not only with regard to money, but also with accountability of the use and accumulation of time.
- E. Commanders need to ensure that these aspects of their operations are regularly audited.
- F. Employees have an obligation to report to their supervisors any discrepancies in salary compensation (merit increase, various assignment and special pays, education incentive pay), overtime, compensatory time, or leave that is incorrectly reflected on their paycheck.
- G. Each sworn officer will receive a copy of their Employee Data Statement (Parameter Report) prepared from the Human Resources Information System on a quarterly basis. This report includes a listing of all types of pay an officer is receiving as of the date printed on the Employee Data Statement. The Employee Data Statement will come with instructions on what to do if an officer believes the report contains any errors. In such cases, an officer will have thirty (30) days to report the discrepancy to the Human Resources Department, Uniform Payroll Team, in person during normal business hours. If the discrepancy is not brought to the attention of the Uniform Payroll Team within 30 days, the officer's pay will be considered correct and the employee will be responsible for any overpayments made by the City to the employee.

#### 206.01 Personnel Time Records

- A. All personnel time records of the Dallas Police Department will be maintained in accordance with the City of Dallas Personnel Rules and Administrative Directives. These rules and directives are available on the City of Dallas intranet web page under the "Publications" heading for reference. The content of this order is intended to supplement those directives and provide guidelines in areas not covered that apply to the Dallas Police Department.
- B. Definitions
  1. The term *officer* refers to sworn personnel only.
  2. The term *employee* includes both sworn and non-sworn personnel.

#### 206.02 Time Cards

- A. Organizational Commanders will be responsible for ensuring that attendance records are maintained for employees under their command. These records will be maintained on time cards and daily or weekly detail sheets, which will be posted daily by a supervisor or an approved designated timekeeper.
- B. All absences will be posted in red ink. All work hours will be posted in black ink.
- C. Codes for marking time cards are as follows:
  1. A - Administrative Leave
  2. C - Compensatory Time Off  
(Applicable to exempt non-sworn employees and sworn Police Officers only. "C" time taken will be entered on the report.)
  3. D - Death in Family Leave
  4. E - Education Leave
  5. H - Official Holiday Leave
  6. I - Injury on Duty Leave  
(If "I" time extends through regular days off, the entry will be marked "I/O".)
  7. J - Jury or Court Leave
  8. M - Military Training Leave
  9. R - Present for duty ("R/T" will indicate a Trade Time entry)
  10. S - Sick Leave (Place an "F" after the appropriate leave code to indicate approved Family Medical Leave)
  11. V - Vacation (Place an "F" after the appropriate leave code to indicate approved Family Medical Leave)
  12. W - Approved Leave Without Pay (Place an "F" after the appropriate leave code to indicate approved Family Medical Leave)
  13. X - Absent Without Leave (AWOL)
  14. Z - Suspension
  15. O - Days Off
  16. K - Attendance Incentive Leave
  17. F - Furlough/Mandatory City Leave

## Dallas Police Department General Order

### 206.00 Time and Payroll Issues

Revised 8/1/2023

- D. Regularly scheduled days off, holidays, and vacation days may be posted on time cards in advance, in pencil, if deemed necessary by the commanding officer. The commanding officer will ensure that a daily verification is made of all previously posted entries to determine that they are correct and that entries in ink are made over the penciled entries.
- E. When supervisors assign or approve switching an employee's scheduled off day with a workday, it will be indicated on the employee's time card as O/R and R/O.
- F. Supervisors will ensure that all holidays are taken either in the month earned or within the two months immediately following.
- G. When an employee is reassigned (also referred to as "transfer" in GO 407), the time card will be routed to the unit to which the employee is reassigned. The supervisor forwarding the time card will enter the time and date of the reassignment and the unit reassigned to in the margin of the time card. The receiving supervisor will make note in the margin of the time card of the time and date received.
- H. Employees cannot use earned leave to work off-duty employment when the employment is on a regularly scheduled daily, weekly, or monthly basis or anytime it splits their workday with the exception that earned leave may be used to split a workday for medical or personal matters with supervisory permission.

#### 206.03 Reviewing Time Cards

- A. Organizational Commanders will designate supervisors to check the accuracy of time card postings. This will require biweekly, quarterly, and annual reviews.
- B. The Biweekly Review consists of comparing the time card postings with entries into the payroll system.
- C. The Quarterly Review consists of reviewing of all time card entries for the ending quarter. The reviewing supervisor will initial the time card in the left margin in the month ending the quarter. The reviewing supervisor will check to ensure that:
  - 1. During each sworn and non-sworn biweekly pay period all 8-hour employees were scheduled with four days off, and all 10-hour employees were scheduled with six days off. (Any changes for 10-hour employees must be made the first day of the pay period).
  - 2. When any changes of regularly scheduled days off resulted in an imbalance of days off, that adjustments were made. (Any corrections to days off should be made within the next pay period.)
  - 3. Employees are taking their holidays in the month earned or within the two months immediately following.
- D. The Annual Review, to be completed in February, will determine the number of days off, vacation days, holidays, etc., each employee took during the previous year.
  - 1. The reviewing supervisor will:
    - a. Correct any errors found.
    - b. Initial the reviewed time card in the lower left corner.
    - c. Record information at the top of the new time card and initial next to the recorded information. This information includes the number and type of days from the previous year that are owed to or by the employee.
  - 2. Any adjustments of days owed to or by an employee found during the Annual Review must be accomplished by March 31. The dates the time was received or returned will be listed at the top of the new time card.
  - 3. After all discrepancies are resolved, the time cards will be forwarded to the Personnel Division. Sworn and non-sworn time cards will be submitted separately. A copy of the time card will be placed in each employee's unit file.
- E. Any reviewing supervisor noting a discrepancy will forward to the Personnel Services Unit an Exception Payroll Supplement. If unable to determine the cause of a discrepancy, the supervisor will also forward an explanatory memo to the Personnel Services Unit.
- F. Any payroll issues and discrepancies that cannot be resolved between the supervisor and the Personnel Services Unit will be referred to the respective Organizational Commander and the Commander of the Personnel Division.

#### 206.04 Payroll System

- A. Employees may be allowed to enter their own time in the payroll system with the approval of the Organizational Commander except at Patrol Divisions. If employees are not authorized to make their own entries, the organizational commander will appoint a supervisor to make the exceptional entries. Only supervisors will make entries into the payroll system at the patrol divisions.
- B. Organizational Commanders must have prior written approval from the Office of the Chief of Police to use an employee who is not a supervisor to approve payroll submissions in the payroll system. A copy of the approval memorandum must be forwarded to the Personnel Services Unit.
- C. All entries into the payroll system must be made and approved by 9:00 a.m. on the Wednesday the payroll is due. Payroll is due for sworn and non-sworn personnel on alternating Wednesdays.
- D. When employees are placed on special assignment to an ORG-number other than their own, regardless of the length of time involved, the organization where they are temporarily assigned will be responsible for ensuring the employee's time is entered and approved in the payroll system.
- E. The following guidelines are used for entering regular hours worked, leave, T.A.P., compensatory time and/or overtime into the payroll system for both sworn and non-sworn employees:
  - 1. A time entry code must be entered into the payroll system for all hours worked.
  - 2. All time entered should be rounded to the nearest tenth.
  - 3. A project code must be selected when entering any time worked outside normal work hours or when applicable.

#### 206.05 Monthly Strength Report

# Dallas Police Department General Order

## 206.00 Time and Payroll Issues

Revised 8/1/2023

- A. The Personnel Services Unit, Personnel Division, is responsible for completing the Monthly Strength Report.
- B. Distribution
  - 1. The Monthly Strength Report will be completed no later than the tenth day of the following month. The original will be retained in the Personnel Division.
  - 2. The Personnel Division will be responsible for preparing and submitting to the Chief of Police and the Executive Staff a report showing the combined strength of the entire Department.

### 206.06 Work Schedules

- A. Administrative Hours
  - 1. Administrative hours are defined as a work shift comprised of eight hours compensated time and a one hour uncompensated meal period.
  - 2. The shift start time and days off for work groups with administrative hours should be established to provide efficient public service and maximize operational effectiveness.
  - 3. Organizational Commanders, whose offices normally operate only on an administrative hour's schedule or only on a two-shift basis, may permit employees of that office to take their one-hour meal period at any time during the workday. However, the organizational commander may only occasionally approve the meal period at the beginning or end of the workday, but no other meal period will be allowed. No employee will be allowed to take their one-hour meal period at the beginning or end of the workday on a permanent basis.
  - 4. Commanders will ensure adequate staffing is present at all times to discharge service obligations during established administrative office hours.
- B. Alternate Work Schedules
  - 1. With the approval of the Chief of Police, City Manager, and the Director of Human Resources, the standard work schedules for organizational levels that must be staffed on a 24-hour basis may vary. Approved schedules will be for three 8-hour shifts, multiple overlapping 10-hour shifts, or a combination of the two.
  - 2. Organizational Commanders will ensure documentation is maintained on the detail sheet or departmental calendar any time an employee's work schedule is altered, such as *O/R* or *R/O*. The actual work times must be documented. *R/O - O/R* days will also be recorded on the time card.
  - 3. Organizational Commanders will ensure that an employee's actual hours worked for each day are posted on the daily or weekly detail sheet if differing from the assigned hours listed on the detail sheet. The daily or weekly detail sheet should also reflect the actual hours worked when an employee works only a partial day. (Such as 4R – 7 a.m. to 11 a.m., 4S - 11 a.m. to 3 p.m.)
  - 4. Commanders will ensure that adequate staffing is present at all times.
  - 5. Supervisors are responsible for altering work schedules for their employees to achieve the goal of keeping overtime or compensatory time to a minimum.

### 206.07 Absences

- A. Employees must notify a supervisor at their assigned work location when they are sick, injured, or cannot report for duty due to illness, injury, any other unexpected reason. This notification must be made by telephone and directly to a supervisor.
- B. This telephone call will be made by the reporting employee or by a member of the employee's family at least one hour before reporting time. Employees in organizational levels with administrative schedules must give notice of absence due to illness, injury, or any other unexpected reason to their supervisors at the start of their standard workday. Employees must give a telephone number and address where they can be located during their normal tour of duty.
- C. Subsequent calls will be required on each succeeding day of absence unless the employee is specifically authorized not to do so by the employee's immediate supervisor.
- D. When an employee becomes ill while on duty to the extent he or she must leave work, the supervisor will be immediately notified.
- E. All employees will be allowed six (6) incidents or fifteen (15) days of undocumented sick leave each six-month period January 1 – June 30 and July 1 – December 31.
- F. An incident is defined as an uninterrupted use of sick leave.
- G. Employees will only use sick leave for one of the following reasons:
  - 1. The employee is incapacitated for the performance of duties due to an illness, surgical procedure, or off duty injury.
  - 2. To attend a medical, dental or optical examination or treatment that is necessary. Using sick leave to attend a physician's appointment during a tour of duty will require prior approval of a supervisor.
  - 3. To recover from pregnancy, miscarriage, abortion or childbirth.
  - 4. To care for a family member who is ill or incapacitated.
  - 5. When an employee has been exposed to a contagious disease and the employee's presence at the job would jeopardize the health of others. A health officer defines contagious disease as one that would warrant quarantine.
- H. Employees may not use sick leave due to an illness or disability caused by intemperate use of alcohol or drugs, unless the employee is participating in a city sponsored or approved treatment program.
- I. Any use of sick leave that is verified by a physician's statement listing one of the reasons stated in Section G, 1-5, will not count against the employee's cumulative undocumented sick leave.
- J. Physician's statements for verification of sick leave must be submitted to a supervisor in the employee's chain of command within forty-eight hours of the employee's return to duty.
- K. An officer's off-duty employment privileges will not be revoked due to sick time usage, other than as authorized in General Order 421.00.
- L. Violations of the department's sick leave procedures will be governed by the Personnel Rules and the General Orders.

# Dallas Police Department General Order

## 206.00 Time and Payroll Issues

Revised 8/1/2023

- M. Employees will use sick leave only for reasons enumerated in Section 34-22 (h) of the City of Dallas Personnel Rules and as outlined in General Order 206.07, Section G, 1-5.
- N. Any sworn employee's use of sick leave after six (6) incidents or 15 days in a 6-month period will require a doctor's written verification that the leave complies with the City of Dallas Personnel Rules, Section 34-22 (h) and General Order 206.07, Section G, 1-5.
- O. No list regarding sick time use or confidential medical information will be published publicly or posted internally including city-wide reports. Such reports will be used internally on a need-to-know basis.
- P. Sick time usage will not be the sole, exclusive factor when considering an employee for promotion, transfer or assignment.
- Q. Supervisors will make diligent inquiries into every case of unapproved absence from duty with a view toward corrective action if the violation is aggravated or repeated.
- R. When an employee is off sick and regular days off fall within the sick time, the regular days off will not be shown as sick days. When an employee is off due to an on-duty injury, normal working days will be marked I. Regular days off will be marked I/O until the employee returns to duty.
- S. When any employee is off-duty at any subsequent date as a result of an on-duty injury, the employee will be carried as injured on-duty. The employee's immediate supervisor will be responsible for making the necessary confirmation that the leave is a result of an on-duty injury.
- T. When an employee is on military leave, normal working days will be marked M and regular days off marked.
- U. Nothing in this section limits the department's right to investigate and discipline employees pursuant to the City of Dallas Personnel Rules and the General Orders.

### 206.08 Overtime and Compensatory Time

- A. Standard Work Day Defined - An employee's standard workday begins when he/she starts work on the scheduled shift.
- B. Exceptions to Standard Work Day
  - 1. Sworn Employees
    - a. Excluding court subpoenas and responses to official call back status for Standby/On Call assignments (refer to 206.12), if sworn employees are called to work outside their scheduled work day and continue to work up to or through their scheduled start time, for purposes of computing daily overtime, a new day begins at the time they originally reported for work. Any actual hours worked that exceed the standard work day will be compensated. Special Compensation, as defined in 206.10, will not be computed or compensated on either end of that work shift.
    - b. If callbacks do not merge with their scheduled start time, sworn employees will be compensated a minimum of two hours at the appropriate rate. These two hours include any Special Compensation permitted, consistent with the guidance provided in Section 206.10 Special Compensation (Court and Approved Functions During Off-Duty Hours).
  - 2. Non-Sworn Employees
    - a. Non-sworn employees who are called back to work outside their scheduled work hours and continue to work through their scheduled start time, for purposes of computing daily overtime, a new workday begins at the time the employee reported for work.
    - b. If callbacks do not merge with their scheduled start time, non-sworn employees will be compensated a minimum of two hours at the appropriate rate. These two hours include any Special Compensation permitted, consistent with the guidance provided in Section 206.10 Special Compensation (Court and Approved Functions During Off-Duty Hours).
- C. Supervisors may assign or approve employees to alter their work hours. A record of the altered hours must be documented by either a memorandum or posted on a detail or departmental calendar.
- D. Non-exempt sworn employees have the option of receiving either overtime pay or compensatory time when working more than 40 hours in a work week. The compensatory time option is subject to supervisory approval.
  - 1. The overtime rate will be at one and one-half times the regular rate of base pay for all hours worked over 40 in the work week.
  - 2. If selected, compensatory time will be accrued at one and one-half hours for all hours worked over 40 in the work week. Compensatory time earned in one quarter that is not taken by the end of the next two quarters will be automatically converted into overtime pay for sworn employees.
  - 3. The procedures for police officer call back are outlined in the meet & confer agreement, as applicable. Generally, if a police officer is called during call back hours for police-related business questions, while ordinarily off duty, the police officer will be compensated with either overtime or compensatory time for the amount of the time of the call.
- E. Non-Sworn Employees
  - 1. Non-exempt employees will be paid overtime pay at a rate of one and one-half times their regular pay for all hours worked over forty (40) in a work week.
  - 2. Exempt employees will be credited with compensatory time when they work more than eighty (80) hours in a biweekly pay cycle. Compensatory time will be accrued at the rate of one hour for each hour over the standard workday. Refer to City of Dallas, Personnel Rules Sec. 34-24 Compensatory Leave for guidelines applicable to compensatory time earned by non-sworn exempt employees.
- F. Reporting Overtime or Compensatory Time - Any compensatory time or overtime earned by any employee must be documented by the employee's next workday.
  - 1. Bureau and Division Commanders must document overtime worked by completing a compensatory or overtime card, which will be maintained as a departmental record. All other employees will report any overtime worked to the next level supervisor or commander by completing a compensatory or overtime card. The approving supervisor must sign the compensatory or overtime card.

# Dallas Police Department General Order

## 206.00 Time and Payroll Issues

Revised 8/1/2023

- a. Overtime - use Form Pol-00877 Rev 6/89, *Application For Overtime* (pink card). Overtime earned will be entered into the payroll system as outlined General Order 206.04.E.
  - b. Compensatory Time - use Form Sup-01549 Rev 2/95, *Request for Compensatory Time* (white card). Compensatory time earned will be entered into the payroll system as outlined General Order 206.04.E
  - c. Overtime and compensatory time will be logged by entering time in IWM or by completing a pink overtime and/or a white compensatory card. The time still must be entered into the payroll system. The method that time is logged is at the discretion of the Division Commander.
2. Sworn employees will be paid at the Temporary Assignment Pay (T.A.P.) rate for overtime duties resulting from a temporary assignment. If the duties do not involve those of the T.A.P. position, overtime will be paid at the rate of the regular position. When overtime is to be paid at the T.A.P. rate, the T.A.P overtime pay code for the rank the employee is acting will be selected in the payroll system.
  3. Each Organizational Commander will keep the Overtime and Compensatory Time cards as back-up records to employees' individual time cards. The Overtime and Compensatory Time cards will be retained in accordance with the Department's Records Retention and Disposition Schedule.
  4. Employees incorrectly paid overtime or credited with compensatory time will report it immediately to their supervisor. The supervisor will ensure that the Payroll Team is notified so that adjustments can be made on the payroll. Employees will not make any adjustments between themselves because it would leave the payroll records in error.

### 206.09 Earning Overtime or Compensatory Time and Authorization Level

<b>Reason for Overtime</b>	<b>Situations</b>	<b>Authority</b>
Judicial Functions	Felony, Misdemeanor, and Juvenile Courts  Civil Courts (when appearance is related to police duties)  Grand Jury  U.S. Attorney, District Attorney, or City Attorney Conferences	Subpoenas or Court Notification Slips  Appointments set by: U.S. Attorneys, District Attorneys, or City Attorneys
Late Relief	Working beyond normal work hours due to late calls, assigned projects, etc.	Dispatcher notification  Supervisor (Unit/ Watch/Section)
Non-Emergency Assignment Outside of Scheduled Hours	Civil Service Board Meetings  City Manager Hearings  Department Disciplinary Hearings Community Meetings  Shooting Review Boards  Collision Appeal Boards  Meritorious Conduct Boards  Driver's Physicals  Other similar assignments	Civil Service Subpoena or Notification Slip  Command Staff-level Officer
*Emergency Call Back	Unplanned work arising due to natural disasters or civil disorders	Chief of Police or Duty Commander
Planned Special Events	Parades  Conventions  State Fair	Assistant City Manager, Finance (Advanced approval required - Organizational Commanders must allow sufficient time for the approval process through the Assistant City Manager)
Traffic Grants	Various Grants for Enforcement of DWI, Seatbelt Law, etc.	Commander, Traffic Section
Quartermaster Visits	Only if required visit cannot be completed during the employee's normal working hours	Supervisor (Unit/ Watch/Section)

- A. Regulations pertaining to payment of individual employees for overtime and compensatory time are contained in the City of Dallas Personnel Rules, and in the event of a conflict, the Personnel Rules prevail. The following regulations, however, also govern the earning of overtime/compensatory time by departmental employees.
- B. How Time is Earned and Authorization Level - The following instances are reasons for earning overtime/compensatory time and the approval basis or authority is indicated:
  1. Employees appealing a grievance or disciplinary action before an Assistant City Manager, an Administrative Law Judge, a Trial Board, or the Civil Service Board will not be compensated for off-duty appearances unless so

**Dallas Police Department General Order**  
**206.00 Time and Payroll Issues**

Revised 8/1/2023

- ordered or when responding to a subpoena. Employees whose appeals occur during regular hours will be compensated at their regular rate of pay.
2. Employees serving as witnesses at a grievance or disciplinary appeal hearing before an Assistant City Manager, an Administrative Law Judge, a Trial Board, or the Civil Service Board will be compensated for off-duty appearances if they were summoned by subpoena, received a notice issued by the Legal Services Section, or received verbal notification from the City Manager's Office/Civil Service Board. Employees serving as witnesses during regular hours will be compensated at their regular rate of pay.
- C. Court Appearances - Employees on court overtime will be compensated for the actual time spent in court. Employees released from court for lunch breaks will not be compensated from the time they are released through the time they are required to return to court.
- D. Requiring Officers to Work More Than Forty Hours in a Calendar Week.
1. In the event of an emergency, the Chief of Police or the Duty Commander, pursuant to the authority delegated by the Chief of Police, may authorize a supervisor to require officers to work more than forty hours in a calendar week.
    - a. This decision will be documented through a group appropriate MDC transmission or an audible radio transmission to the Communications Dispatcher.
    - b. The Chief of Police or Duty Commander will monitor the situation to relieve officers in a reasonable and timely manner.
  2. An emergency is an unexpected happening or event or an unforeseen situation or crisis that calls for immediate action. Emergencies include:
    - a. Severe weather events.
    - b. Major incidents that require extended perimeter traffic control.
    - c. Spontaneous crowd control problems or a barricaded person that utilizes a high number of field resources.
    - d. Fallen aircraft or mass casualty situation.
    - e. Any other unexpected happening or event or unforeseen situation or crisis that calls for immediate action as determined by the Chief of Police or Duty Commander pursuant to the authority delegated by the Chief of Police.
  3. Nothing in this section prohibits any supervisor from requesting volunteers to work more than forty hours in a work week.
- E. No employee is allowed to take discretionary leave and then earn compensatory time or overtime by volunteering for an assignment during their regularly scheduled duty hours. This does not preclude earning time during discretionary leave if the time earned is a mandatory function of the employee's assignment.

**206.10 Special Compensation (Court and Approved Functions During Off-Duty Hours)**

- A. Employees required to return to work (judicial functions in Dallas County and emergency/ non-emergency assignments) during their off-duty hours will receive special compensation.
- B. The special compensation permitted per assignment will be thirty minutes of compensatory or overtime before and thirty minutes after the assignment.
- C. The special compensation does not apply in the following circumstances:
  1. Reporting early or staying late in conjunction with an employee's scheduled work shift as referenced in 206.08 B.
  2. Immediately before or after working an R/O day. (When an employee is required to return to work before working an R/O day or after working an R/O, as defined in 206.10 A, special compensation will be permitted.)
  3. When less than one hour exists between the end of the scheduled work shift and the beginning of the after-hours assignment except when actual travel between facilities (defined as a sufficient distance to reasonably require travel by a motor vehicle) is required.
  4. When less than one hour exists between the end of the after-hours assignment and the beginning of the scheduled work shift except when actual travel between facilities (defined as a sufficient distance to reasonably require travel by a motor vehicle) is required.
  5. When the time for the special compensation overlaps in any way with any off-duty employment.
  6. For instances of voluntary overtime/compensatory assignments as defined by the Department.
- D. Court Appearances in Collin, Denton, Kaufman, and Rockwall Counties - Special compensation to these four counties will be calculated as the actual time spent traveling from the employee's current location or workplace (if going off-duty) to the location of the court. The minimum compensation will be for 30 minutes each way. The maximum compensation will not exceed one hour each way. The special compensation does not apply in the following circumstances:
  1. Reporting early or staying late in conjunction with an employee's scheduled work shift as referenced in 206.08 B.
  2. Immediately before or after working an R/O day. (When an employee is required to return to work before working an R/O day or after working an R/O, as defined in 206.10 A, special compensation will be permitted.)
  3. When less than one hour exists between the end of the scheduled work shift and the beginning of the after-hours assignment except when actual travel between facilities (defined as a sufficient distance to reasonably require travel by a motor vehicle) is required.
  4. When less than one hour exists between the end of the after-hours assignment and the beginning of the scheduled work shift except when actual travel between facilities (defined as a sufficient distance to reasonably require travel by a motor vehicle) is required.
  5. When the time for the special compensation overlaps in any way with any off-duty employment.
- E. Court Appearances in All Counties Other Than Dallas, Collin, Denton, Kaufman, and Rockwall
  1. When properly subpoenaed in conjunction with their department-related duties to attend judicial functions in a county other than Dallas, Collin, Denton, Kaufman, or Rockwall Counties, employees will be furnished transportation and expenses.

# Dallas Police Department General Order

## 206.00 Time and Payroll Issues

Revised 8/1/2023

2. Employees will be compensated for court/judicial assignments for the time actually traveling to and spent in court or the judicial function until released by the court or prosecutor. Employees will receive overtime or compensatory time for any amount of time over their normal duty tour while in duty status, including travel time.
3. In cases where witness fees are paid to an employee, such fees will be refunded to the City of Dallas through the Manager of the Equipment Services Section. The refund will not exceed the amount of expenses drawn or claimed from the city.

### 206.11 Out of Town Travel

- A. Employees sent out of town for one day will not be paid for time spent in traveling from home to the airport but will be paid for all other travel time, except any time spent in eating while traveling. Employees who drive overnight are considered working all the time they are driving and will be compensated.
- B. Employees traveling overnight on business, such as for more than one day, will be paid for time spent in traveling, except for meal periods, during their normal working hours on their non-working days, such as Saturday, Sunday, and holidays, as well as on their regular working days. Travel time as a passenger on an airplane, bus, or automobile outside of regular working hours is not considered work time and will not be compensated. However, any actual work an employee does while traveling remains compensable work time for an out of town trip. An employee using a City vehicle is working while driving on business, but not while going to and from home.
  1. Division and Section Commanders will review the need for each out of town trip to help curtail overtime and compensatory time.
  2. If feasible, out of town trips will be made during an employee's normal tour of duty.

### 206.12 Compensatory Time Relating to Employees in "On Call" or "Call Back" Status

- A. "On Call" is defined as being required to remain available for immediate call to duty by continuously remaining in contact with a police department office by telephone or by radio.
- B. Sworn non-exempt employees are not considered to be "On Call" if they can come and go as they please when they leave a telephone number where they may be reached (i.e., work off-duty jobs, engage in personal pursuits, etc.).
- C. Being placed in "On Call" status is not automatic to any given work unit or circumstance. In order to be in "On Call" status, the officer must meet all of the following requirements:
  1. Be approved in an "On Call" position by the officer's Bureau Commander;
  2. Be continuously tied to a communication device (i.e., police radio, telephone, Blackberry, etc) for immediate contact and response;
  3. Modified behavior (i.e., not consume intoxicants or any similar substance(s) that impairs action or performance);
  4. Be required to respond to the communication notice by arriving at the designated location within 30 minutes or less of the notice in appropriate police attire; and
  5. Be subject to discipline for failure to respond.
- D. In the event of authorized "On Call" status by a Bureau Commander, all time an officer is designated as "On Call" must be recorded on the Application for Comp Time Card (Form SN2761-01-520) in the "On Call or Assignment" section as **OCUP** (On-Call Time – Uniform Police).
- E. Time Cards (Form SN2761-01-520) will be maintained as a departmental record. On Call cards must be submitted by the employee's next working day, signed by the employee and approved by the next level supervisor and the watch commander. Most circumstances in the Department will be handled as a "Call Back" which is defined as a circumstance whereby the employee is called back to work outside of the employee's scheduled work hours, and the call back does not merge with the employee's scheduled start time. Employees will continue to be compensated in accordance with current Personnel Rules and the Meet & Confer Agreement, where applicable.

### 206.13 Temporary Assignment in Next Higher Grade

- A. Eligibility
  1. Sworn employees, temporarily fulfilling the duties of a higher grade for any length of time, will be compensated at the rate of that higher grade. The key consideration in determining eligibility for Temporary Assignment Pay (which will be referred to as T.A.P.) is that an employee is actually assigned to perform the duties of the higher grade.
  2. When supervisors of the ranks of Sergeant or higher will not be available to fulfill their duties, an acting supervisor may be appointed. This will include absences of full or partial days for unpaid leave, vacation leave, sick leave, other paid leave, administrative leave, or while out of the city on official business. The appointees will perform the duties of their regular position and the position to which they have been appointed. It is not always necessary to appoint someone to fulfill the duties of a higher grade; however, when circumstances dictate that a subordinate rank performs activities clearly assigned to the superior, then T.A.P. must be approved.
  3. An Acting Commander will not be appointed when Division Commanders or above are on their normal days off or outside of administrative hours. If the Commander works administrative hours and the Acting Commander works an alternate work schedule, the Acting Commander can only receive T.A.P. for the hours the Commander would normally work.
  4. A Sergeant performing the duties of a Watch Commander in a patrol position or other division would qualify for T.A.P.
  5. Assignments as Acting Sergeants may be rotated among members of the work group who have completed their probationary periods. Assignments of Acting Commander may be rotated or determined by the needs of the Department.
  6. Senior Corporals or Police Officers assigned to Patrol Bureaus will not be assigned as Acting Supervisors. Other Sergeants assigned to the watch should assume supervisory duties for Sergeants on off days or vacation.

# Dallas Police Department General Order

## 206.00 Time and Payroll Issues

Revised 8/1/2023

- B. Authorization
  - 1. In all cases, some form of written authorization must be maintained at the organizational level. These authorizations may take the form of detail sheets, memoranda, etc., and will be kept in accordance with the Records Retention and Disposition Schedule.
  - 2. Requests for T.A.P. will be entered into the payroll system. Time will be reported in hours and/or tenths of hours.
- C. Compensation
  - 1. A sworn employee filling in at the next higher grade will receive compensation based on current years in rank. In other words, base pay will be the same step in the higher-level rank as the step of the officer's current rank. For example, a first year Lieutenant filling in for a Captain or Major will receive the pay of a first year Captain or Major. A second year Sergeant filling in for a Lieutenant will receive the pay of a second year Lieutenant. For more senior ranks that have fewer steps, the increase will be the highest step in the rank.
  - 2. For serving two or more ranks higher, base pay will be the step in the higher-level rank that provides at least a 10% increase.
  - 3. A sworn employee filling in for a rank on the executive pay schedule will receive compensation based on his/her current step within the Executive Salary Step Schedule. For example, a Deputy Chief/Step 1 filling in for an Assistant Chief will receive the pay of an Assistant Chief/Step 1.
  - 4. A sworn employee acting in a higher salaried non-sworn position will receive compensation of 5% above the sworn employee's current base salary. The non-sworn maximum salary must be greater than the maximum of the sworn rank in order for the sworn member to receive T.A.P.
  - 5. Overtime will be paid at the T.A.P. rate for duties resulting from the temporary assignment. No T.A.P. overtime will be earned for overtime duties that do not involve those of the T.A.P. position.

### 206.14 Field Training Officer Pay

- A. Field Training Officers (FTOs) will be eligible for FTO Assignment Pay if utilized as a Principal field training officer and after successfully completing FTO School.
- B. Pay Status
  - 1. All Principal FTOs will receive \$100.00 per month Assignment Pay.
  - 2. All Principal or Relief Training Officers may earn a maximum of 0.6 hours overtime pay/compensatory time for each day they actually train a recruit, Reserve Officer, or when serving as class advisor to a recruit class. A Principal FTO may earn one hour (1.0) of overtime pay/compensatory time each week for completing the Weekly DOR Review for their assigned recruit. FTOs may earn a maximum one (1.0) hour of overtime pay/compensatory time on the day in which they complete the End of Phase Evaluation Report. If on the same day the FTO trains a recruit, completes the Weekly Review, and completes an End of the Phase Evaluation, then the FTO may earn a total of 2.6 hours of overtime pay/compensatory time that day. The overtime must be actually worked to be received and must be related to some aspect of the training program. The work can occur prior to or after the shift assignment. A separate entry must be completed for each day of overtime claimed.
  - 3. If a Principal FTO requests to be removed from an FTO assignment, is dismissed from the assignment, or transfers to another assignment, FTO Assignment Pay will be discontinued.
  - 4. A Personnel Action Request will be completed and forwarded for approval to the Field Training Program Commander to initiate and terminate FTO Assignment Pay.
  - 5. Relief FTO's assigned to a training rotation to train a recruit for a period of 30 days or longer will receive assignment pay for that period. A Personnel Action Request will be completed by the FTO's supervisor and forwarded for approval to the Field Training Program Commander to initiate the assignment pay. The assignment pay will be discontinued as soon as the relief FTO is no longer assigned to the training rotation. A Personnel Action Request be completed by the FTO's supervisor and forwarded immediately for approval to the Field Training Program Commander to terminate the assignment pay.
  - 6. Relief FTO's assigned to train a recruit in an intermittent basis when needed (less than 30 days) will not receive the assignment pay. They will receive 0.6 hours overtime for each day they actually train.
  - 7. All off-duty FTO's who attend quarterly meetings will earn overtime for the actual time spent in the meeting plus a maximum one (1) hour special compensation.

### 206.15 Patrol Duty Assignment Pay

- A. Patrol Duty Assignment Pay applies to sworn members with the rank of Police Officer having a minimum of six years of service, and assigned to any Patrol, Traffic, Special Operations Divisions, and the Gang Unit.
- B. Payment schedule is as follows:
  - 1. 6 years service - \$100 per month.
  - 2. 8 years service - \$125 per month.
  - 3. 10 years service - \$150 per month.
- C. Based upon Bureau Commander approval, officers on special assignment (away from their Patrol assignment), may be eligible or continue to receive Patrol Duty Pay if the special assignment duties/assignments are similar in nature or require patrol expertise.

### 206.16 Detective Assignment Pay

- A. Detective Assignment Pay applies to sworn members with the rank of Senior Corporal who are responsible for either of the following:
  - 1. The follow-up investigation of criminal offenses and for the filing and preparation of criminal cases for prosecution
  - 2. For conducting internal audit investigations, administrative investigations on prospective police employees or for alleged misconduct by employees.

## Dallas Police Department General Order

### 206.00 Time and Payroll Issues

Revised 8/1/2023

3. Investigation and preparation of nuisance abatement litigation cases.
- B. Eligible Senior Corporals must be actually assigned to perform the listed duties for more than thirty days to receive the \$100 per month Detective Assignment Pay.
- C. Based upon bureau commander approval, officers on special assignment (away from their detective assignment), may continue to receive Detective Assignment Pay if the special assignment duties/assignments are similar in nature or require detective expertise.

#### 206.17 Shift Assignment Pay

- A. All permanent, full time employees will receive Shift Assignment Pay if they work an eligible work schedule.
- B. A three and one half percent (3.5%) Shift Assignment Pay based on the employee's hourly base pay rate, as reflected in the City of Dallas Salary Schedules, will be paid to sworn personnel who work an eligible work schedule as defined in section C. A two percent (2%) Shift Assignment Pay based on the employee's hourly base pay rate will be paid to non-sworn employees who work an eligible work schedule as defined in section C below.
- C. An eligible work schedule is any pay period, or equivalent calendar period, in which fifty percent (50%) or more of the regularly scheduled work hours fall between 6:00 p.m. and 6:00 a.m. An altered work schedule does not qualify as an eligible work schedule except as outlined in section F.
- D. A six and one half percent (6.5%) Shift Assignment Pay based on the employee's hourly base pay rate, as reflected in the City of Dallas Salary Schedules, will be paid to sworn personnel who work an eligible work schedule as defined in section E. A flex work schedule does not qualify as an eligible work schedule except as outlined in section F.
- E. All sworn personnel will receive Shift Assignment Pay if they work in any pay period, or equivalent calendar period, in which fifty percent (50%) or more of the regularly scheduled work hours fall between 12:00 midnight and 8:00 a.m. An altered work schedule does not qualify as an eligible work schedule except as outlined in section F.
- F. Any employee on an altered work schedule or special/temporary assignment for which he/she is assigned to work for a period of more than five consecutive working days in which fifty percent (50%) or more of the scheduled daily work hours fall between 6:00 p.m. and 8:00 a.m. will be authorized to receive Shift Assignment Pay during the entire period of special assignment at the appropriate rates.
- G. A *Personnel Action Request (PAR)* will be completed and forwarded to the Personnel Services Unit stating the beginning and ending dates of a special assignment. A PAR will also be completed and forwarded to the Personnel Services Unit for any altered work hour schedule that extends beyond one pay period or five consecutive working days. The exact hours worked and days off will be listed in the *Reassign To, Shift Parameters* section and the note section of the PAR. *Temporary Special Assignment* will be typed in the *Note* section of the PAR.
- H. Any employee who works a monthly rotating schedule will receive Shift Assignment Pay for the total calendar month if fifty percent (50%) or more of the scheduled work hours fall between 6:00 p.m. and 6:00 a.m.

#### 206.18 Education Incentive Pay

- A. Education Incentive Pay is an additional pay of \$12 per month for each three semester hours of approved college credit earned after the first 45 hours. A maximum of \$240 per month will be paid to those who have not completed requirements for a Bachelors degree. A maximum of \$300 per month will be paid to those who earn a Bachelors degree. Education Incentive Pay is limited to a maximum of \$300 per month, regardless of the number of degrees earned by an officer.
- B. The Bachelors degree or college credit must be from a duly accredited university or college approved by the City of Dallas Civil Service Department prior to enrollment. These accrediting bodies, listed in an annual publication entitled *Accredited Institutions of Postsecondary Education*, are the MSCHE, HLC, NECHE, SACSCOC, ACCJC, WSCUC, and NWCCU. The only approved nationally accrediting body that is accepted for Education Incentive Pay is TRACS.
- C. Developmental and remedial classes (entry level) are not college level classes and are not accepted. Repeat classes are not accepted. Orientation courses will be accepted only if the class is counted in grade points toward a degree.
- D. The following courses are accepted if on a transcript from an accredited institution:
  1. Approved courses and training received in the Armed Forces for college credit.
  2. Approved courses completed while attending a Police Academy. Credit is given only after completion of the prerequisites set forth by the accrediting institution.
  3. Credits for the College Level Examination Program (CLEP). CLEP consists of college level examinations that allow an individual to receive college credit after demonstrating proficiency in a specific subject. Up to 12 CLEP hours from an accredited institution may be accepted.
  4. Technical courses, business skill classes, and other non-degree courses completed at other trade or technical schools.
  5. Only grades of A, B, C, or D are acceptable, unless the transcript indicates that the grade of S or P is equivalent to a grade of C or higher. A grade point average of 2.0 or higher must be maintained.
- E. All college level Physical Education classes will be accepted for computation of Education Incentive Pay.
- F. Quarter hours earned will be converted to semester hours for computation of Education Incentive Pay.
- G. Procedures for Application for Education Incentive Pay
  1. A certified transcript must be personally submitted to the Human Resources Department, Uniform Payroll Team.
  2. The Uniform Payroll Team will verify institutional accreditation, semester hours earned, and that the courses were counted in grade points toward a degree.
  3. After verification of this information, the requesting officer will sign a statement that all information is correct as listed.
- H. For current officers, the Education Incentive Pay becomes effective on the date for the close of the semester. Evidence must be submitted within 30 days of semester completion; otherwise, the effective day for pay becomes the date the transcript was submitted.

**Dallas Police Department General Order**  
**206.00 Time and Payroll Issues**

Revised 8/1/2023

- I. For new appointments, the Education Incentive Pay becomes effective upon presentation of satisfactory evidence or the date of hire, whichever is later. Evidence must be submitted to the Human Resources Department, Uniform Payroll Team for approval.

**206.19 Language Skills Assignment Pay**

- A. The provisions for Language Skills Assignment Pay, a list of languages eligible for compensation, and the amount of compensation are outlined in Administrative Directive 3-37. Each organizational level is responsible for identifying positions for which additional language skills would be beneficial. The organizational level will submit a memo and Language Skills Assignment Pay Questionnaire (P3-37A) to the Commander over the Personnel Division requesting the positions be tested for Language Skills Assignment Pay. The Personnel Services Unit (PSU) will evaluate the request and, if justified, schedule the test.
- B. The PSU will review each department's request for Language Skills Assignment Pay to assess whether such skill would be applicable and beneficial in performing the position's responsibilities. An analysis will be made of the specific position in relation to whether:
  1. The position includes a high level of public contact requiring that one third or more of work activities involve communication with the public.
  2. The additional language skills are beneficial in the performance of job duties.
  3. The presence of the additional language skills will have a positive impact on the Department's delivery of service.
- C. Employees and their respective division will be contacted regarding the scheduled date, time and location of the language test. If there is a schedule conflict, the employee must notify PSU immediately so that the test can be rescheduled. The employee should arrive at least 10 minutes early as the test must begin exactly on time. If the employee is late for the test or does not show up as scheduled, the request will be returned to the division and no test will be administered for a period of one year unless approved by the Administrative Bureau Commander.
- D. The amount of compensation for Language Skills Assignment Pay will be determined by the employee's proficiency level. Language Pay will be retroactive to the date of the test, not to the date of the request memo or assignment date. If an employee's language proficiency does not qualify for Language Pay minimum rate, the employee may request a new test no sooner than one year from the previous test date.
- E. If an employee changes a position, or the position requirements no longer require Language Skill Assignment Pay, the employee will no longer receive the additional pay.
- F. When an employee's Language Skills Assignment Pay is discontinued upon a reassignment or promotion to a new position, the new supervisor will submit a memo and Language Skills Assignment Pay Questionnaire (P3-37A) to the Commander of the Personnel Division requesting that the new position be approved for Language Skills Assignment Pay and that the employee's language pay be reinstated. The employee will not be required to take a new test, and the Language Pay will be restarted retroactive the date the request memo was received by PSU, not the date of the request memo or assignment date.

**206.20 TCOLE Certification Pay**

TCOLE Certification Pay will be accrued as follows:

- A. \$50 per month for Intermediate Peace Officer Certification
- B. \$400 per month for Advanced Peace Officer Certification
- C. \$600 per month for Master Peace Officer Certification.

**206.21 Longevity Service Pay**

Longevity Service Pay will be accrued at a rate of \$4 per month per year of service to a maximum of \$100 for 25 years of service.

**206.22 Administrative Leave and Ineligibility for Assignment Pays**

- A. Certain authorized absences not provided for under regular leave policies, fall within the category of administrative discretion. This leave with pay is referred to as Administrative Leave and is recorded as such in payroll records.
- B. The Chief of Police, through their subordinate commanders, may administratively excuse an employee for the time necessary:
  1. To take a civil service examination;
  2. To take a physical examination required by the city;
  3. To make an oral appeal before the Civil Service board, collision review board, or any other board or committee (except the City Council) whose function may affect the employee's work status;
  4. To vote in a city, state, or national election;
  5. For urgent personal reasons;
  6. For other circumstances at the discretion of the Chief of Police; or
  7. While pending disciplinary action.
- C. Pending Disciplinary Action - An employee charged with a violation of a city, state, or federal law, rule, or policy, which if proven would justify formal disciplinary action, may be placed on Administrative Leave pending the outcome of any investigation to determine the exact nature and extent of the violation and pending the imposition of any disciplinary action taken for the violation. Formal disciplinary action includes reprimand, suspension, demotion, or discharge.
- D. When employees are placed on Administrative Leave, their duty assignment will be changed to 8:00 a.m. to 5:00 p.m., Monday through Friday. Employees may become ineligible for various assignment pays (Field Training, Patrol Duty, Shift, etc.) due to placement on Administrative Leave for a period of five days or longer.

# Dallas Police Department General Order

## 206.00 Time and Payroll Issues

Revised 8/1/2023

- E. If the Administrative Leave is for a period of five days or longer, the employee's immediate supervisor will complete a *Personnel Action Request (PAR)* in Intelligent Workforce Management (IWM). "Administrative Leave" shall be selected from the drop down menu in the Action Type heading. In the "Notes" section of the PAR, the immediate supervisor will enter "Begin Administrative Leave." The immediate supervisor will also deselect any assignment pay the employee is no longer eligible for due to placement on Administrative Leave. The Proposed Change Date is the date the Administrative Leave begins. The completed PAR will then be forwarded to the next level of supervision for approval. Once final approval is made by the officer's chain of command, the PAR will be electronically forwarded to the Personnel Division.
- F. When the employee is released from Administrative Leave, the employee's immediate supervisor will complete a Personnel Action Request (PAR) in IWM. "Administrative Leave" shall be selected from the drop down menu in the Action Type heading. In the "Notes" section of the PAR, the immediate supervisor will enter "End Administrative Leave." The immediate supervisor will also reselect any assignment pay the employee is again eligible to receive. The Proposed Change Date is the date the Administrative Leave ends. The completed PAR will then be forwarded to the next level of supervision for approval. Once final approval is made by the officer's chain of command, the PAR will be electronically forwarded to the Personnel Division.

### 206.23 Requests for Business Leave

- A. Sworn officers may take business leave for the purpose of attending to the business of an employee organization. An "employee organization" includes the Black Police Association of Greater Dallas, Dallas Police Association, or the National Latino Law Enforcement Organization.
- B. Business Leave Accounts and Donation of Time
  - 1. A sworn officer may donate up to two hours for each month of accumulated vacation or compensatory time, up to a maximum of 24 hours, during a calendar year to the business leave account of an employee organization. The City Controller's Office shall establish and maintain a business leave account for each employee organization.
  - 2. A sworn officer must authorize the donation by completing the "Business Leave Donation Request" form which is available on the "N:\ Drive" in the Forms Miscellaneous folder. This form must be submitted to and approved by the City Controller's Office. After receiving the signed authorization on an approved form, the City Controller's Office will transfer donated time to the account monthly until the City Controller's Office receives the sworn officer's written revocation of the authorization.
- C. Requesting and Using Business Leave
  - 1. Only a sworn officer who is a member of an employee organization may use, for business leave purposes, the time donated to an employee organization's business leave account. A sworn officer may use the time in that officer's employee organization's business leave account without receiving a reduction in salary and without reimbursing the department.
  - 2. An officer who wishes to access the time available in an employee organization's business leave account must complete the "Business Leave Time Request" form which is available on the "N:\ Drive" in the Forms Miscellaneous folder. This form must be submitted to the Bureau Commander through the officer's chain of command by the president, the equivalent officer of the employee organization, or by the officer's designee. Once approved the form must be forwarded to the City Controller's Office. If there are no available hours in an employee organization's business leave time account, then all costs associated with the business leave, including wages, pension and other costs must be reimbursed to the City of Dallas.
  - 3. A supervisor shall grant a request for business leave that complies with Section C2 unless:
    - a. Denial of the request is necessary because of an emergency, or
    - b. A grant of the request would result in having an insufficient number of police officers to carry out normal functions of the department.
- D. Accounting and Limits
  - 1. The City Controller's Office shall account for the time donated to an account and used from an account. The City Controller's Office shall credit and debit an employee organization's business leave time account on an hour-for-hour basis without regard to the cash value of the time donated or used.
  - 2. Business leave may be granted for a period of not less than one-half day up to the full amount needed. An employee organization may not use more than 4,000 hours from its business leave time account in one calendar year.
  - 3. The use of business leave by a sworn officer is not a break in service for any purpose and is treated as any other paid leave.

### 206.24 Mileage Reimbursement

- A. Employees who use their personal vehicle for official City business are eligible for mileage reimbursement. The guidelines for seeking mileage reimbursement are provided in Administrative Directive 3-20 "Reimbursement For The Use Of Employee Owned Vehicles."
- B. Reimbursement miles for official City business include miles driven to work related training only if such training is held at a facility that is not owned or operated by the City of Dallas. Reimbursable miles for training are limited to those miles driven in excess of the distance traveled by the employee to their normal work site. For example, if the employee normally drives ten miles each way to their regular assignment but must drive fifteen miles to a facility not owned or operated by the City of Dallas then the excess five miles (round trip total of ten) is reimbursable at the current rate specified in A.D. 3-20.
- C. Employees seeking mileage reimbursement must complete a "Mileage Reimbursement Request" form. This form is available on the N drive in the Forms folder under Purchasing. The employee must indicate on this form the total miles that are reimbursable (total miles driven less the miles the employee would normally travel to work). This form should

# Dallas Police Department General Order

## 206.00 Time and Payroll Issues

Revised 8/1/2023

be submitted to the employee's chain of command, through the Organizational Commander for approval, and forwarded to the Purchasing & Payables Unit for processing.

### 206.25 Restricted Duty and Ineligibility for Assignment Pays

- A. Restricted duty is defined as an employment status in which a sworn officer is assigned outside of the patrol and investigative functions, is not expected to perform enforcement duties, and contact with the public is minimized. Generally speaking, the officer will perform staff support duties.
- B. Work hours of Restricted Duty may be departmental administrative hours or the hours of any of the three watches used in patrol or investigative assignments. Determination of work hours will be made by the individual's Division Commander, with consideration being given to the officer's current duty hours and days off.
- C. Officers placed on Restricted Duty will continue to carry their badge, identification card, warrant of appointment, and duty weapon, unless instructed otherwise, but will wear civilian attire to and from work, and while on duty. If the duty weapon was taken for evidentiary purposes, the Firearms Training Center will provide a weapon in the interim.
- D. Officers will not be permitted to work at police-related off-duty employment jobs.
- E. Officers may become ineligible for various assignment pays (Field Training, Patrol Duty, Shift, etc.) due to placement on Restricted Duty for a period of five days or longer.

### 206.26 Trade Time Policy

- A. Trade Time allows an eligible sworn employee to work the shift of another sworn employee who has exhausted all paid leave or supplemental benefits and who is unable to work due to serious illness or injury to himself or certain family members. Pursuant to applicable law, the absent employee whose shift is being worked will be credited and paid as if he or she worked the covered shift.
- B. Eligibility of Absent Officer  
Trade Time will be considered for a sworn employee:
  - 1. Who has suffered a severe or life-threatening injury or illness that prevents the employee from performing any type of work, and after the employee has exhausted all accrued, paid leave including sick, vacation, compensatory, AIL, mandatory City leave and all workers compensation income benefits, if applicable.
  - 2. To care for a spouse, son, daughter, or parent who has suffered a severe or life-threatening injury or illness, and after the employee has exhausted all accrued, paid leave including sick, vacation, compensatory, AIL and mandatory City leave.
- C. Approval of Absent Officer
  - 1. The employee (or employee's supervisor if the employee is incapacitated) must complete a memo outlining the circumstances justifying the use and approval of Trade Time.
  - 2. The employee's memo will be forwarded through his or her chain of command to the Division Commander for approval by each level.
  - 3. The chain of command will review the memo to determine if all eligibility requirements have been met.
  - 4. If approved, a copy of the memo will be provided to the employee and his or her immediate supervisor, and the original will be forwarded to the Personnel Division, Personnel Services Unit. A copy of the approved memo will be maintained at the Division level.
- D. Eligibility of Substituting Officer
  - 1. The substituting officer must work in the same capacity as the absent officer and have the ability to perform the absent officer's normally assigned duties (e.g. patrol officer for patrol officer, detective for detective).
  - 2. The substituting officer must have the approval of the absent officer's immediate supervisor, who will determine the substituting officer's suitability to perform the absent employee's duties.
  - 3. An employee is eligible to substitute for an officer of a different rank if the substituting officer is able to perform the absent employee's specific assigned duties, and if the substituting officer has the approval of the absent officer's Division Commander.
  - 4. A substituting officer must work for an absent employee on the substituting officer's normal off day and may not take leave in order to work for an absent officer. This does not prevent a substituting officer from working a shift different than their regularly assigned shift as long as all provisions of this order are met, including the limitation on maximum number of hours worked.
  - 5. Hours worked by the substituting officer will not be considered in determining whether the substituting officer is entitled to weekly overtime compensation.
  - 6. If an officer substitutes for an absent officer, each officer will be credited as if he or she worked his or her normal schedule for that shift. Though off of work, the absent officer is credited as if he or she actually worked his or her normal shift. Likewise, the substituting officer, though working, will still be shown as if he or she were on his or her normal day off.
  - 7. Substituting for an absent officer is a purely voluntary assignment. If a properly approved substituting officer fails to cover the absent officer's shift, the absent officer will not receive credit or pay for that shift.
  - 8. The maximum number of hours a substituting officer can work is governed by the off-duty job policy, G.O. 421.01 (D), which states:
    - Total work hours are limited to 16 hours in a 24 hour period and not to exceed 112 hours in a given work week.
- E. Approval of Substituting Officer
  - 1. Contact the immediate supervisor of the absent officer to determine:
    - a. If he or she is eligible to perform the absent officer's job,
    - b. What shift the substituting officer will work.
  - 2. Complete the online Special Duty Request after he or she is approved to work for the absent officer. The substituting officer will:

**Dallas Police Department General Order**  
**206.00 Time and Payroll Issues**

Revised 8/1/2023

- a. Select **DPD–Trade Time** from the Search Available Employer link,
  - b. Select “Trade Time” for duty type,
  - c. Add the date, start, and end times of the special duty, and
  - d. Will enter “BADGE” and then the absent officer’s badge number in the request note box (i.e. BADGE XXXX).
3. Contact the absent officer’s immediate supervisor for approval of the Special Duty Request.
- F. Duties of Absent Officer’s Supervisor
1. Ensure that the absent officer has completed a memo outlining the circumstances that would justify the use of Trade Time (or complete the memo, if the employee is incapacitated).
  2. Forward the memo through the chain of command to the Division Commander.
  3. When notified of approval for Trade Time, the supervisor will ensure that the absent officer has exhausted all accrued leave time, including vacation, compensatory, sick, ALL, and mandatory City leave. If an absent officer has accrued at least 8 hours of time (or 10 if working a 10 hour shift) since being approved for Trade Time, the supervisor will ensure that the accrued time is taken before scheduling a substituting officer. A substituting officer must cover the entire shift and will not be allowed to work a partial shift.
  4. When contacted by an officer wanting to substitute for an eligible absent officer, the supervisor will ensure that the substituting officer is capable of performing the specific duties required of the absent officer’s position. The supervisor will approve or deny the substituting officer’s request. If the substituting officer is of a different rank than the absent officer, the supervisor will ensure that the request is forwarded to the absent officer’s Division Commander for approval.
  5. If initial approval is given to a substituting officer, the supervisor will ensure that the substituting officer completes a Special Duty Request and will then approve it.
- G. Recordkeeping
1. Payroll system  
For the day a substitution is made for an absent officer:
    - a. No entry will be made for an absent officer in order to correctly credit the absent officer for a day worked.
    - b. No entry will be made for a substituting officer for the time worked for an absent officer.
  2. Time Cards
    - a. Time cards for an absent officer will continue to be maintained as required in G.O. 206.02.
    - b. For the day a substitution is made for an absent officer, the time card of an absent officer will be marked “R/T”.
    - c. No entry will be entered for a substituting officer for the time worked for an absent officer.
  3. Detail Sheet  
For the day a substituting officer works for an absent officer, the detail will reflect the absent officer’s name with the substituting officer’s name and badge number to the side in parentheses.

**206.27 FLEX Time**

- A. FLEX time is a balancing time entry process only, is not paid leave, and is not a benefit of employment. FLEX time will be utilized by exempt employees (the rank of Major and above) to document working additional time during the pay period and taking off within the same pay period. The use of FLEX time will be outlined in the City of Dallas Administrative Directives.
- B. Flex time is not to be confused with an altered work schedule. For example, if an employee attends court before their shift, a supervisor may approve an altered work schedule for that day and allow the employee to leave work once they reached their scheduled daily work hours (with keeping minimum staffing in mind).

**206.28 Mental Health Leave**

- A. Eligibility
  1. Employees who have experienced a traumatic event while on duty or have experienced multiple events which have resulted in a cumulative traumatic effect are eligible to receive paid mental health leave. The need for mental health leave must be verified by a licensed psychiatrist, psychologist, licensed counselor, therapist, or other mental health provider.
  2. **Traumatic Event** means actual death, serious injury, or physical abuse, either of oneself or of another, during the employee’s scope of employment that is outside the typical experiences of the employee’s work environment and causes the employee to experience unusually strong emotional reactions or feelings that have the potential to cause lasting adverse effects on their functioning and mental, physical, social, or emotional well-being. A traumatic event does not include personality conflicts or disagreements between or among supervisors and/or co-workers.
  3. Employees who are determined to be eligible are allowed up to five days of mental health leave per fiscal year. Additional mental health leave may be considered on a case-by-case basis.
  4. Use of mental health leave will not affect an employee’s salary, sick leave, vacation leave, holiday, or other paid leave balances.
- B. Applying for Mental Health Leave and Confidentiality
  1. Employees with questions regarding the use of mental health leave may contact a member of the Department’s Wellness Unit or Psychological Services Unit.
  2. Mental Health Leave Forms, which include one form for the employee and a separate form for the provider, are available in the Wellness Unit, Psychological Services Unit, or can be downloaded directly from the N: drive.
  3. The Wellness Unit can assist employees with the forms required for a mental health leave request.
  4. The Wellness Unit will maintain a current list of all mental health services and resources available to employees.

# Dallas Police Department General Order

## 206.00 Time and Payroll Issues

Revised 8/1/2023

5. Requests for mental health leave may be submitted to the Wellness Unit, Psychological Services Unit, or directly to Human Resources for review at the following email: CODEmployeePaidLeave@dallascityhall.com.
6. Mental Health Leave will be entered into Workday as Administrative Leave.
7. All requests for mental health leave and any medical information related to mental health leave in accordance with this section will remain confidential to the extent allowed by law and will be kept separate from the employee's personnel or departmental file.

### 206.29 Employee Shift Swap Program

Purpose:

The Employee Shift Swap Program ("Swap Program") maintains minimum staffing levels needed to deliver necessary police services. The Swap Program allows employees to swap shifts with another employee to take time off from work when there is no availability to take off due to minimum staffing requirements, by finding a qualified replacement to work their shift. This program applies to all employees of the Dallas Police Department.

- A. Employees having their request for time off denied because of minimum staffing may find a qualified employee to work as a replacement within the same pay week (Wednesday through Tuesday) and same shift length (8-hour or 10-hour shifts).
  1. "Swap" means that two qualifying employees work each other's shifts, with supervisor approval, and subject to the parameters set forth below.
- B. The request to swap shifts must be:
  1. Made no less than 72 hours prior to the shift during which the time off is to be taken. If the request is made less than 72 hours prior to the shift, then the affected watch/unit commander may waive the time requirement.
  2. Approved by the requesting employees' supervisor or higher authority (if the supervisor is not available).
    - i. The supervisor *shall* deny a Swap Request if the qualifications are not met.
    - ii. The supervisor has discretion to deny a Swap Request where the qualifications are met but the supervisor deems that the swap is not in the best interest of the department.
      1. Denials of Swap Requests are not grievable
  3. Indicated on the Swap Request form, which is available on DPD's Intranet under the resources page in the forms link.
  4. Employees should not accrue overtime as a result of swapping shifts (due to being required to swap shifts within the same work week of the same number of hours) except for hours worked that exceed the normal shift time. For example, if an officer swaps an 8-hour shift, but the officer working the swapped shift is required to work 10 hours, the 2 additional hours would count towards hours worked for overtime purposes for the officer who worked the additional hours.
    - iii. Note that if an employee works a swapped shift that results in overtime due to an error, the employee must be paid overtime for all time worked over 40 hours in the work week; however, the party responsible for the error may be subject to disciplinary action.
- C. Once the Swap Request has been granted, the supervisor responsible for maintaining the detail shall document the following in the detail:
  1. Name of the requesting officer;
  2. Number of hours being taken off;
  3. Name of the replacement officer;
  4. Dates and days being swapped.
- D. Qualifications
  1. Employees who are swapping shifts through the Swap Program must work in the same capacity as their counterparts in the trade, have the ability to perform the same duties and be in the same shift/division.

Examples below but not limited to:

    - call answering officer for call answering officer,
    - FTO for FTO,
    - detective for a detective,
    - 911 Dispatcher for 911 Dispatcher.
- E. Violations
  1. A first-time failure of an employee to cover their swapped shift shall result in a 90-day disqualification from participating in the Swap Program and may be investigated in accordance with the department's disciplinary system.
  2. Any subsequent violation shall result in a mandatory 6-month disqualification from Swap Program participation and shall be investigated in accordance with the department's disciplinary system.
  3. A third violation shall result in a mandatory one (1) year disqualification from Swap Program participation and shall be investigated in accordance with the department's disciplinary system.
- F. Swap Program Tracking
  1. Each Division will maintain a Swap Log at the division documenting all occasions when the SORP is utilized. (The log is available on the DPD Intranet under forms.)
  2. Each Division will keep the original copy of the Swap Request form for three (3) years from the date of the request.
- G. Voluntariness
  1. Participation in Swap Program is voluntary

**Dallas Police Department General Order**

**206.00 Time and Payroll Issues**

Revised 8/1/2023

2. A supervisor may suggest that an employee swap shifts with another employee working in the same capacity during regularly scheduled hours, but each employee is free to refuse to perform such work without sanction and without being required to explain or justify the decision.
- H. Restrictions
1. Employees are prohibited from taking leave time in order to work for an absent employee. Employees may only swap their scheduled shifts.
  2. Employees will still be required to follow all leave time policies and procedures in the City's personnel rules and DPD's General Orders.



## Dallas Police Department General Order

# 207.00 Employees Injured and Workers Compensation

Revised 3/11/07

### 207.00 EMPLOYEES INJURED AND WORKERS COMPENSATION

#### 207.01 Forms Used

- A. *City of Dallas Order for Medical Treatment* (S/N 753-034-055)
- B. *City of Dallas Supervisor's Injury Investigation Report* (PUR-03135 Rev. 7/93)
- C. *Dallas Police Department Supervisor's Investigation of Injury Report* (Revised 12/91 SU2)
- D. *Supervisor's Supplemental Report of Injury* (S/N 120-0036-2)
- E. *Physician's Limited Duty Recommendation* (pages 9 and 10 of A.D. 3-55)
- F. *City of Dallas Light Duty Report* (S/N 753-034-035)
- G. *Salary Continuation Extension Request Form* (p.16 of A.D. 3-53 Salary Continuation Plan)
- H. *Initiation of Salary Continuation*

#### 207.02 Hospitalization of Employees Injured On Duty

- A. Employees injured in the line of duty may be confined in any hospital and obtain the services of any physician of their choice.
- B. Whenever possible, the physician to be retained in treating the employee will be called immediately so that duplication of services will be eliminated.
- C. Unless the patient specifies otherwise, attending paramedics of the Dallas Fire Department's Emergency Medical Services Division will determine to which medical facility an ambulance patient will be transported.
- D. Police Reserve Officers will make claims through the Reserve Coordinator.

#### 207.03 Treatment and Billing

- A. Injuries Sustained Prior to July 1, 1974
  - 1. A written request must be sent through the Workers Compensation Team to the Director of Risk Management for approval, prior to any hospital or medical treatment for injuries sustained prior to July 1, 1974, except in an emergency.
  - 2. The City of Dallas, Human Resources Department, must be billed directly by all doctors, hospitals, and pharmacies for expenses incurred as a result of injuries sustained prior to July 1, 1974.
  - 3. Subsequent aggravation, relapse, or re-injury traceable to a specific time or event after July 1, 1974, is considered to be a new injury and will be handled as such.
- B. Injuries Sustained On or After July 1, 1974
  - 1. For injuries sustained by employees on or after July 1, 1974, that require treatment or hospitalization, a supervisor will complete the right side of a *City of Dallas Order for Medical Treatment* form. The form will be given by the supervisor or employee, as circumstances dictate, to the attending physician who will complete the left side of the form.
  - 2. The physician will retain the goldenrod copy for billing purposes. The remaining four copies will be returned to the department. The supervisor will place a photocopy in the employee's medical record folder. The white, green, canary, and pink copies will be forwarded to the Workers Compensation Team.
  - 3. The appropriate servicing agent for the City of Dallas must be billed directly by all doctors, hospitals, and pharmacies for expenses incurred by employees for on-duty injuries. The appropriate servicing agent will be listed on the *City of Dallas Order for Medical Treatment* form. Exceptions should be brought to the attention of the Workers Compensation Team.

#### 207.04 City of Dallas Supervisor's Injury Investigation Report

- A. The immediate supervisor of an injured employee will complete the proper injury reports and forward them to the Workers Compensation Team within 24 hours of the injury. See Administrative Directive 3-31 (On Job Injuries) for compliance.
- B. First-Aid Cases
  - 1. A first-aid report will be submitted by the immediate supervisor or acting supervisor on all employees who receive minor injuries that do not require medical treatment or lost time.
  - 2. First-aid reports will be completed in full, using the *City of Dallas Supervisor's Injury Investigation Report*. These will be utilized in case complications arise at a later date and the employee requires medical treatment and/or loses time from work.
- C. Medical and Lost Time Cases - In addition to preparing the *City of Dallas Order for Medical Treatment* form to secure the injured employee appropriate medical attention, the reporting supervisor will submit a *City of Dallas Supervisor's Injury Investigation Report*. Supervisors will utilize the *City of Dallas Order for Medical Treatment* form each time the injured employee returns to the treating physician. This form documents the physician's instructions to the injured employee and provides medical information to the supervisor.
- D. Death of an Employee Case - A *City of Dallas Supervisor's Injury Investigation Report* will also be submitted in instances of an employee's duty-related death.
- E. Exposure to Communicable Diseases
  - 1. When any employee reasonably believes he/she has been exposed to a communicable disease while on duty, the employee will notify the immediate supervisor as soon as possible. Exposure to flu or colds is not covered within the scope of this policy.

# Dallas Police Department General Order

## 207.00 Employees Injured and Workers Compensation

Revised 03//11/07

2. Upon notification, the supervisor or acting supervisor will complete the *City of Dallas Supervisor's Injury Investigation Report* and forward it to the Workers Compensation Team within 24 hours.
3. If any employee suspects that he/she has been exposed to Acquired Immune Deficiency Syndrome (AIDS), the employee should notify the supervisor or acting supervisor for submission of the *City of Dallas Supervisor's Injury Investigation Report*. See Section 438.00 for further information on AIDS.

### 207.05 Dallas Police Department Supervisor's Investigation of Injury Report

- A. On all First Aid, Medical or Lost Time cases the supervisor or acting supervisor will complete the *Dallas Police Department Supervisor's Investigation of Injury Report*.
- B. This report will be forwarded through the chain-of-command to the Section/Division level (or to the Bureau level when no Section or Division exists).
- C. The final reviewing Commander will route the report to the Workers Compensation Team. The report bearing the final reviewing Commander's signature should arrive at the Workers Compensation Team office within two weeks of the date of the injury.

### 207.06 Supervisor's Supplemental Report of Injury

A *Supervisor's Supplemental Report of Injury* form and an *Order for Medical Treatment* form will be submitted by the immediate supervisor to the Workers Compensation Team within 24 hours, in the following instances:

- A. Each time an injured employee returns to work from a leave of absence caused by an on-duty injury.
- B. Each additional time an employee begins losing time from work as a result of the original reported injury.
- C. To correct a previously submitted supplemental report.

### 207.07 Physician's Limited Duty Recommendation

- A. Any employee placed on limited duty status will adhere to the following guidelines when returning to work in a limited duty capacity:
  1. An employee, after release to limited duty status by the treating physician, is required to contact the department's Workers' Compensation Coordinator no later than one (1) day following the notice of release. The purpose for contact is to schedule an appointment to obtain and review the bona fide offer of employment and receive temporary assignment.
  2. The employee must schedule the appointment time for a date prior to returning to work in a limited duty capacity.
  3. This requirement applies to an employee temporarily disabled due to any on or off-duty injury/illness.
  4. The employee must provide a completed *Physician's Limited Duty Recommendation* form (pages 9 and 10 of A.D. 3-55) from the treating physician to be eligible for the limited duty assignment.
- B. A written offer of employment must be given to an employee who is released to work in a limited duty status. The offer must contain the following information:
  1. the position offered;
  2. the duties of the position;
  3. the awareness of and willingness to abide by the physical limitation under which the employee or the treating physician have authorized the employee to return to work;
  4. the maximum physical requirements;
  5. the wage;
  6. the location of the employment;
  7. the time frame (length of assignment up to 16 weeks).
- C. The Commander of the Personnel and Development Division is the coordinator for all limited duty assignments. All requests for limited duty personnel will be forwarded to the Personnel and Development Division Commander by memorandum. The memo will include the need for the personnel, detailed job duties, working hours, days off, and contact person and telephone number.

### 207.08 Positions Relating to Employees Not Available for Full Duty

- A. The Dallas Police Department will maintain **a minimum of 63 sworn positions or 2.05 percent of authorized sworn strength**, which will be made available to officers who **permanently** cannot perform patrol functions.
- B. When an officer is placed in one of these positions, the officer will be required to retain the ability to perform the essential job functions of that position while assigned to it.
- C. The essential job functions of the identified 63 positions described:
  1. **Does not include** the ability to make a forcible arrest and/or;
  2. **Does not include** the ability to qualify with a pistol or shotgun, as long as the employee has a current exemption from said qualifications on file with the Dallas Police Department from TCOLE.
- D. The Department may assign officers to fill any of the 63 identified positions who can perform patrol functions as long as the position is not needed by the Department for availability into which to place an officer who **permanently** cannot perform patrol functions.
- E. The 63 specific positions identified may change based on the needs of the Department; however, the number of positions will be maintained.
- F. Job descriptions containing the specific job duties and the essential job functions will be maintained by the Payroll Team, Personnel and Development Division.
- G. Bureau Commanders will be required to provide updated job descriptions containing the specific job duties and the essential job functions when any position for sworn employees not available for full duty changes in either in job duty, function, or name.

# Dallas Police Department General Order

## 207.00 Employees Injured and Workers Compensation

Revised 03//11/07

- H. Sworn personnel, who **permanently** cannot perform patrol functions, are subject to the following:
  - 1. Must maintain TCOLE certification from the State of Texas.
  - 2. May only wear their uniform if qualified to carry a pistol.
  - 3. They will not wear their uniform in public except where the essential function of the position they hold requires a uniform in public.
  - 4. Are not permitted to accept off-duty police related jobs.

### 207.09 Progress Report

- A. When an employee is absent from duty due to either sickness or injury received on or off duty, the Organizational Commander will ensure that a supervisor makes a personal call on such employee at least once every **fifteen (15)** calendar days during the first month. After the first month, the contacts may be made by telephone.
- B. The supervisor will offer assistance to the employee and determine any needs that can be supplied within the policy of the Department. The supervisor will counsel with the employee regarding any problems that may arise with reference to personnel policies and procedures.
- C. The Organizational Commander will submit a memorandum to the Personnel and Development Division regarding any sick or injured employee who has not returned to duty for a period of fifteen (15) calendar days. This report will reflect the date of visitation, the name of the visiting supervisor, any assistance rendered to the employee, a statement regarding the employee's general condition without specific reference to confidential medical information.

### 207.10 Salary Continuation for An Injured Employee

- A. The purpose of salary continuation is to ensure that workers who sustain bonafide on-the-job injuries receive approximately the same take-home pay. See Administrative Directive 3-53, (Salary Continuation Plan) for policy and procedures in administering salary continuation benefits.
- B. See Administrative Directive 3-54, (Salary Continuation and Workers Compensation Overpayments) for procedures established for the recovery of overpayments made either by the claims contractor or the City of Dallas, Payroll.

### 207.11 Medical Records

- A. Definitions
  - 1. The term *medical records* includes the following:
    - a. *City of Dallas Order for Medical Treatment.*
    - b. *City of Dallas Supervisor's Injury Investigation Report.*
    - c. *Dallas Police Department Supervisor's Investigation of Injury Report.*
    - d. *Supervisor's Supplemental Report of Injury Form.*
    - e. *Physician's Limited Duty Recommendation.*
    - f. Letters from physicians.
    - g. Copies of prescriptions for on-duty injuries.
    - h. Records of employment physicals.
    - i. Records of driver physicals.
  - 2. The term *secure area* means a location not normally accessible to the general public or employees in a room that can be locked during non-duty hours. Access to medical files should be limited to a *need to know basis* or when reasonable accommodation is requested.
- B. Medical records on personnel hired after January 26, 1992, must be kept separate and apart from personnel files. These medical files will be maintained in a secure area.
- C. Anytime a personnel file of an employee hired prior to January 26, 1992, is opened, all medical information must be removed and kept separate in a secure area.
- D. Each Organizational Commander will designate a specific person or persons to be the custodians of these medical files.



## Dallas Police Department General Order

### 208.00 Notary Commissions

Revised 11/29/10

#### 208.00 NOTARY COMMISSIONS

##### 208.01 Notary Allocations

- A. The Assistant Director, Financial and Contract Management Division, will determine the number of notary commissions allowed for the Department and the allocation for each organizational level with an individual ORG number.
- B. Requests to increase an organizational notary allocation must be approved by the Assistant Director, Administrative Services Bureau. The organizational commander will forward to that office a memorandum, through the Departmental Coordinator, justifying any new allocations.

##### 208.02 Notary Coordinators

- A. Organizational Commanders will appoint a Notary Coordinator to process notary applications, renewals, etc. within their own command. The Notary Coordinator of the Legal Services Section will also serve as the Departmental Notary Coordinator.
- B. The departmental Notary Coordinator will be responsible for maintaining an up-to-date list of departmental notaries and their current assignments.

##### 208.03 Application for Appointment

- A. New Applications
  1. When Organizational Commanders determine that a notary vacancy exists, they will advise their own Notary Coordinator to provide the applicant with an application. The applicant will return the completed application to the originating Notary Coordinator for review.
  2. Organizational Commanders will forward the completed application and a cover memorandum justifying the request to the Departmental Notary Coordinator in the Legal Services Section.
  3. The Departmental Notary Coordinator will determine the authorized number of notaries for the ORG number making the request and the current number of departmental commissions and:
    - a. If department maximum has not been reached, will forward the completed application, along with the cover memorandum, to Risk Management. The Legal Services Section Commander will endorse the cover memo by signature, title, and the word "approved."
    - b. If the request would cause the number of notaries to exceed the departmental maximum allowed, will forward all paperwork to the Assistant Director, Financial and Contract Management Division, for review.
  4. When an employee receives a notary bond, it should be taken immediately to the organizational Notary Coordinator to be signed and notarized. (A bond must be processed within ten days).
  5. The ORG-level Notary Coordinator will personally take the bond, a cover memorandum, and receipt memorandum to the Departmental Notary Coordinator, who will forward the packet to Risk Management.
  6. Employees are responsible for providing their Notary Coordinator with the following:
    - a. Date commission expires.
    - b. Change in home address (renewals cannot be forwarded).
    - c. Notification if employee is transferred.
  7. The ORG-level Notary Coordinators will notify the Departmental Coordinator when an employee having a notary commission transfers, resigns or retires.
- B. Renewals
  1. Employees will be notified by mail approximately three months prior to the expiration of their commissions.
  2. Employees must advise their Notary Coordinator when they receive notification that their commission is about to expire or if any name corrections are needed.
  3. Renewal requests will follow the same procedures as those used for new applications.

##### 208.04 Use of Bond

Each document that is notarized must be signed as the Notary Bond was signed. Any document that is signed otherwise is of no value. Notaries are allowed to notarize documents anywhere in the State of Texas but may not charge for the service if the City of Dallas sponsored the Notary Bond.



## Dallas Police Department General Order

### 209.00 Information Technology & Computer Related Services

Revised 02/17/2017

#### 209.00 INFORMATION TECHNOLOGY & COMPUTER RELATED SERVICES

##### 209.01 Requests for Data Processing Services

- A. The DPD Operational Technology Unit will act as liaison between the Department and the City Communication and Information Services (CIS) regarding technology requests / projects. All projects must go through the Operational Technology Unit for coordination and identification of resources.
- B. The Manager of the Communication and Information Services/Technical Support (CIS) Unit is the departmental coordinator for all computer/data-processing matters. All related areas such as purchase and maintenance of micro, intermediate (mini), and personal (PC) computers must be coordinated with CIS. CIS will ensure that all data processing matters comply with guidelines established in the CIS Standard Operating Procedures.
- C. All requests for modifications or deletions to existing information systems will be made to the Manager of CIS with coordination through the Operational Technology Unit. The Organizational Commander having responsibility for and control over the system to be modified will forward a memorandum requesting the changes through the chain-of-command to CIS.
- D. Personnel requesting data processing services, including but not limited to hardware, software, training and programming, will forward a memorandum through the chain-of-command to CIS with coordination through the Operational Technology Unit.
- E. For any major projects, the requesting unit will submit a Technology Advisory Board request to the Operational Technology Unit.
  1. The request will identify the aspects of the project along with any funding identified and chain of command approval.
  2. Once the Technology Advisory Board request is received, a meeting will be scheduled to discuss the scope of the project and any resources (DPD and non-DPD) needed.
  3. An Immediate Business Technology Request will be completed, to include quotes for equipment and/or software.
- F. The CIS Manager will analyze all requests to determine how to best provide the services.
  1. Requests to change information systems will be addressed by CIS. Each change request will be carefully examined for system impact, system compatibility, developmental programming costs, and continuing operational costs.
  2. If a request is for on-line data or for services that are readily available to the Department, the project will be assigned to a member of CIS.
  3. If a request for data is not on-line or a service is not readily available to the Department, the project will be referred to CIS.

##### 209.02 Software Usage

- A. Software will be purchased, maintained, and used in accordance with applicable federal, state, and local laws, software manufacturer licensing agreements, and departmental rules and regulations. For departmental information contact:
  1. CIS regarding proper software usage.
  2. Financial and Contract Management Division regarding software purchase.
- B. While on City of Dallas premises, employees will not:
  1. Copy for personal use, or otherwise reproduce, distribute, lend, or exchange copyrighted computer software.
  2. Place games upon City of Dallas computer equipment. Games embedded in software applications will be deleted unless removal interferes with software performance.
  3. Install or use any software in violation of a manufacturer's license agreement in the course of conducting Department business.
  4. Load personal software on City of Dallas computers without written approval from the Organizational Commander.
- C. Organizational Commanders will ensure that:
  1. Employees comply with all applicable statutes, software manufacturer license agreements, and Department procedures concerning the use of computer systems and software.
  2. If permitted by the software product license agreement, only a single back-up copy is made of licensed commercial software assigned to their organization.
    - a. The right to maintain an archive copy of software shall be a requirement of every software procurement specification.
    - b. The right to maintain an emergency back-up location of software shall be a requirement of every mission critical software procurement specification.
  3. All licensed software is tagged and accounted for in accordance with General Order Section 809.00 (Fixed Assets and Equipment), which requires an organizational level, to conduct an inventory annually or when there is a change-of-command.
  4. Documentation of software ownership is maintained in a readily accessible, secure location, with a copy sent to CIS.
  5. Donated and seized computer software ownership is documented and transferred in accordance with manufacturer's requirements.
  6. They are provided a password for any protected computer equipment or application.



## Dallas Police Department General Order

### 210.00 Offense Reporting System

Revised 7/3/2023

#### 210.00 OFFENSE REPORTING SYSTEM

##### Philosophy

The accurate reporting of crimes is one of the most important functions performed by members of the Dallas Police Department. Information obtained from crime reporting is relied upon for the allocation of manpower and by the courts to document and support prosecution of criminals. The public, the media, businesses, and other government entities depend upon the accuracy of reports completed by members of the department.

The Dallas Police Department is committed to accurately documenting all reported crimes in compliance with current Uniform Crime Reporting guidelines. The department recognizes that incentives exist for persons to erroneously report offenses and will work to ensure that each offense is diligently investigated. The department will continue to conduct training for offense reporting and has confidence in an officer's abilities to conduct preliminary and follow-up investigations into reported incidents and accurately document the circumstances of each case. The following guidelines will define responsibilities and protocols for reporting offenses.

#### 210.01 Reporting Officer Responsibilities

- A. Any report that is generated by a member of the Dallas Police Department is assumed to contain an accurate description of an offense, based on facts. It is imperative that any report of an offense contain those facts, gathered by the officer, that make up the elements of an offense as defined by the law. The community accepts as true, a report of a criminal offense made by a member of this department.
- B. When a sworn or non-sworn member of the Department investigates the occurrence of a criminal offense, the officer or civilian will first determine if an offense has occurred.
  1. If the responding officer or expeditor determines that an offense has occurred, an offense report will be made.
  2. The determination that an offense has occurred is the responsibility of the responding officer or expeditor. Officers and expeditors will use the standard of "Reasonable Belief" that an offense has occurred, and a subsequent offense report made.
  3. Reasonable Belief means specific, articulable facts, which together with the officer's experience, general knowledge, and rational inferences, would justify the conclusion made by another officer if faced with those circumstances or facts.
- C. When a member of the Department is unable to determine the elements of an offense due to the lack of evidence, evidence contradicts the complainant's statement or the complainant or reporting person is deemed by the officer to lack credibility, the officer will make a preliminary report titled "**(offense stated) Preliminary Investigation.**" This report will be made in the offense format and will be routed to the investigative unit that has investigative responsibility.
  1. The officer or expeditor will ensure that the following information is included in the preliminary report:
    - a. Information that would be included in an offense report to include MO, complainant name, address, and phone, suspect information, dates and time of the alleged offense, evidence that is observed, and a narrative of what the complainant states occurred.
    - b. The Public Narrative will only include the basic information as related to the call for service, ie: On (date) officers responded to a call regarding (call) at (address) in Dallas, Dallas County, Texas. No offense information should be included in the Public Narrative.
    - c. The Offense Narrative must include information in the report detailing the investigative findings, officer observations, or reasons why the complainant lacks credibility.
    - d. Use of surnames in the narrative will follow General Orders 210.08.
  2. Physical evidence will be handled according to the guidelines and procedures of the Department.
  3. Exceptions:
    - a. Allegations of family violence assaults or protective order violations will be handled as an offense only. Texas Code of Criminal Procedure Art. 5.04 directs officers to protect the complainant from potential violence.
    - b. Any crime of a sexual nature involving a child as a victim will only be made as an offense.
    - c. Domestic violence sexual assaults or domestic violence aggravated sexual assaults may only be submitted as a preliminary offense report at the direction of the on-call domestic violence detective.
    - d. Attempted or actual Sexual Assault or Aggravated Sexual Assault may only be "Preliminary Investigation" if decided by the on-call detective handling the case (following General Orders 304.05 C).

#### 210.02 Reporting Procedures

The Reporting Officer will:

- A. Conduct the initial investigation and make the report immediately after completing the initial investigation. Exceptions to this requirement will be made only in the event of an emergency.
  1. In the initial report, include all suspect or witness information discovered during the investigation. Place all suspect and witness names, addresses, etc., on the appropriate screens of the offense report or on a supplement report. Refer to Section 210.08 (Use of Surnames or Identifying Information in Reports) for additional guidelines.
  2. If a complainant is deemed by the responding officer to not be credible, (by intoxication, complainant's own statements, or if evidence or witness statements are contradictory), the officer will consider what additional evidence is available and will make only the report that is supported by that evidence. The statements of the complainant and any evidence that is contradictory must be included in a "Preliminary Investigation" report. **No officer will end the tour of duty without ensuring that all calls to which he/she responded have had the**

# Dallas Police Department General Order

## 210.00 Offense Reporting System

Revised 7/3/2023

proper documentation completed or the appropriate report completed on the case number. Officers should check their FBR Inbox to ensure that reports that have been returned for correction are corrected and re-submitted to Staff Review.

- B. Complete Offense, Preliminary Investigation Offense, and Incident Reports:
  - 1. All offense, Preliminary Investigation offense, and incident reports will be completed in FBR on the MDC or in FBR on a desktop workstation.
  - 2. Officers who do not have access to an MDC or a desktop workstation, will contact an on-duty officer to utilize the officer's MDC to personally make the report.
  - 3. Officers will complete an incident report (*MIR*) when impounding a vehicle for any reason other than a confirmed stolen hit on NCIC/TCIC. *This includes 24-hour parking violations.*
  - 4. Officers will complete an Offense Report or Supplement Report for a confirmed stolen vehicle.
  - 5. Officers will complete an Incident Report if, during the initial investigation of a Missing Person or Want to Locate call, it is determined that the individual is not missing.
- C. Officers will complete any required crash reports by entry of the report into the DPS Crash System. Crash reports are to be entered by the end of tour of duty. Handwritten crash reports are not accepted by the Records/Legal Services Section. The accompanying Accident Involving Damage to Vehicle and Duty to Give Information and Render Aid offense reports must be submitted in FBR.
- D. Police Reports - When a member of the department responds to an allegation of criminal conduct, the officer or expeditor may document the incident in one of the following:
  - 1. An **Offense Report** is:
    - a. A report made by a member of the department, which documents a criminal allegation from a person who alleges that a crime occurred in the city of Dallas. Offense reports must contain all the elements of the alleged crime and the officer must have reasonable belief that a criminal offense occurred. Offense reports are routed to investigative units for follow-up and may be supplemented with additional information.
    - b. A report that documents incidents that are not classified as crimes but may require investigative follow-up; examples are Runaways, Missing Persons, and Lost or Found Property.
  - 2. A **'Preliminary Investigation' report** is an alleged criminal complaint that an officer or expeditor creates after interviewing the complainant. The officer must have reasonable belief that a criminal allegation did not occur as the complainant stated. This report documents the incident and may be supplemented at a later time. 'Preliminary Investigation' reports are routed to investigative units for follow-up and may be supplemented with additional information. Circumstances that may generate an officer making a "Preliminary Investigation" report instead of an offense report include, but are not limited to:
    - a. Evidence does not support or contradicts the person's account.
    - b. The officer believes that a complainant is not credible. Examples of a lack of credibility include:
      - i. Complainant changes their account of the incident.
      - ii. Complainant is intoxicated by drugs or alcohol.
      - iii. Complainant gives evasive or incomplete answers.
      - iv. Complainant is known to be involved in a criminal enterprise at the time of the alleged offense.
      - v. Complainant exhibits behaviors that would lead an officer to believe that they may suffer from mental illness.
    - c. Lack of evidence, the officer's expert opinion of what occurred, or the complainant's lack of credibility must be included in the narrative of the report.
  - 3. An **Incident Report** is a report used to document non-criminal police incidents, citizen contacts, intelligence information, or any incident that requires documentation. Incident reports may be routed to investigative units for informational purposes and cannot be supplemented.

### 210.03 Supervisor Responsibilities

Supervisors will:

- A. Provide necessary guidance and training to improve all noted deficiencies in report writing, according to the standards of the Communications Section.
- B. Accurately reflect in performance evaluation ratings the ability of subordinates to consistently submit quality reports.

### 210.04 Communications Section Responsibilities

The Communications Section will:

- A. Maintain a system to ensure that each case number issued is covered by the proper documentation.
- B. Cause Staff Review personnel to:
  - 1. Check the reports for elements of the reported offense, content, readability, and legibility. Any reports not meeting minimum standards will be returned to the reporting officer for correction.
  - 2. Assign Uniform Crime Reporting Code and determine the status of the offense.
  - 3. Make distribution of reports to concerned divisions or sections.
  - 4. Assign incidents for investigation as outlined in Section 210.05.

# Dallas Police Department General Order

## 210.00 Offense Reporting System

Revised 7/3/2023

### 210.05 Assignment of Offenses

#### GENERAL PROVISION FOR ASSIGNMENTS

- A. The following preparatory offenses are assigned to the respective Operations Division that would have investigative jurisdiction over the offense if it had been completed:

Section 15.01	Criminal Attempt
Section 15.02	Criminal Conspiracy
Section 15.03	Criminal Solicitation
Section 16.01	Unlawful Use of Criminal Instrument

- B. The following offenses will be assigned to units having investigative responsibility for prior offenses. For any of the following sections of the Penal Code to be filed, a prior offense must have occurred. The unit having investigative responsibility for the filing of the prior offense will handle these offenses as the occasion arises. For example, if a complainant in an aggravated assault case was threatened, the Crimes Against Persons Division would also file the retaliation case. Reporting officers must include sufficient information regarding the prior offense so that the unit to which it is assigned can be identified. Those cases developed by the Internal Affairs Division involving Perjury, Aggravated Perjury, or False Report to a Peace Officer will be referred to the Assaults Unit of the Crimes Against Persons Division for filing.

Section 36.05	Tampering With a Witness
Section 36.06	Obstruction or Retaliation
Section 37.02	Perjury
Section 37.03	Aggravated Perjury
Section 37.08	False Report to Peace Officer
Section 37.09	Tampering with or Fabricating Physical Evidence
Section 38.05	Hindering Apprehension or Prosecution
Section 38.06	Escape
Section 38.07	Permitting or Facilitating Escape
Section 38.09	Implements for Escape
Section 38.10	Bail Jumping and Failure to Appear
Section 38.12	Barratry
Section 42.062	Interference with Emergency Request for Assistance

### OFFICE OF THE CHIEF OF POLICE

- C. The following offense will be assigned to the PUBLIC INTEGRITY UNIT:

The Public Integrity Unit will investigate all criminal conduct, with the exception of homicides, deaths in custody, and officer-involved shootings, that occurred within the city limits of Dallas involving:

1. A police employee, whether on-duty or off-duty.
2. Any City of Dallas employee, if the conduct occurred while the employee was on-duty or acting within their official capacity.

\*The Public Integrity Unit may serve in an advisory role in the aforementioned exceptional cases to the appropriate investigative unit with follow-up responsibility. Officers who become aware of any criminal conduct involving a City of Dallas employee are encouraged to contact the Public Integrity Unit, regardless of whether the Public Integrity Unit will ultimately have responsibility for the investigation.

### INTELLIGENCE DIVISION

- D. The following offenses are assigned to the CRIMINAL INTELLIGENCE UNIT:

Section 16.02	Unlawful Interception, Use, or Disclosure of Wire, Oral, or Electronic Communications
Section 16.03	Unlawful Use of a Pen Register or Trap and Trace Device
Section 16.04	Unlawful Access to Stored Communications
Section 16.05	Illegal Divulgence of Public Communications
Section 36.03	Coercion of Public Servant or Voter
Section 36.04	Improper Influence
**Section 36.07	Acceptance of an Honorarium
**Section 36.08	Gift to Public Servant by Person Subject to His Jurisdiction
Section 36.09	Offering Gift to Public Servant
Section 37.10	Tampering with Governmental Record (Except Forged or Counterfeit Drivers Licenses, License Plates, Validation Stickers, and Inspection Stickers)
**Section 39.02	Abuse of Official Capacity

# Dallas Police Department General Order

## 210.00 Offense Reporting System

Revised 7/3/2023

**Section 39.03	Official Oppression
**Section 39.04	Violations of the Rights of Person in Custody
**Section 39.06	Misuse of Official Information
Section 42.02	Riot
***Section 42.03	Obstructing Highway or Other Passageway
***Section 42.05	Disrupting Meeting or Procession
Section 46.03	Places Weapons Prohibited (Polling Place)

\*\*These offenses are assigned to the Criminal Intelligence Unit only when the Mayor, any City Council member, or any public servant other than a City employee is involved.

\*\*\* These offenses are assigned to the Criminal Intelligence Unit only when the Division Commander of the Intelligence Division deems it necessary.

NOTE: The Criminal Intelligence Unit will coordinate the investigations of any criminal offense that is:

1. Committed on the premises of City Hall at 1500 Marilla Street.
2. Committed against the Mayor or any City Council member.
3. Filed against the Mayor or a City Council member.
4. Any other offense the Intelligence Commander deems necessary.

The Bureau or Division Commander whose personnel conduct the on-the-scene investigation or the follow-up investigation resulting in a case filing will ensure that the Criminal Intelligence Unit Commander is notified. Primary investigation and case-filing responsibilities remain with the bureau, division, or section having investigative responsibility.

## TACTICAL AND SPECIAL OPERATIONS BUREAU

### TACTICAL OPERATIONS GROUP

#### SPECIAL OPERATIONS DIVISION

E. The following offenses are assigned to the TACTICAL SERVICES UNIT:

Section 22.07	Terroristic Threat (relating to explosives or incendiary devices)
Section 28.03	Criminal Mischief (when explosives or incendiary devices are used)
Section 42.06	False Alarm or Report (bomb threat)
Sec. 46.05(a)(1)	Prohibited Weapons (an explosive weapon)
Section 46.08	Hoax Bombs
Section 46.09	Components of Explosives

Note: The Explosive Ordnance Squad will assist the Crimes Against Persons Division in bombings and bomb threats involving an injury, death, or robbery. The Explosive Ordnance Squad will conduct investigations in incidents of accidental explosions, bombings, bomb threats, found bombs, explosives, fire bombings, arson, and related incidents.

#### TACTICAL OPERATIONS DIVISION

F. The following offenses are assigned to the TRAFFIC UNIT:

Section 19.04 – PC	Manslaughter (As a result of a Motor Vehicular Accident, occurring on property whether open or not to the public.) Not Family Violence
Section 19.05 – PC	Criminally Negligent Homicide (As a result of a Motor Vehicular Accident, occurring on property whether open or not open to the public.) Not Family Violence
Section 28.03	Criminal Mischief (Only offenses where a Motor Vehicle was used to Intentionally or Knowingly cause damage or destroy tangible property)
Section 28.04	Reckless Damage or Destruction (Only offenses where a Motor Vehicle was used to Recklessly damage or destroy property)

**Dallas Police Department General Order  
210.00 Offense Reporting System**

Revised 7/3/2023

Section 38.04	Evading Arrest or Detention (Direct File) (Only offenses where the Evading occurs in a Motor Vehicle for Traffic offenses only)  (Vehicle Crimes DOES NOT handle the offense: When a person commits or attempts to commit a felony, other than manslaughter, and in the course of and in furtherance of the commission or attempt, or in immediate flight from the commission or attempt, he commits or attempts to commit an act clearly dangerous to human life that causes the death of an individual. This is Murder 19.02 (b)(3) PC and will be handled by Crimes Against Persons)
Section 49.04	Driving While Intoxicated (Direct File)
Section 49.05	Flying While Intoxicated (Direct File)
Section 49.06	Boating While Intoxicated (Direct File)
Section 49.065	Intox/Oper Amusement Ride
Section 49.07	Intoxication Assault (As a result of a Motor Vehicular Accident, occurring on property whether open or not open to the public.) Not Family Violence
Section 49.08	Intoxication Manslaughter (As a result of a Motor Vehicular Accident, occurring on property whether open or not open to the public.) Not Family Violence
Section 545.421 TC	Fleeing or Attempting to Elude Police Officer; Offense.
Section 521.253	Occupy License Violations
Section 545.420	Racing on Highway
Section 550.021 TC	Accident Involving Personal Injury or Death. (Replaced (FSRA) "Failure to Stop and Render Aid")
Section 550.022 TC	Accident Involving Damage to Vehicle (Replaced (FLID) "Failure to Leave Identification")
Section 550.024 TC	Duty on Striking Unattended Vehicle (Replaced (FLID) "Failure to Leave Identification")
Section 550.025 TC	Duty on Striking Fixture or Highway landscaping. (Replacing (FLID) "Failure to Leave Identification")

**TACTICAL INVESTIGATIONS GROUP**

**SPECIAL INVESTIGATIONS DIVISION**

**G. The following offenses are assigned to the NARCOTICS UNIT:**

Violation of Health and Safety Code
Violation Dangerous Drug Act
Poss of, attempting to, or Passing Forged Prescriptions
Section 38.11 Prohibited Substance/Item Correctional Facility

**H. The following offenses are assigned to the VICE UNIT:**

Section 20A.02	Trafficking of Persons (Age 18 and Older)
Section 21.07	Public Lewdness
Section 21.08	Indecent Exposure
Section 25.01	Bigamy
Section 32.44	Rigging Publicly Exhibited Contest
Section 43.02	Prostitution
Section 43.03	Promotion of Prostitution
Section 43.04	Aggravated Promotion of Prostitution
Section 43.05	Compelling Prostitution
Section 43.22	Obscene Display or Distribution
Section 47.02	Gambling
Section 47.03	Gambling Promotion
Section 47.04	Keeping a Gambling Place
Section 47.05	Communicating Gambling Information
Section 47.06	Possession of Gambling Device, Equipment, or Paraphernalia

- a. V.H.S.C. (marijuana only) is a direct file offense.**

# Dallas Police Department General Order

## 210.00 Offense Reporting System

Revised 7/3/2023

### TACTICAL INVESTIGATIONS DIVISION

**I. The following offenses are assigned to the GANG UNIT.**

Section 16.06	Unlawful Install Tracking Device
Section 34.02	Money Laundering
Section 36.02	Bribery (when the suspect is not a City employee)
Section 71.02	Engaging in Organized Criminal Activity
Section 71.022	Solicit Gang Member
Section 71.023	Direct Activities of Gang

NOTE: The Gang Unit will coordinate the investigations of any criminal offense that:

1. Involves Gang members
2. Offenses the Gang Unit determines involve Gang Activity.
3. Other Offenses determined by the Special Investigations Division Commander

### PATROL BUREAU

**J. The following offenses are assigned to the respective geographic Investigative Unit within the Patrol Divisions where the offense occurred:**

CENTRAL DIVISION  
 NORTHEAST DIVISION  
 SOUTHEAST DIVISION  
 SOUTHWEST DIVISION  
 SOUTH CENTRAL DIVISION  
 NORTHWEST DIVISION  
 NORTH CENTRAL DIVISION

All offenses involving lottery tickets and equipment.

The following violations of the Texas Penal Code:

Section 25.10	Interference with Guard Rights
Section 28.03	Criminal Mischief (except relating to explosives or incendiary devices)
Section 28.04	Reckless Damage or Destruction
Section 28.07	Interference with Railroad Property
Section 28.08	Graffiti
Section 30.02	Burglary
Section 30.03	Burglary of a Coin Operated or Coin Collection Machine
Section 30.04	Burglary of Vehicles
Section 30.05	Criminal Trespass
Section 30.06	Criminal Trespass/Gun/CHL
Section 31.03	Theft (except UUMV, swindle theft, theft by worthless check and embezzlement theft over \$2,500 and not a one-time cash theft).
Section 31.03	Theft (from Person)
Section 31.03	Theft Military Grave Marker
Section 31.03e4	Theft from Corpse/Grave
Section 31.04	Theft of Service (except rental or lease vehicles)
Section 31.11	Tampering with Identification Number (Non vehicle)
Section 31.12	Tamp/MultiChannel Info
Section 31.14	Tamp/MultiChannel Device
Section 31.15	Pos/Man/Instr Comm Theft
Section 31.16	Theft Organs
Section 32.42	Deceptive Business Practices
Section 32.441	Illegal Recruitment of an Athlete
Section 32.47	Fraudulent Destruction, Removal, or Concealment of Writing
Section 37.08	False Report to Officer
Section 37.081	False Report/Missing Person/Child
Section 37.10	Tampering with Governmental Records (License plates, Validation stickers, and inspection stickers only.)
Section 38.15	Interference with Public Duties
Sec. 42.01(a)(1-10)	Disorderly Conduct
Section 42.03	Obstructing Highway or Other Passageway
Section 42.05	Disrupting Meeting or Procession
Section 42.055	Disrupt Funeral Service
Section 42.061	Silent or Abusive Calls to 9-1-1 Service
Section 42.07	Harassment (except <i>Stalking</i> ) Non-Family Violence

**Dallas Police Department General Order  
210.00 Offense Reporting System**

Revised 7/3/2023

Section 42.11	Destruction of Flag
Section 46.035	Handgun/CHL
Section 46.04	UPF/FV Conviction
Section 46.04	UPF/Protective Order in Effect
Section 46.041	Unlawful Poss Body Armor/Felon
Section 46.06	Unlawful Transfer Weapons
Section 46.06	Unlawful Transfer/Handgun/<18 yoa
Section 46.10	Deadly Weapon/Penal Inst
Section 46.11	Carrying Weapon in Weapons-Free School Zone
Section 46.14	Firearms Smuggling
Section 48.015	Cig Tax Viol
Section 466.302	Sale Ticket Greater Price (Lottery) (Govt Code)
Section 466.303	Sale Ticket Unauth Person
Section 466.304	Sale Ticket Unauth Location
Section 466.305	Tamp w/Lottery Equipment

**K. The following crimes are assigned to the ANIMAL CRUELTY SQUAD within the PATROL BUREAU.**

Section 21.09	Bestiality
Section 38.15	Interference with Police Animal
Section 42.09	Cruelty to Livestock Animals
Section 42.091	Attack on Assistance Animal
Section 42.092	Cruelty to Non-livestock Animals
Section 42.10	Dog Fighting
Section 42.105	Cockfighting

**INVESTIGATIONS BUREAU**

**CRIMINAL INVESTIGATION GROUP**

**L. The following offenses are assigned to the units within the CRIMES AGAINST PERSONS DIVISION:**

<b>HOMICIDE UNIT</b>	
Section 19.02	Murder
Section 19.03	Capital Murder
Section 19.04	Manslaughter
Section 19.05	Criminally Negligent Homicide
Section 42.08	Abuse of Corpse
<b>SPECIAL INVESTIGATIONS UNIT (SIU)</b>	
Section 19.02	Murder for Hire
Section 22.02	Assault Public Servant Officer/Security
Section 22.02	Aggravated Assault Public Servant Officer/Security
Section 22.11	Harassment Public Servant
Section 39.05	Failure to Report Death of a Prisoner
<b>ROBBERY UNIT</b>	
Section 20.02	Unlawful Restraint
Section 20.03	Kidnapping
Section 20.04	Aggravated Kidnapping
Section 20.05	Smuggling of Person
Section 29.02	Robbery
Section 29.03	Aggravated Robbery
Section 31.07	Unauthorized Use of Vehicle (Taken in Robbery)
<b>SEX ASSAULTS UNIT</b>	
Section 21.15	Invasive Visual Recording
Section 21.16	Unlawful Disclosure or Promotion of Intimate Visual Material
Section 21.19	Unlawful Electronic Transmission of Sexually Explicit Visual Material
Section 22.011	Sexual Assault (17 yrs. Of age and older, including F/V)
Section 22.021	Aggravated Sexual Assault (17 yrs. Of age and older, including F/V)
Section 22.012	Indecent Assault/Exposure
Section 42.072	Stalking
<b>ASSAULT UNIT</b>	
Section 22.01	Assault

## Dallas Police Department General Order 210.00 Offense Reporting System

Revised 7/3/2023

Section 22.02	Aggravated Assault
Section 22.04	Injury to an Elderly or Disabled Individual
Section 22.05	Deadly Conduct
Section 22.07	Terroristic Threat
Section 22.08	Aiding Suicide (SBI)
Section 22.09	Tampering with Consumer Product
Section 37.02	Perjury (IAD Referral Only)
Section 37.03	Aggravated Perjury (IAD Referral Only)
Section 37.08	False Report to a Peace Officer (IAD Referral Only)
Section 38.03	Resisting Arrest, Search, or Transportation (Suspect At Large)
Section 38.14	Taking or Attempting to Take Weapon from Peace Officer
Section 38.171	Fail to Report Felony (SBI)
Section 39.05	Failure to Report Death of a Prisoner
Section 42.01 (a) (7,10,11)	Disorderly Conduct (Discharging a Firearm on or across a Public Road; or Exposure in a Public Place)
Section 42.08	Abuse of Corpse
Section 48.02	Prohibition of the Purchase and Sale of Human Organs

**NOTE:** For all CAPERS offenses listed above, the investigative responsibility belongs to the General Investigation Division, Youth Operations Unit, when the victim is a juvenile. If the offense involves a family relationship as defined by Family Code Chapter 71, 71.0021 Dating Violence, 71.004 Family Violence; the investigative responsibility belongs to the Domestic Violence Unit.

### SPECIAL VICTIMS DIVISION

- M. **The Domestic Violence Unit** is responsible for investigating offenses involving the assault of a person by a member of a family (except cousins) or household against another member of the family or household in accordance with Family Code Sec. 71.004, to include violations of protective orders.

The offenses listed below are the investigative responsibility of the Domestic Violence Unit, except for incidents involving death:

Section 20.02	Unlawful Restraint/FV
Section 20.03	Kidnapping/FV
Section 20.04	Aggravated Kidnapping/FV
Section 22.01	Assault/FV
Section 22.02	Aggravated Assault/FV
Section 22.04	Injury to Elderly or Disable Individual/FV
Section 22.05	Deadly Conduct/FV
Section 22.07	Terroristic Threat/FV
Section 25.02	Prohibited Sexual Conduct
Section 25.07	Violation of a Protective Order/FV
Section 25.11	Continuous Violence Against Family
Section 29.02	Robbery/FV
Section 29.03	Aggravated Robbery/FV
Section 30.02	Burglary with Intent to Commit Assault/FV
Section 36.06	Obstruction or Retaliation/FV
Section 42.062	Interference with Emergency Request for Assistance/FV
Section 42.07	Harassment/FV
Section 42.072	Stalking/FV

- N. **The Crimes Against Children Unit** is comprised of the following squads: Child Abuse, Child Exploitation, High-Risk Victim Trafficking, Internet Crimes Against Children, and the Sex Offender Apprehension Program and Sex Offender Registration.

The **Child Abuse Squad** investigates:

- a. child murders when the victim is under 10 years of age.
- b. all infant deaths except traffic fatalities.
- c. any offenses to include the following where the suspect is family a member or someone who had legal responsibility for control of the child.

Section 19.02	Murder (Child is under 10 and Parent is Suspect)
Section 19.03	Capital Murder (Child is under 10 and Parent is Suspect)
Section 19.04	Manslaughter (Child is under 10 and Parent is Suspect)
Section 19.05	Criminally Negligent Homicide (Child is under 10 and Parent is Suspect)
Section 21.02	Continuous Sex Abuse of Child/victim U/17
Section 21.11	Indecency with a Child/victim U/17
Section 21.12	Improper Relationship Educator/Student
Section 21.17	Voyeurism/Victim U/14

# Dallas Police Department General Order

## 210.00 Offense Reporting System

Revised 7/3/2023

Section 22.01	Assault FV Victim U/17
Section 22.02	Aggravated Assault/FV Victim U/17
Section 22.07	Terroristic Threat/FV Victim U/17
Section 22.011	Sexual Assault/victim U/17
Section 22.021	Aggravated Sexual Assault/victim U/14
Section 22.04	Injury to a Child
Section 22.041	Abandoning or Endangering Child/victim U/15
Section 22.10	Leaving a Child in a Vehicle/victim U/7
Section 25.02	Prohibited Sexual Conduct
Section 38.17	Fail to Stop/Agg Sex Assault Child
Section 46.13	Making a Firearm Accessible to a Child

The **Child Exploitation Squad** investigates:

- a. all cases of sexual assault and aggravated sexual assault of a child, indecency with a child, and exploitation of a child under 17 years of age by a stranger (non-family members).
- b. any kidnapping or attempted kidnapping of a child for the purpose of sexual abuse or resulting in sexual abuse.

Section 21.11	Indecency with a Child/victim U/17
Section 21.17	Voyeurism/victim U/14
Section 22.011	Sexual Assault /victim U/17
Section 22.021	Aggravated Sexual Assault/victim U/14
Section 38.17	Fail to Stop/Agg Sex Assault Child
Section 39.04	Sex Assault Prison/Juvenile
Section 43.24	Sale, Distribution, or Display of Harmful Material to Minor
Section 43.25	Sexual Performance by a Child/victim U/18

The **Internet Crimes Against Children (ICAC) Squad** investigates:

- a. all technological facilitated sexual abuse and exploitation of children.
- b. child pornography and solicitation of a child offenses.

Section 21.19	Unlawful Electronic Trans. Sex Explicit Material/victim U/17
Section 33.021	Online Solicit of Minor/victim U/17
Section 43.26	Possession or Promotion of Child Pornography
Section 43.261	Electronic Transmission Visual Material Depicting Minor U/18
Section 43.262	Possession Lewd Material Depicting Minor/victim U/18

The **High-Risk Victim Trafficking (HRVT) Squad** investigates any recovered high-risk victim (child) or child involved in prostitution or trafficking.

Section 20A.02	Trafficking Persons/victim U/18
Section 20A.03	Continuous Trafficking of Persons/victim U/18
Section 20.05	Smuggling of Persons/victim U/18
Section 20.06	Continuous Smuggling Persons/victim U/18
Section 25.08	Sale or Purchase of a Child/ victim U/18
Section 25.09	Advertise/Place Child/victim U/18
Section 43.02	Prostitution/Victim U/18
Section 43.03	Promotion Prostitution/ Victim U/18
Section 43.031	Online Promotion Prostitution/victim U/18
Section 43.041	Agg Online Promotion Prostitution/victim U/18
Section 43.05	Compelling Prostitution/ victim U/18
Section 43.24	Sale, Distribution, or Display of Harmful Material to Minor
Section 43.25	Sexual Performance by a Child/Victim U/18
Section 43.251	Employment Harmful to Children/victim U/18

The **Sex Offender Apprehension Program (SOAP)** and **Sex Offender Registration (SOR) Squad** monitor all persons in the City of Dallas who are required to register as sex offenders and investigate failure to register.

Section 62.102	Fail to Reg Sex Offender
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# Dallas Police Department General Order 210.00 Offense Reporting System

Revised 7/3/2023

## GENERAL INVESTIGATIONS GROUP

### O. The following offenses are assigned to the GENERAL INVESTIGATIONS DIVISION:

All lost and found offenses.

Section 31.03	Theft (swindling, swindling by worthless check, and embezzlement over \$2,500 and not a onetime cash theft)
Section 31.04	Theft of Service (rental or lease vehicles)
Section 31.05	Theft of Trade Secrets
Section 31.07	Unauthorized Use of a Vehicle
Section 31.11	Tampering with ID/Vehicle
Section 31.17	Unauth Acquisition or Trans Certain Financial Info
Section 32.21	Forgery (except forgery of prescription for drugs)
Section 32.22	Criminal Simulation
Section 32.23	Trademark Counterfeiting
Section 32.24	Theft/Receive Stolen Check
Section 32.31	Credit Card or Debit Card Abuse
Section 32.32	False Statement to Obtain Property or Credit
Section 32.33	Hindering Secured Creditors
Section 32.34	Fraudulent Transfer of a Motor Vehicle
Section 32.35	Credit Card Transaction Record Laundering
Section 32.41	Issuance of Bad Check
Section 32.43	Commercial Bribery
Section 32.45	Misapplication of Fiduciary Property or Property of Financial Institution
Section 32.46	Securing Execution of Document by Deception
Section 32.47	Fraud Dest Will/Deed
Section 32.48	Endless Chain Scheme
Section 32.49	Refuse to Release Fraud Lien
Section 32.51	Fraudulent Use of Identifying Information
Section 32.52	Fraud/Fict Degree
Section 32.53	Exploitation of Child, Elderly and Disable Individual
Section 32.54	Fraud/Fict Military Record
Section 33.02	Breach of Computer Security
Section 33.05	Tampering Direct Rec Vote Machine
Section 33.07	Online Impersonation
Section 37.10	Tampering with Governmental Record (Forged or Counterfeit Drivers Licenses only)
Section 37.11	Impersonating Public Servant
Section 37.12	False Identification as Peace Officer
Section 38.152	Interference w/Radio Freq
Section 466.306	Forge/Alter Ticket (Lottery)
Section 466.308	Claim Lottery/Fraud
Section 502.409	Wrong, Fictitious, Altered, or Obscured Lic Plate
Section 502.475	Fictitious Registration/Insignia
Section 521.451	Fictitious DI/Cert
Section 521.456	Counterfeit Instrument
Section 548.603	Display of Fictitious Inspection Cert(Auto Theft) /Insurance Doc (Forgery)
Section 641.054	Labeling (Business Code)

### P. The following offenses are assigned to the YOUTH OPERATIONS/MISSING PERSONS UNIT:

All assault offenses committed against a person under 17 years of age as indicated in the following table:

Section 20.02	Unlawful Restraint/Victim U/17
Section 20.03	Kidnapping/ victim U/17
Section 20.04	Aggravated Kidnapping/victim U/17
Section 22.01	Assault
Section 22.02	Aggravated Assault
Section 22.04	Injury to a Child
Section 22.041	Abandoning or Endangering Child
Section 22.05	Deadly Conduct/victim U/17
Section 22.07	Terroristic Threat/victim U/17
Section 22.08	Aiding Suicide/victim U/17
Section 22.09	Tampering with Consumer Product/victim U/17
Section 25.03	Interference with Child Custody

# Dallas Police Department General Order

## 210.00 Offense Reporting System

Revised 7/3/2023

Section 25.031	Agreement to Abduct from Custody
Section 25.04	Enticing a Child
Section 25.06	Harboring Runaway Child
Section 29.02	Robbery/Victim U/17
Section 29.03	Aggravated Robbery/Victim U/17
Section 31.03	Theft (from Person)/victim U/17
Section 46.13	Making a Firearm Accessible to a Child (Non-Caregiver)
	Missing Persons Reports*
	Want to Locate Reports*

\*Missing Persons and Want to Locate Reports are not criminal offenses, but these reports will be sent to the Youth Operations/Missing Person Unit for follow up.

### COMMUNITY ENGAGEMENT AND OPERATIONS BUREAU

#### COMMUNITY ENGAGEMENT DIVISION

##### I. The following offenses are assigned to the NUISANCE ABATEMENT SQUAD.

HSC 260.0051	Operating Boarding House Without A County/Municipal Permit
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#### 210.06 Investigative Units Case Management Procedures

The Investigations Units will:

- A. Ensure appropriate follow-up on cases assigned to that unit. Cases will be assigned to detectives for investigative follow up by a supervisor or desk officer. The assignment will be entered into the RMS Case Management System. A written or electronic log will be maintained by each detective or unit that identifies cases assigned to detectives by date and case number.
- B. Develop guidelines on when open cases may be suspended.
  1. Open cases require the detective to complete an investigative supplement report at least every 30 days.
  2. Individual units may require more frequent supplement reports within the framework of the unit S.O.P.
  3. Offenses titled "Preliminary Investigation" will be reviewed by an investigative unit and supplemented to document actions taken by investigators to determine if an offense occurred. These actions would include phone calls or attempts to contact the complainant. Supplements to reclassify a "Preliminary Investigation" report must include the elements of the offense and the information developed by the detective.
- C. All Offense reports must be classified in one of the following manners: Cleared by Arrest, Cleared by Exceptional Arrest, Unfounded, Suspended pending further leads, Open, or Closed.
  1. **Cleared by Arrest.** (CBA) An offense is cleared by arrest, or solved, 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.
  2. **Cleared by Exceptional Arrest.** (CBEA) An offense cleared by exceptional arrest is used if a detective can answer all of the following questions in the affirmative.
    - a. Has the investigation definitely established the identity of the offender?
    - b. Is there enough information to determine that an offense occurred, and the evidence supports that allegation?
    - c. Is the suspect's home address or exact location known?
    - d. Is there some reason outside the Department's control that precludes arresting, charging, and prosecuting the offender? This would include the complainant refusal to prosecute.
  3. **Unfounded Offenses.** (U). An offense is unfounded when an alleged offense is determined to be baseless or false. Detectives will unfound an offense if they have "reasonable belief" that the offense did not occur as the victim or complainant stated the incident occurred.
    - a. Reasonable Belief means specific, articulable facts, which together with the officer's experience, general knowledge, and rational inferences, would justify the conclusion made by another officer if faced with those circumstances or facts.
    - b. A complainant's refusal to cooperate with the investigation may not use as the reason for unfounding the offense.
  4. **Suspended Pending Further Leads.** (S) An offense that the detective has reasonable belief that the offense occurred, and all investigative leads have been exhausted.
  5. **Open.** (O) An offense that is still under active investigation.
  6. **Closed** (C) A non-criminal action taken by police may be administratively closed (Want-to-Locate, Runaway, and Injured Persons).
- D. Detectives are responsible for maintaining their case files and ensuring accessibility to the file pursuant to open records requests, supervisory requests, and requests from other detectives and outside agencies. The investigative case file should include written statements, examinations results, photographic lineups and any other information pertinent to the case. The detective is responsible for updating investigative progress in a supplement report.
- E. Voluntary statements and Affidavit In Any Fact statements taken in a foreign language must be translated to English by an employee of the Dallas Police Department who is receiving language skills assignment pay prior to filing a case with Legal Services or the District Attorney.
- F. Case files will be maintained and archived according to the Texas State Records Retention Schedule (RRS).

# Dallas Police Department General Order

## 210.00 Offense Reporting System

Revised 7/3/2023

### 210.07 LEA TechShare Case Filing system

#### A. Introduction

LEA TechShare (LEA) is the Dallas County District Attorney's Office case repository used for receiving all case files from the Dallas Police Department and surrounding law enforcement agencies. This database is to be the primary method for all case filing Detectives to upload all evidence and submit their entire case file to the District Attorney's office for review and prosecution. Once the cases are received by the Dallas DA Intake Division the cases and evidence are reviewed to evaluate the validity of the case which will lead to case acceptance, prosecutor case assignments, evidence discovery, evidence tracking and preservation as it is loaded into the portal. All Detectives, Officers, and Investigative Assistants assigned duties to follow up and investigate criminal offenses will upload all discoverable evidence into LEA for each filed case and all companion cases. The entry of all case evidence into LEA will be in a uniform manner that is consistent with training and standards set by the Dallas County District Attorney's office. LEA portal unit users and their supervisors will be accountable to ensure LEA uploads are consistent with the strict standards set forth by the Dallas County District Attorney's office. Dallas Police Department's Legal Services staff will provide quality control, training, and assist in technical issues to assist in the maintenance and integrity of the LEA database.

#### B. Administrative Bureau Duties

The Dallas Police Department's Legal Services Unit acts as the direct legal liaison with the Dallas County District Attorney's office to coordinate LEA case filing, resolve case filing issues, repair upload errors, disseminate all LEA updates, and train LEA users in any new features as they are created. Legal Services acts as the primary user to upload all Direct File cases and to build case shells for Custodial Arrest jail packets that are received from the jail daily. Legal Services personnel will also create case shells for all DPD At Large cases when the case can be accepted by the District Attorney's Office.

1. Legal Services personnel, both sworn and non-sworn, will build all case shells for all Direct File custodial arrests and at large prisoner cases. Legal Services personnel will be responsible for uploading all Digital Media Evidence (DME) to the LEA shell for each case to be submitted to the DA's office. Staff will monitor all Direct File cases that are in At Large status to ensure the cases can be filed and accepted per DPD and County criteria. At Large Direct File cases, within 6 months of statute of limitations expiring will be uploaded into the LEA portal and submitted to ensure the case will not expire. Routine searches and audits will be conducted by Legal Services personnel to ensure that cases are uploaded correctly and filed when appropriate.
2. Legal Services personnel who are designated with LEA administrative rights will assist new LEA personnel in creating new accounts and ensure that proper training is conducted for LEA. Legal Services will contact the Dallas District Attorney's office designated Applications Technology Specialist if advanced tech support is needed.
3. In certain circumstances, an advanced LEA search may be conducted to ensure that the database remains consistent with LEA standards. Advanced searches can be done to:
  - a. Search for specific DPD Incident numbers
  - b. Search for defendant's name and DOB
  - c. Search primary Charge Status (Open, Submitted, Return, Rejected, Ready to submit)
  - d. Search case submitted From Date and To Date
  - e. Search NCIC Code or Offense Description
  - f. Search Offense from Date to Offense to Date
  - g. Search Charge Created from Date to Charge Created to Date
  - h. Search Arrest From Date to Arrest to Date
  - i. Search Participants that are assigned to specific cases
  - j. Search Submitted by (for tracking activity for LEA user)
4. Legal Services personnel will upload all video and audio evidence, if obtained from Investigative Units or Divisions, to the appropriate case per DME uploading procedures.
5. The Ready to Submit Queue will be monitored daily by Legal Services personnel to quality control cases sent to the queue by the Investigating Detective. If cases are complete and comply with LEA standards, they are to be submitted.
6. The Return Queue consists of all cases, Direct and Non-Direct, returned by the Intake Attorney that requires additional information and case corrections. Designated Legal Services personnel will monitor this queue and accommodate the Intake Attorney's request by adding the additional information themselves or reach out to the assigned Investigative Detective or involved officers to provide new information to strengthen or correct the returned case
7. The Rejection Queue consists of all cases, Direct and Non-Direct, rejected by the Intake Attorney; these require immediate release of the charge and bond. Designated Legal Services personnel will workflow, via RMS, all Non-Direct file cases to the originating Investigative Unit so a proper release charge can be done. Direct file rejections will be completed by Legal Services personnel per unit procedures.
8. The Open or Not Submitted queue will be monitored by Legal Services personnel to help ensure all loaded cases are submitted when appropriate and before the statute of limitations toll.
9. Legal Services will conduct routine audits to search for any errors and make the appropriate corrections to maintain consistency with the LEA portal. Legal Services will advise the units of any errors made and provide additional LEA training if needed.

# Dallas Police Department General Order

## 210.00 Offense Reporting System

Revised 7/3/2023

10. Legal Services Local LEA Administrator will delete inactive accounts of anyone who resigns, retires, or leaves an investigative unit.
  - a. Personnel Division will notify Legal of retiring staff so that LEA users account can be made inactive.
  - b. IAD and PIU Divisions will notify Legal if any LEA users are placed on Administrative leave or terminated.

### C. Investigative Unit Duties

Investigative Units will utilize the LEA to upload all evidence for their cases that are to be filed for prosecution. When needed, Investigators will create a case shell for Non-Direct and At Large cases and all evidence for the case will be loaded per LEA standards. Investigative Unit Supervisors will assist their units in maintaining the consistency and integrity of database uploads by conducting routine audits of DME that is uploaded by their Investigating Detectives.

#### 1. Investigator Duties

Investigators that are assigned cases will upload their completed case file into LEA per procedures.

- a. Assigned Investigators will create and maintain the case shell for the case that is to be filed. **Shells will only be created and filed under the Warrant number for the specific case. Duplicate case shells are not to be created.** At no time will dashes be used when creating a shell, including Grand Jury Referrals (GJR) and At Large cases. Cases that have multiple charges from the same incident are to be linked per LEA training criteria. All DME uploads will adhere to the consistency standards set forth by the Dallas District Attorney's office for this system.
- b. Assigned Investigators will upload all evidence, as it is obtained, into LEA per LEA standards.
  - i. All video and audio evidence must be placed into a compressed digital folder prior to being loaded into the LEA. All evidence is to be loaded into LEA if it meets the DME criteria.
  - ii. Photographs are to be placed into a compressed folder prior to be uploading into LEA. All evidence is to be loaded into LEA if it meets the DME criteria.
  - iii. All case documents are to be loaded into LEA in a manner consistent with the standards set forth by the Dallas District Attorney's office in this system.
- c. Assigned Investigators will review and determine the accuracy of all DME uploads prior to placing into the Ready to Submit Queue. Unit Supervisors will also provide oversight for upload accuracy and consistency.
- d. To comply with the standards of DME uploads the Investigator will appropriately title and separate all pieces of the DME in a manner that is consistent with LEA portal training.
  - i. Warrant will be uploaded as "W" and saved in Arrest Warrant Type
  - ii. PC Affidavit will be uploaded as "PC" and saved in PC Affidavit Type
  - iii. Incident reports will be combined, uploaded as "Incident" and saved as Offense Report Type
  - iv. Incident Data Report Page, Incident Page Scroll Tab, will be uploaded as "IDR" and saved as Offense Report type.
  - v. Booking Sheets will be uploaded as "Jail PKT" and saved as Additional Case info Type
  - vi. Prosecution Report will be uploaded as "OR" and saved as Offense Report Type
  - vii. Da filing requirements sheet will be uploaded as "CS" and saved as Work Product
  - viii. All evidentiary documents may be combined, uploaded as "ADDL INFO" and saved as Additional Case Info Type
  - ix. RMS Narrative page Detective Notes will be uploaded as "DET NOTES" and saved as Additional Case Info Type
  - x. Lab reports will be uploaded as SWIFS and saved as Additional Case Info Type
  - xi. Crime Scene Response Section (CSRS) supplements will be uploaded as "PES" and saved as Additional Case Info Type
  - xii. Videos and audio DME will be uploaded as "ADDL" info and saved as Additional Case Info Type
  - xiii. Body Worn Camera Video will be uploaded via Evidence.com case management.
- e. Investigators will assign the LEA Case shell to themselves in the Participant field to track cases prior to submittal. These assigned cases will appear in the MY Incidents when the Investigator logs into LEA.
- f. Investigators will place cases into the Ready to Submit Queue once **All** obtained evidence is uploaded and case is complete. Detectives will continue to add to the case DME as additional evidence is obtained even after case submittal.
- g. Investigators will create case shells for At Large cases and upload all evidence and assign to themselves in Participant field. The case will remain assigned to the Investigator until the case can be filed with the District Attorney's Office. Once the Investigator is aware the case meets the DA's office requirements to file, it will be placed into the **Ready to Submit Queue**. Only cases that are complete, with all case evidence, will be placed into the **Ready to Submit Queue**.

#### 2. Sharing BWC DME to an UNSUBMITTED LEA Portal Case (Case hasn't been Filed)

- a. Evidence.com
  - i. Create a case within Evidence.Com. Use a unique number for the *Case ID (DPD Service Number)*.
  - ii. Add related evidence to the case. Use DPD CAD Incident number to find evidence.
  - iii. Download the audit trails from each evidence item added to the case.
  - iv. Share the Evidence.com case to the DA's Partner Agency Group using the Partner Agency Sharing option.

**(DO NOT SHARE AT-LARGE CASES, UNTIL THE CASE IS FILED).**

- b. LEA Portal

# Dallas Police Department General Order

## 210.00 Offense Reporting System

Revised 7/3/2023

- i. Create a case within the LEA Portal.
    - ii. Manually upload any non-Evidence.com evidence. (Include the Evidence.com audit trails).
    - iii. Enter the related Evidence.com *Case ID* into the LEA Portal's *Offense Report Number* field.
    - iv. Submit the LEA case. (Submitting the case triggers the program to retrieve the videos).
  3. SHARING DME TO A SUBMITTED LEA CASE (Case already filed)
    - a. Evidence.com
      - i. Create a case within E.Com. Use a unique number for the *Case ID (DPD Service Number)* that *matches in LEA Portal*.
      - ii. Add related evidence to the case. Use DPD CAD Incident number to find evidence.
      - iii. Download the audit trails from each evidence item added to the case.
      - iv. Share the E.com case to the DA's Partner Agency Group using the Partner Agency Sharing option.
    - b. LEA Portal
      - i. Find the case within the LEA Portal.
      - ii. Manually upload the new item's audit trail.
      - iii. Manually upload a supplement describing the new item that was shared. Detective will select "ADDL" case info and attach BWC.pdf file to the case. This notifies the DA's office to open the submitted case. Opening the submitted case will trigger the program to look for the newly added evidence within the E.com case.
  4. Investigative Unit Supervisor Duties
    - a. Unit supervisors will conduct routine audits in LEA using the Advanced Search procedures to ensure that cases are managed and DME uploads are in a consistent manner that adheres to the standards set forth by the Dallas County District Attorney's office.
    - b. Unit supervisors will ensure that all case evidence is uploaded with **all** discoverable evidence for each case.
  5. CSRS Personnel Duties
    - a. All CS or LP supplements that are completed by CSRS staff are to upload into the case shell, as they are obtained and completed. These documents must all be in PDF form and titled "PES" and saved as Additional Case Info Type.
    - b. All photograph and LEICA scans will be loaded into the DME case shell, and related case shells, as they are obtained and completed. All Photographs and scans will be placed into a compressed folder prior to being uploaded into the LEA portal DME. (All files must be under 5G in size)

D. Digital Media Evidence Team (DME) will upload, as obtained, all videos that are linked to a case that will be filed. Videos that are tagged and related to an incident will be loaded into the case DME and saved as Video Type. The videos will be in a compressed file folder prior to being loaded into the LEA system. Body Worn Camera Video will be uploaded via Evidence.com case management.

### Sharing BWC DME to an UNSUBMITTED LEA Portal Case (Case hasn't been Filed)

1. Evidence.com
  - a. Create a case within E.Com. Use a unique number for the *Case ID (DPD Service Number)*.
  - b. Add related evidence to the case. Use DPD CAD Incident number to find evidence.
  - c. Download the audit trails from each evidence item added to the case.
  - d. Share the E.com case to the DA's Partner Agency Group using the Partner Agency Sharing option.  
**(DO NOT SHARE AT-LARGE CASES, UNTIL THE CASE IS FILED).**
2. LEA Portal
  - a. Create a case within the LEA Portal.
  - b. Manually upload any non-E.com evidence. (Include the E.com audit trails).
  - c. Enter the related E.com *Case ID* into the LEA Portal's *Offense Report Number* field.
  - d. Submit the LEA case. (Submitting the case triggers the program to retrieve the videos).

### SHARING DME TO A SUBMITTED LEA CASE (Case already filed)

1. Evidence.com
  - a. Create a case within E.Com. Use a unique number for the *Case ID (DPD Service Number)* that *matches in LEA Portal*.
  - b. Add related evidence to the case. Use DPD CAD Incident number to find evidence.
  - c. Download the audit trails from each evidence item added to the case.
  - d. Share the E.com case to the DA's Partner Agency Group using the Partner Agency Sharing option.
2. LEA Portal
  - a. Find the case within the LEA Portal.
  - b. Manually upload the new item's audit trail.
  - c. Manually upload a supplement describing the new item that was shared. Detective will select "ADDL" case info and attach BWC.pdf file to the case. This notifies the DA's office to open the submitted case. Opening the submitted case will trigger the program to look for the newly added evidence within the E.com case.

**Dallas Police Department General Order  
210.00 Offense Reporting System**

**Revised 7/3/2023**

<b>10</b>	YOUTH SERVICES
<b>11</b>	CRIME SCENE RESPONSE SECTION
<b>012</b>	HOMICIDE
<b>013</b>	ASSAULTS
<b>014</b>	ROBBERY
<b>015</b>	SPECIAL INVESTIGATIONS
<b>044</b>	FAMILY VIOLENCE
<b>045</b>	SEX OFFENDER APPRHENSION PROGRAM (SOAP)
<b>046</b>	MISSING PERSONS
<b>047</b>	CHILD EXPLOITATION
<b>048</b>	SEX ASSAULTS
<b>049</b>	CHILD ABUSE
<b>050</b>	PHOTO LINE UP
<b>016</b>	PUBLIC INTEGRITY
<b>042</b>	ARSON INV
<b>043</b>	MARSHALL INV
<b>017</b>	ABATEMENT
<b>018</b>	CENTRAL PATROL
<b>019</b>	NORTHEAST PATROL
<b>020</b>	SOUTHEAST PATROL
<b>021</b>	SOUTHWEST PATROL
<b>022</b>	NORTHWEST PATROL
<b>023</b>	NORTH CENTRAL PATROL
<b>024</b>	SOUTH CENTRAL PATROL
<b>025</b>	CENTRAL BUSINESS DISTRICT (CBD)
<b>026</b>	GANG
<b>027</b>	PROP RECOVERY
<b>028</b>	FUSION
<b>029</b>	INTELLIGENCE
<b>030</b>	VICE
<b>031</b>	NARCOTICS
<b>032</b>	TRAFFIC
<b>033</b>	VEHICLE CRIMES UNIT
<b>034</b>	SPECIAL OPS
<b>035</b>	DETENTION SERVICES
<b>036</b>	LEGAL
<b>037</b>	ALARM
<b>038</b>	PROPERTY ROOM
<b>039</b>	STAFF REVIEW
<b>040</b>	NCIC
<b>041</b>	MISC PERSONNEL
<b>070</b>	HIGH RISK VICTIM TRAFFICKING (HRVT)

# Dallas Police Department General Order

## 210.00 Offense Reporting System

Revised 7/3/2023

### 210.08 Response Disposition System

- A. The Response Disposition System consists of a series of codes used to document the final result of a call for service in the computer aided dispatch system.
- B. Upon completion of a call for service, every field element will do one of the following:
  - 1. Complete a Miscellaneous Incident Report (MIR) on the Mobile Data Computer (MDC) under the following circumstances:
    - a. On any call that may develop criminal intelligence.
    - b. All calls that may have the potential for family violence.
  - 2. Complete a "Preliminary Investigation" report on the MDC as described in G.O. 210.01C.
  - 3. Complete an offense report on the MDC.
  - 4. Submit a call disposition that reflects no report will be generated:
    - a. **C**: Cover Only (when dispatched only to cover another element).
    - b. **M**: Mark Out Only (when the incident was a mark out only, e.g. a traffic mark out).
    - c. **NC**: No Complainant (no complainant was located).
    - d. **NP**: No Police Action (the incident did not require police action).
    - e. **PARK**: Park mark out (when the incident is a park mark out only).
    - f. **AF**: Alarm False (when the alarm is false). All information is added to the comments section of the call sheet.
- C. If a report is completed (Alarm, MIR, Preliminary Investigation, or Offense) the field element completing the report will submit a disposition reflecting the report made:
  - 1. **AF**: Alarm False (when an alarm report is made, and the alarm is false).
  - 2. **AT**: Alarm True (when an alarm report is made, and the alarm was triggered by an offense)
  - 3. **R**: Report (when a MIR, Preliminary Investigation, or Offense report is made)
- D. The following call dispositions are reserved for use by the Communications Division only:
  - 1. **Closed by API** (Adaptive Programming Interface)
  - 2. **D**: Duplicate Call
  - 3. **S**: Swap
  - 4. **DSO**: DSO Transfer

### 210.09 Use of Surnames and Identifying Information in Reports

- A. Offense/Incident Reports
  - 1. The following applies for all offenses with the exception of Sexual Assaults:
    - a. A complainant's surname may be used in the narrative (i.e., Comp [Complainant] *Complainant Jones*). When applicable, business names will be used in lieu of the word *Comp*. Additional complainant information such as addresses and telephone numbers may be entered in the narrative unless the information is restricted for the complainant's privacy (i.e., unlisted telephone number).
    - b. Do not use the surname, a description of a suspect or witness, or other identifying information in the narrative of any Offense/Incident Report. Refer to suspect or witness as Suspect #1, Suspect #2, etc., and Witness #1, Witness #2, etc. Place all suspect and witness names, addresses, etc., on the appropriate screens of the offense report or on a supplement report. Refer to Section 325.02 (Release of Information on the Offense/Incident Reports) for additional information.
    - c. Officer surnames will be used with the appropriate title: RO (Reporting Officer) *Reporting Officer Smith*, or AO (Arresting Officer) *Arresting Officer Smith*.
  - 2. Sexual Assault Offenses
    - a. Do not use the complainant's surname or place any other identifying complainant information in the offense report narrative. References will be to the *Comp* or *Complainant*.
    - b. Do not use the surname, a description of a suspect or witness, or other identifying information in the offense report narrative. Refer to the suspect or witness as Suspect #1/Suspect #2, etc., and Witness #1, Witness #2, etc. Place all suspect and witness names, addresses, etc., on the appropriate screens of the offense report or on a supplement report.
    - c. The use of officer surnames on a sexual assault offense is allowed but discouraged.
- B. Miscellaneous Incident Reports (MIRs) - The restrictions outlined in 210.07A (Offense/Incident Reports) apply to MIRs.
- C. Arrest Reports (All)
  - 1. Refer to the complainant as *Complainant* or *Comp* plus surname (Comp Jones).
  - 2. Refer to suspect as *Suspect* plus surname (Suspect Jones), *Witness* plus surname (Witness Jones), *Reporting Person* plus surname (Reporting Person Green), etc. If two or more persons involved in the offense have the same surname, use the first initial of their given names.
  - 3. Officer surnames will be used with the appropriate title: RO (Reporting Officer) *Reporting Officer Smith*, or AO (Arresting Officer) *Arresting Officer Smith*.
  - 4. If an arrest involves more than one arrestee, the arrest report must clearly designate each arrestee's involvement in the arrest report. For example, arrest report one should state Arrestee Jones and Accomplice Smith and arrest report two should state Arrestee Smith and Accomplice Jones. This wording would be continued through both arrest reports.
- D. Supplement Reports - There are no restrictions on information that can be included. Any information restricted on the Offense/Incident Report will be placed in a supplement report, which is not considered an *Open Record*.

**Dallas Police Department General Order  
210.00 Offense Reporting System**

Revised 7/3/2023

- E. A person's race/ethnicity will be referred to using the following reporting codes:

<b>RACE/ETHNICITY</b>	<b>DIRECT ENTRY</b>
White/Caucasian	W
Black/African American	B
Hispanic/Latin American	L
Asian/Pacific Islander	A
Middle Eastern/Indian	C
Alaskan Native/American Indian	I
Unknown	U

**210.10 Direct Filing**

- A. The following are Direct File offenses:

1. D.W.I.
2. B.W.I.
3. F.W.I.
4. D.W.L.I.
5. UCW/CPW(except explosive weapons)
6. Theft (Shoplift only, Class B and above)
7. Prostitution
8. Public Lewdness
9. V.H.S.C. (Marijuana only)
10. Criminal Trespass
11. Evading Arrest
12. Resisting Arrest/Search
13. Failure to Identify (Class B and above)
14. Hindering Proceedings by Disorderly Conduct
15. Discharging of Firearm in Certain Municipalities
16. Places Weapons Prohibited (Except Polling Places)
17. Unlawful Carrying of Handgun by License Holder
18. Unlawful Possession Firearm/Felon

- B. Direct File arrests do not ordinarily require follow-up investigation. The arresting officer is accountable for fully completing the Arrest Report from which the Probable Cause Affidavit, Warrant of Arrest, and Prosecution Report are automatically computer generated. The arresting officer is responsible for any needed corrections on these documents. If an investigation is required, the investigative unit given that responsibility in General Order 210.05 will conduct it.

**NOTE: An offense report is required for Evading Arrest in a vehicle even though it is a direct file offense.**

- C. Property Release Follow-up on Direct File Cases - After disposition of the case or upon notification by the Property Section that a change in property retention is needed, the officer originally filing a Direct File case has responsibility for any property release follow-up.
- D. At-large direct file cases will be handled by the Patrol Bureau Investigations Unit in the geographic area the offense occurred on, unless an investigative unit creates the at-large case. Then that investigative unit will handle the direct file case.
- E. Places Weapons Prohibited offenses that occur inside Love Field will be assigned to the PATROL BUREAU, WEST PATROL GROUP, NORTHWEST INVESTIGATIVE UNIT.
- F. V.H.S.C. (Marijuana only) drug free zone will be investigated by the Narcotics Unit.



## Dallas Police Department General Order

### 211.00 Research By The Caruth Police Institute

Revised 2/1/11

#### 211.00 RESEARCH BY THE CARUTH POLICE INSTITUTE

The primary purpose of the Caruth Police Institute (CPI) is to serve the needs of the Dallas Police Department. Among CPI's objectives are to identify and train a new generation of DPD leaders, develop innovative strategies in crime fighting, and provide departmental members expertise in the area of law enforcement research. Any member of the Department that requests research assistance by CPI will adhere to the following guidelines:

- A. On a Dallas Police Department memorandum, the member will explain in full the nature of the request being made to CPI.
- B. The request must be made for the benefit of the Department and not used for external reasons.
- C. The request will be submitted to the Division Commander for approval. Once approved, the memorandum will then be forwarded to the Planning Unit for submission to the Chief of Police.
- D. The Chief of Police will have final approval or denial of the request to CPI.



## Dallas Police Department General Order

### 212.00 Application for License to Carry Handgun

Revised 01/01/2016

#### 212.00 APPLICATION FOR LICENSE TO CARRY HANDGUN BY RETIRED OR ACTIVE PEACE OFFICERS

- A. In accordance with the Texas License to Carry Handgun Laws, honorably retired, full time peace officers and active full time peace officers may make application to be issued a License to Carry Handgun.
- B. This order establishes departmental procedures for processing requests made by active or retired officer applicants in accordance with the requirements outlined in the Texas License to Carry Handgun Laws.

#### 212.01 Application for License to Carry Handgun by Retired Officers

- A. The Texas License to Carry Handgun Laws stipulate that a license may be issued to a retired full time peace officer if the applicant is honorably retired and physically and emotionally fit to possess a handgun. The Texas License to Carry Handgun Laws state *honorably retired* means the applicant:
  - 1. Did not retire in lieu of any disciplinary action.
  - 2. Is entitled to receive a pension or annuity for service as a law enforcement officer.
- B. In accordance with the requirements of the Texas License to Carry Handgun Laws, retirees wishing to make application must prepare a letter to the Chief of Police requesting that he provide a recommendation to the Director, Texas Department of Public Safety, as to the applicant retiree's suitability for being issued a License to Carry Handgun. Application may be made on the first day the individual is no longer employed by the Department. The applicant's letter will be sent to the Special Research Team of the Personnel and Development Division.
- C. The recommendation, which will be done by the Special Research Team and based upon information in the applicant's personnel file will contain:
  - 1. The name and retired rank of the applicant.
  - 2. The last date the applicant was a member of the Department.
  - 3. The total number of full years (not including partial years) that the applicant was a full-time peace officer of this Department.
  - 4. The status of the applicant at the time of retirement (i.e., whether the applicant was accused or charged with any disciplinary action).
  - 5. Whether the applicant was recommended as eligible for rehire (if not, the reason(s) the applicant was not eligible).
  - 6. Whether the applicant was physically sound and free from physical defects at the time of retirement.
  - 7. Whether the applicant appeared to be in satisfactory psychological and emotional health at the time of retirement.
  - 8. The type (revolver or semi-automatic pistol) and caliber of any weapons the applicant was qualified on at the time of retirement.
- D. Upon receipt of the applicant's letter and the recommendation letter from the Special Research Team, the Chief of Police will endorse a sworn statement recommending or not recommending the applicant be issued a License to Carry Handgun.
- E. The Personnel and Development Division will forward the sworn statement to the retiree for continuation of actions as required by law.
- F. The Department will permit retired officers who are issued a License To Carry Handgun within these provisions the opportunity to annually qualify at the Firearms Training Center for proficiency on the category of weapon licensed. The retired officer will furnish the ammunition needed for qualification. The Rangemaster will determine the scheduling and maintain a record of retired officer qualifications.

#### 212.02 Application for License to Carry Handgun by Active Officers

- A. In accordance with the requirements of the Texas License to Carry Handgun Laws, active officers wishing to make application must prepare a letter to the Chief of Police requesting that he provide a recommendation to the Director, Texas Department of Public Safety, as to the applicant officer's suitability for being issued a License to Carry Handgun. The applicant's letter will be sent to the Special Research Team of the Personnel and Development Division.
- B. Active officers will attach a copy of their Internal Affairs Division Resume to their request and provide the packet to the immediate supervisor.
- C. The immediate supervisor will make a written recommendation containing the following:
  - 1. The name and rank of the applicant.
  - 2. Note of any accusations of misconduct and their dispositions from the applicant's Internal Affairs Division Resume.
  - 3. Whether the applicant is physically sound and free from physical defects (to the best of the supervisor's knowledge).
  - 4. Whether the applicant appeared to be in satisfactory psychological and emotional health (to the best of the supervisor's knowledge).
  - 5. The type (revolver or semi-automatic pistol) and caliber of any weapons the applicant qualified on during the preceding year.
  - 6. Whether the applicant is presently the subject of an internal investigation.
- D. The chain-of-command will indicate their concurrence or non-concurrence with the recommendation.
- E. Upon receipt of the applicant's letter and the recommendation letter from the Special Research Team, the Chief of Police will endorse a sworn statement recommending or not recommending the officer be issued a License to Carry Handgun.

**Dallas Police Department General Order**  
**212.00 Application for License to Carry Handgun**

Revised 01/01/2016

- F. The Personnel and Development Division will forward the sworn statement to the applicant for continuation of actions as required by law.
- G. Active officers must comply with General Order 418.07 (Secondary Weapons) regarding secondary weapons, both off duty and back-up.

**212.03 Application for Certificate of Proficiency by Retired Peace Officers**

- A. In accordance with the Texas Penal Code Chapter 46, Texas Senate Bill No. 117, Section 1, Subchapter H, Occupations Code Section 1701.357, and H.R. 218 – The Law Enforcement Officer's Safety Act of 2004, an honorably retired peace officer with not less than twenty (20) years of service may make application for a certificate of proficiency to carry a handgun in the State of Texas or an honorably retired peace officer with not less than fifteen (15) years of service may make application for a certificate of proficiency to carry a concealed handgun in the United States of America.
- B. All application requests made by honorably retired applicants in accordance with the requirements should be directed to the Special Research Team and the Applicant Processing Team of the Personnel and Development Division for a new identification card. Only then will the applicant be directed to the Firearms Training Center to obtain a qualification date and time. The Police Department shall have final authority in the interpretation of the State of Texas Honorably Retired Peace Officer Statute and H.R. 218 – The Law Enforcement Officer's Safety Act of 2004.
- C. Upon time for renewal of the Weapon Proficiency Certificate, the retired officer must only contact the Firearms Training Center in order to set up a qualification date and time, and to receive a renewed certificate.
- D. A criminal history check will be completed on every retired officer each time a certificate is requested.



## Dallas Police Department General Order

### 213.00 Bulletin Boards

Revised 01/30/07

#### 213.00 BULLETIN BOARDS

- A. Administrative Directive 3-43 Bulletin Boards gives the Chief of Police responsibility for:
  - 1. Identifying management bulletin boards and employee bulletin boards in the Police Department.
  - 2. Assigning responsibility for maintaining and regulating the material placed on management bulletin boards.
  - 3. Assigning responsibility for maintaining the condition of employee bulletin boards.
- B. Management bulletin boards are used to display:
  - 1. Directives and notices.
  - 2. Civil Service job openings or examination notices.
  - 3. Federal or state mandated notices.
  - 4. Other items constituting logical and proper extensions of management.
  - 5. Postings of current events and notices sanctioned and approved by management.
- C. Employee bulletin boards may contain the items mentioned in B.1-5 above but are also open for individual employee notices such as sale of items, cards of appreciation, birth and death notices, employee meetings, and notices of a similar nature. Bulletin boards owned by the various employee associations will be considered under this category.
- D. Organizational Commanders are responsible for the maintenance and regulation of materials placed on management bulletin boards and maintaining the condition of employee bulletin boards in their specified work areas. The supervisor of the Facilities Management Team is responsible for maintaining the condition of association and other bulletin boards in public access areas of the Jack Evans Police Headquarters Building.
- E. The following items may not be posted on either the employee or management bulletin boards:
  - 1. Material which in any way demeans or ridicules any individual or group.
  - 2. Obscene material.
  - 3. Material advocating illegal activity.
  - 4. Material supporting candidates for public political office.
  - 5. Commercial advertising by individuals other than city employees and by private organizations.
  - 6. Commentary on political or social issues that adversely affect the department's appropriate neutral position.



# Dallas Police Department General Order

## 214.00 Use of Social Networking Sites

Revised 10/13/2020

### 214.00 USE OF SOCIAL NETWORKING SITES

#### 214.01 Purpose

- A. These rules and regulations establish the Department's position on the utilization and management of social media and provides guidance on its management, administration, and oversight. These rules and regulations are not meant to address one particular form of social media, but rather social media in general, as advances in technology will occur and new tools will emerge.

#### 214.02 Definitions

- A. **Employee:** Any sworn or non-sworn employee, including reserve officers. For the purposes of these social media rules and regulations, volunteers of the Dallas Police Department will be held to the same standard of conduct as employees.
- B. **Internet:** A worldwide network of interconnected computer networks on which end-user services, such as World Wide Web sites or data archives, are located, enabling data and other information to be exchanged. The internet includes commercial, educational, governmental, and other networks, all of which use the same set of communications protocols.
- C. **Profile:** Informational description that a user provides about himself or herself on a social networking site.
- D. **Post:** Content an individual publishes online on a social media page or site. Content can be in the form of spoken words, stories, photographs, videos, images, or related forms of communication.
- E. **Social Media:** Online networking website or application where users may create profiles, share information (e.g. text, audio, pictures, video, etc.), and respond to information posted by others. Typically, users create a network with users who share similar interests or known acquaintances.
- F. **Social Networks:** Online platforms where a user can create a profile, post information, and communicate with others using a range of technologies.
- G. **Speech:** Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.
- H. **World Wide Web:** A system of interlinked hypertext documents accessed via the internet. With a Web browser, one can view Web pages that may contain text, images, videos and other multimedia, and navigate between them via hyperlinks.
- I. **Website:** Published page(s) on the World Wide Web, usually containing hyperlinks and published by an individual, company, educational institution, government, or organization.
- J. **Uniform Resource Locator (URL):** A specific character string that constitutes a reference to an internet resource. A URL is also commonly called the "web address."

#### 214.03 Department-Authorized Use of Social Networks

- A. The Chief of Police or their designee may authorize an employee to use social networks or social media sites for the purpose of promoting the Department's mission and goals.
- B. Any unit or employee receiving authorization to use social media sites to represent the Department shall be granted a site profile by members of the Media Relations Unit.
- C. Departmental authorized social media sites shall:
1. Comply with the requirements of AD 2-52 and the Social Media Standard of the Communications, Outreach, and Marketing Department.
  2. Indicate that they are maintained by the Department.
  3. List Department contact information prominently, if possible.
  4. Include the URL that links back to the Department's official website. Additionally, the Department official website shall include links to official Department social media sites.
- D. Employees shall adhere to the following guidelines when using Department authorized social media:
1. Employees authorized to use social media on behalf of the Department shall conduct themselves at all times as representatives of the Department.
  2. Employees should be aware that their speech becomes a published record on the World Wide Web and is archived according to the laws of the state of Texas. Departmental personnel shall adhere to all applicable procedures, rules, and regulations governing conduct when using social media.
  3. Information posted on Department authorized social media sites must be respectful, professional, and truthful. Corrections must be issued when needed.
  4. Non-compliance with the City's and/or Department's policies, guidelines, rules, regulations, or procedures regarding social networking sites may result in the revocation of e-mail and internet privileges and/or other appropriate disciplinary action, including reprimand, suspension, demotion, or termination of employment.
  5. These rules and regulations cover all usage of social networking sites regardless of the type of device used to access, including but not limited to mobile data computers, tablets, smart phones, etc.
  6. Any official Department social media account that profiles an employee or group shall remain under the control of the Department in the event an employee leaves service.
  7. All official Department social media sites shall adhere to style and content guidelines as determined by the Chief of Police or their designee.

# Dallas Police Department General Order

## 214.00 Use of Social Networking Sites

Revised 10/13/2020

8. Employees who are authorized to represent the Dallas Police Department in social networking will be responsible for providing timely updates to the Department's social media sites by sending status updates of dispatched newsworthy calls and public events.
  9. Officers should not take photographs of an evidentiary nature. Officers will not photograph:
    - a. specific items of evidence.
    - b. witnesses to crimes.
    - c. suspects.
    - d. undercover officers.
    - e. anything that, if posted immediately to social media, would provide information that would compromise an ongoing investigation including, but not limited to the location of officers on the perimeter of a barricaded person, or notes or documents related to an ongoing case.
  10. All photos taken will be uploaded to the Crime Scene Response photographic database in accordance with current Crime Scene Response S.O.P.
- E. Employees shall not remove content posted by visitors to official Department social media sites without following the process for removal of content outlined in the Communications, Outreach, and Marketing Department's procedures. Content that may be removed immediately by the Department and without notice to the commenter is: (1) content that constitutes a potential security breach, virus, or other cyberthreat, or (2) if there is a City emergency or crisis and the content creates a public security risk; or (3) if the content clearly is a solicitation of commerce, advertising of an event, business, or product for sale.
- F. Employees are encouraged to limit the use of Department equipment to official Departmental business, regardless of device-type.
- G. Employees are encouraged to refrain from using personal equipment to conduct official business on behalf of the Dallas Police Department.

### 214.04 Employee Personal Use of Social Media

As an organization devoted to public safety, the Department relies on respect, trust, and discipline to create the order, morale, loyalty, and efficiency critical to the successful performance of law enforcement duties. The Department further strives to instill public confidence in both its employees and the Department as a whole. As such, the Department issues these social media rules and regulations regarding employees' personal use of social media. **Notwithstanding any other provision in General Order 214, these social media rules and regulations shall not be interpreted or applied so as to infringe upon the rights of employees to speak in their capacity as private citizens.**

Unless contrary to any federal law, state law, or city ordinance, employees shall abide by the following when using social media for personal use:

- A. Absent prior written authorization from the Chief of Police or their designee, employees shall not divulge information gained by reason of their authority; make any statements, speeches, appearances, or endorsements; or publish materials that appear to represent the views or positions of this Department.
- B. Employees who are working in undercover operations, or who plan to in the future, shall not post any form of visual or personal identification to any social media network which would identify them as an employee of the Dallas Police Department, compromise Departmental objectives, or place themselves or another person in danger.
- C. Employees shall not post speech involving on-duty conduct of themselves or other employees that reflects behavior that would reasonably be considered reckless or irresponsible.
- D. Employees shall not post speech to social media networks that contains obscene or sexually explicit language, images, acts, statements, or other forms of speech that expresses bias toward or promotes discrimination against an individual or groups of individuals based upon race, color, age, religion, sex, marital status, sexual orientation, gender identity and expression, genetic characteristics, national origin, disability, or military or veteran status.
- E. Employees are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of the Department, impede the performance of their duties, impair discipline and harmony among coworkers, or interfere with the regular operation of the Department, regarding posts that contain any of the following:
  1. Violent, profane, obscene, or pornographic content and/or language;
  2. Content that threatens or defames any person or organization;
  3. Content that incites violence;
  4. Cyber-bullying, stalking, or harassment; or
  5. Unlawful activity.
- F. Employees shall not post department logos, banners, or similar identifying items on personal websites that would lead anyone to believe that website represents or has been approved by the Department without prior permission from the Chief of Police or their designee. In these matters, the Dallas Police Department will make the determination as to whether or not the content tends to represent the Department.
- G. Employees are encouraged to be mindful of their safety and the integrity of their careers, as well as the safety of their family and other officers, before posting *any* information on social media sites that identifies them as an employee of the Dallas Police Department.
- H. Employees are reminded that engaging in prohibited speech, as noted herein, may provide grounds for undermining or impeaching an employee's testimony in criminal and civil proceedings.
- I. Each social media posting that comes to the attention of the Department will be evaluated on a case-by-case basis and may become the basis for counseling or discipline.

**Dallas Police Department General Order**  
**214.00 Use of Social Networking Sites**

Revised 10/13/2020

**214.05 Third – Party Involvement on Personal Social Media Sites**

- A. Employees shall not authorize, facilitate, distribute, or request any third party to display or post any images or comments involving him or herself that would violate any provision in section 214.04.



## Dallas Police Department General Order

### 300.00 Operations Table of Contents

Revised 09/27/2022

#### **300.00 OPERATIONS**

##### **301.00 EMERGENCY VEHICLE OPERATION**

- 301.01 Purpose
- 301.02 Authorized Emergency Vehicles
- 301.03 Levels of Response Defined
- 301.04 Operation of Authorized Emergency Vehicles
- 301.05 Authority to Operate as an Emergency Vehicle
- 301.06 Private Vehicle - Emergency Escort
- 301.07 Vehicle Pursuits
- 301.08 Inter-Jurisdictional Pursuit Policy
- 301.09 Pursuits - Reporting and Review
- 301.10 Moving Surveillance/Tactical Apprehension

##### **302.00 TRAFFIC ENFORCEMENT**

- 302.01 General Policy
- 302.02 Traffic Enforcement in Accident Investigations
- 302.03 Investigation of Minor Accidents
- 302.04 FLID/FSRA Reporting Procedures
- 302.05 Use of Police Vehicles to Protect Accident Scenes
- 302.06 Accidents Involving City Owned Equipment
- 302.07 Police Jurisdiction on the Dallas North Tollway
- 302.08 Juvenile Traffic Offenders
- 302.09 Driving While Intoxicated or Under the Influence of Drugs
- 302.10 Driving While License Suspended
- 302.11 Strategic Targeting Against Aggressive Driving and Road Rage
- 302.12 Multiple Violation Citations
- 302.13 Reports Required

##### **303.00 ALTERNATIVE TO ARREST PROGRAM (ALTAR)**

- 303.01 Purpose of the Program
- 303.02 Field Procedure

##### **304.00 CRIME INVESTIGATION**

- 304.01 Eyewitness Identification
- 304.02 Death or Serious Injury Cases
- 304.03 Felony in Progress
- 304.04 Bomb Threat
- 304.05 Sexual Assault Offenses
- 304.06 Recovered Stolen Vehicles
- 304.07 Repossession of Automobiles
- 304.08 Inspection of Salvage Vehicles
- 304.09 Missing and Distressed Persons
- 304.10 Hate Crimes
- 304.11 Crime Victim Compensation
- 304.12 Unlisted Telephone Numbers
- 304.13 Removing or Blocking a Pay Telephone's Ability to Receive In-Coming Calls
- 304.14 Metal Detector and X-ray Machine Operation
- 304.15 Assistance for Victims/Witnesses who have been Threatened or Fear Further Victimization

**Dallas Police Department General Order**  
**300.00 Operations Table of Contents**

Revised 09/27/2022

- 304.16 Citizen Contacts Requiring Interpreter
- 304.17 Automated License Plate Reader (ALPR)
- 304.18 Deconfliction

**305.00 NON-CRIMINAL SPECIAL INVESTIGATIONS**

- 305.01 Method of Request
- 305.02 Criteria for an Investigation

**306.00 OPERATIONS OUTSIDE DALLAS CITY LIMITS**

**307.00 FAMILY VIOLENCE PREVENTION**

- 307.01 Requirements of Officers
- 307.02 Stocking of Notification Cards

**308.00 PROTECTIVE ORDERS**

- 308.01 Definition
- 308.02 Legal Services Section Responsibilities
- 308.03 Youth Operations Unit
- 308.04 Communications Section Responsibilities
- 308.05 Officer Responsibilities
- 308.06 Departmental Employees Protected by or Named in a Protective Order

**309.00 DALLAS AREA HOSPITALS**

- 309.01 Dallas Area Hospitals

**310.00 DALLAS COUNTY HOSPITAL AND COMMUNITY COLLEGE DISTRICT**

- 310.00 Dallas County Hospital District (DCHD) and Community College District
- 310.01 Answering Calls for Service and Investigating Offenses on Dallas County Hospital District Property
- 310.02 Dallas County Community College District – Answering Calls for Service and Investigating Offenses

**311.00 FOOT PURSUITS**

- 311.01 Purpose
- 311.02 Definitions
- 311.03 Preventing Foot Pursuits
- 311.04 Initiating Foot Pursuits – Decision Matrix
- 311.05 Initiating Foot Pursuits – Accountability and Responsibility
- 311.06 Discontinuing a Foot Pursuit

**312.00 DALLAS AREA RAPID TRANSIT (DART) – ANSWERING CALLS FOR SERVICE AND INVESTIGATING OFFENSES**

**313.00 ARREST POLICIES (ADULTS)**

- 313.01 Responsibility at the Scene of Police Incidents
- 313.02 Authority to Arrest
- 313.03 Misdemeanor Citations
- 313.04 Citations Requiring Special Handling
- 313.05 Marijuana Possession
- 313.06 Public Inebriate Program

**Dallas Police Department General Order**  
**300.00 Operations Table of Contents**

Revised 09/27/2022

- 313.07 Drug Evaluation and Classification Process
- 313.08 Stake-Outs and High Risk Apprehension Operations
- 313.09 Felony Arrest Warrant Service
- 313.10 Field Warning Procedure
- 313.11 Field Release of Handcuffed Subjects
- 313.12 Searching of Prisoners
- 313.13 Transportation and Handling of Prisoners
- 313.14 Disposition of Vehicles
- 313.15 Writ of Habeas Corpus
- 313.16 Magistrate Procedures for Adults

**314.00 ARREST POLICIES (JUVENILES)**

- 314.01 Authority to Take Juveniles Into Custody
- 314.02 Field Release
- 314.03 Day Time Curfew
- 314.04 Critical Missing Child
- 314.05 Runaway Child
- 314.06 Missing Child
- 314.07 Custodial Arrest
- 314.08 Searching of Juvenile Prisoners
- 314.09 Charges
- 314.10 Oral Statements and Confessions
- 314.11 Fingerprints and Photographs
- 314.12 Driving While Intoxicated
- 314.13 Drugs and Controlled Substances Arrests
- 314.14 Arrests at School During School Hours
- 314.15 Child Abuse and Neglect
- 314.16 Transporting of Juveniles

**315.00 ARRESTS REQUIRING SPECIAL HANDLING**

- 315.01 Arrests Made by Off-Duty Officers
- 315.02 Arrests Made on NCIC, TCIC and NCTCIC Checks
- 315.03 Foreign Nationals
- 315.04 Immigration
- 315.05 Military Personnel
- 315.06 Theft
- 315.07 Prostitution
- 315.08 Controlled Substance or Dangerous Drug Violators
- 315.09 Intoxication
- 315.10 Hospitalized and Medically Treated Prisoners
- 315.11 Mentally Ill Persons
- 315.12 Hospital Outpatients
- 315.13 Identification Disk for Retarded Children
- 315.14 Interview and Arrest Procedure For Deaf and Hearing-Impaired Persons
- 315.15 Arrests for Failure to Identify
- 315.16 Arrests by Out of Town Peace Officers
- 315.17 Handgun License Violations
- 315.18 Underage Alcohol Consumption Laws
- 315.19 Unusual Security Risks

**316.00 ARRESTS INVOLVING CONTROLLED SUBSTANCES OR DANGEROUS DRUGS**

- 316.01 Definitions
- 316.02 Arrests Involving Suspected Violations of the Texas Health and Safety Code
- 316.03 Stocking of Reagent Field Test Kits

**Dallas Police Department General Order**  
**300.00 Operations Table of Contents**

Revised 09/27/2022

**317.00 OFFICER INVOLVED SHOOTINGS OR OTHER CRITICAL INCIDENTS RESULTING IN SERIOUS INJURY OR DEATH**

- 317.00 Investigations of Officer Involved Shootings or Other Critical Incidents Resulting in Serious Injury or Death
- 317.01 Assigned Investigative Unit
- 317.02 Initial Response
- 317.03 Walk-Through
- 317.04 Interview and Investigative Procedures
- 317.05 Administrative Investigation
- 317.06 Post Incident Management
- 317.07 Firearms Discharge Review Team (FDRT)
- 317.08 DPD Critical Incident Monitoring by Director of Office of Community Police Oversight

**318.00 BOOKING PROCEDURES**

- 318.01 Booking Procedures for Adults
- 318.02 Establishing Age as an Adult or Juvenile
- 318.03 Citizen Information Regarding Juvenile Booked as an Adult
- 318.04 Booking Procedures for Juveniles

**319.00 VOLUNTARY SURRENDER OF WANTED PERSONS**

**320.00 CRIMINAL CASE FILING PROCEDURES**

- 320.01 General Provisions
- 320.02 Reduction of Cases Filed in Misdemeanor County Courts
- 320.03 Criminal Trespass Offenses
- 320.04 Cases Filed with the Municipal Court
- 320.05 Referring Complainants to the City Prosecutor's Office
- 320.06 Cases Filed with the County Prosecutor's Office via Citation

**321.00 EVIDENCE AND PROPERTY**

- 321.01 Processing Procedures
- 321.02 Property and Evidence Requiring Special Procedures
- 321.03 Impounding Vehicles as Evidence
- 321.04 Transporting Property/Evidence to Court
- 321.05 Processing of Narcotics/Drug Evidence and Narcotics/Drug Found Property
- 321.06 Property and Evidence Placed at the Lew Sterrett Property/Evidence Temporary Storage Locker
- 321.07 Conversion of Property

**322.00 CITIZENS RIDING OBSERVATION**

- 322.01 Authorization for Riding
- 322.02 Procedures
- 322.03 Responsibility of Citizens and Authority of Supervisors
- 322.04 Conduct While Riding Observation

**323.00 PRESS RELATIONS**

- 323.01 News Media Requirements and Privileges
- 323.02 Major Incidents
- 323.03 Crime Scenes
- 323.04 Release of Information
- 323.05 Information from Police Files
- 323.06 Photographs and Interviews

**Dallas Police Department General Order**  
**300.00 Operations Table of Contents**

Revised 09/27/2022

- 323.07 Internal Matters
- 323.08 News Information Service
- 323.09 Routine Newsworthy Matters

**324.00 SECURITY FOR POLICE FACILITIES**

- 324.01 General Policy
- 324.02 Restricted Areas
- 324.03 Procedures

**325.00 OPEN RECORDS INFORMATION**

- 325.01 Release of Criminal History Information
- 325.02 Release of Information on Offense/Incident Reports
- 325.03 Release of Other Written Records
- 325.04 Court Subpoenas
- 325.05 Expunction and Nondisclosure of Adult Criminal Records

**326.00 INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS, AND DISCOVERY ORDERS**

**327.00 AFFIDAVITS FOR SUSPENSION OR REVOCATION OF LICENSE TO CARRY HANDGUN**

**328.00 DIGITAL VIDEO RECORDER (DVR) PROGRAM**

- 328.01 Program Objectives
- 328.02 Definitions
- 328.03 General Procedures for L-3
- 328.04 General Procedures for Axon Fleet 3
- 328.05 Use of the L-3 Digital Video Recording System
- 328.06 Use of the Axon Fleet 3 Digital Recording System
- 328.07 Handling, Duplication and Storage of Videos from the L-3 DVR
- 328.08 Handling, Duplication and Storage of Videos from the Axon Fleet 3 DVR
- 328.09 Retention of L-3 Recordings and Logs
- 328.10 Retention of Axon Fleet 3 Recordings and Logs
- 328.11 Violations

**329.00 ENVIRONMENTAL MANAGEMENT**

- 329.01 Environmental Management Policy and Procedure for the Dallas Police Department
- 329.02 Definitions
- 329.03 Policy
- 329.04 Purpose
- 329.05 Organization
- 329.06 Procedures for Environmental Impact Occurrences
- 329.07 Procedures for Hazardous Spills
- 329.08 Reporting
- 329.09 Classifying Preventability, Assigning Points and Disciplinary Action

**330.00 CONSENSUAL AND NON-CONSENSUAL SEARCH PROCEDURES**

- 330.01 Definitions
- 330.02 Policy
- 330.03 Purpose
- 330.04 Requirements for Consensual Search
- 330.05 Evidence and Documentation Procedures for CONSENSUAL SEARCH
- 330.06 Responsibilities
- 330.07 Prohibited Procedures

**Dallas Police Department General Order**  
**300.00 Operations Table of Contents**

Revised 09/27/2022

- 330.08 Requirements for NON-CONSENSUAL SEARCH
- 330.09 Evidence and Documentation Procedures for NON-CONSENSUAL SEARCH

**331.00 PUBLIC RECORDING OF OFFICIAL ACTS**

- 331.01 Policy
- 331.02 Definitions
- 331.03 General Information
- 331.04 Special Circumstances
- 331.05 Officer Responsibilities
- 331.06 Supervisor Responsibilities
- 331.07 Seizing a Bystander's Video/Audio Recording Device for Evidentiary Purposes

**332.00 BODY WORN CAMERAS**

- 332.01 Program Objectives
- 332.02 Definitions
- 332.03 General Procedures
- 332.04 When and How to Use the Body Worn Camera
- 332.05 Prohibited Use of BWC Equipment
- 332.06 Retention, Storage and Handling of Videos
- 332.07 GPS and Live Streaming Body Worn Cameras

**333.00 INTERACTING WITH TRANSGENDER AND NON-BINARY INDIVIDUALS**

- 333.00 Purpose
- 333.01 Policy
- 333.02 Definitions
- 333.03 Responsibilities
- 333.04 Guidelines for Field Operations

**334.00 PUBLIC RELEASE OF VIDEO RECORDINGS**

- 334.00 Public Release of Video Recording regarding DPD Critical Incidents

**335.00 UNMANNED AERIAL SYSTEMS (UAS)**

- 335.00 Mission Statement
- 335.01 Responsibility for Operating Unmanned Aerial Systems
- 335.02 Authority to Operate
- 335.03 Operations
- 335.04 Manned vs Unmanned Aircraft
- 335.05 Search Warrants
- 335.06 Data Collection Minimization
- 335.07 Data Storage
- 335.08 Flight Restriction
- 335.09 Call Back
- 335.10 Procedure to Deal with Disruptions or Violence Directed Against City Owned Aircraft/UAS
- 335.11 Arming of UAS
- 335.12 Civilian Drone Operators



## Dallas Police Department General Order

### 301.00 Emergency Vehicle Operation

Revised 06/5/2023

#### 301.00 EMERGENCY VEHICLE OPERATION

##### 301.01 Purpose

- A. The purpose of this General Order is to describe the authority and to establish guidelines for operating emergency vehicles. It is intended as a broad guide to the application of these procedures during the operation of an emergency vehicle.
- B. Situations exist that require officers to respond quickly to life threatening emergencies and/or engage in pursuit of violators. In any situation, an officer must always base the decision to pursue on probable cause, known facts, and circumstances that can be articulated by the officer.

##### 301.02 Authorized Emergency Vehicles

- A. Vehicles equipped, at a minimum, with a siren and externally mounted red and blue emergency warning lights that have been installed in a manner approved by the Chief of Police will be authorized emergency vehicles.
  1. An exception to externally mounted red and blue lights will be made for designated SUV model vehicles equipped with interior red and blue lights mounted at the top, and extending across the width of the windshield. Additional emergency warning lights will be mounted on these vehicles in accordance with specifications approved by the Chief of Police to allow the vehicle to operate as an emergency vehicle.
  2. Public Service Officer trucks are not authorized emergency vehicles.
- B. Vehicles equipped with red and blue lights that are not externally mounted are also authorized emergency vehicles, but these vehicles will be used for traffic stops only and will not be used for any other type of emergency response.
- C. Vehicles not equipped with serviceable emergency equipment as provided in section A or B above will not be operated in an emergency manner.

##### 301.03 Levels of Response Defined

- A. Code 1 - The operation of an emergency vehicle in normal traffic without using emergency lights and siren. All departmental personnel operating emergency vehicles in this mode will comply with the posted speed limit and obey all traffic control devices and signals.
- B. Code 3 - The operation of an emergency vehicle using the emergency warning devices, as well as activating the emergency vehicle's headlights. This method of operation is authorized by the State Transportation Code and is outlined in General Order 301.05.
  1. The general guideline shall be that officers operating their vehicles in this manner shall not exceed the posted speed limit by more than 20 miles per hour on major streets and freeways and shall observe the posted speed limit in residential neighborhoods and school zones.
  2. Officers operating their vehicles in this manner shall come to a complete stop to ensure an intersection is clear prior to disregarding any stop signal or stop sign.
  3. While operating a vehicle Code 3, an officer is not bound by the requirements listed in 301.03 B. 1-2 above in the following situations:
    - a. When responding to cover another law enforcement officer where an imminent threat to the officer's safety is present.
    - b. When responding to an Officer Assist.
    - c. When an officer is involved in an authorized pursuit.However, in all situations, an officer is not relieved of the duty to operate the vehicle with appropriate regard for the safety of all persons or the consequences of reckless disregard for the safety of others.

##### 301.04 Operation of Authorized Emergency Vehicles

- A. In all operations of emergency vehicles, situations will exist which, in the responding officer's opinion, need an immediate and effective response. In these situations, the responding officer may determine that a delay in response could jeopardize the safety of a citizen or officer and upgrade from a Code 1 to a Code 3 response. When upgrading a response, the responding officer will notify the dispatcher, and upon acknowledgment, immediately activate the emergency equipment and headlights.
- B. When operating Code 3, the operator of the emergency vehicle is responsible for the safe operation of the vehicle. The officer must be able to articulate the facts and circumstances justifying the Code 3 decision.
- C. The authority to drive contrary to regulatory codes when operating an authorized emergency vehicle Code 3 does not relieve the operator of the responsibility of exercising due care. When regulating their speed, officers should give consideration to such things as the nature and seriousness of the offense or suspected offense and be consciously aware of weather conditions, traffic control devices, character of the neighborhood (residential or business), traffic volume, and road and vehicle conditions.
- D. After providing necessary assistance at a Code 3 or Assist Officer incident, the initial responding element will notify the dispatcher when the need for emergency assistance is over.
  1. Dispatcher will immediately sound an alert tone that Code 3 response has ended.
  2. Authorization for all other responses utilizing emergency warning devices will end.
  3. Other officers may proceed to the scene, driving at the posted speed limit and obeying all traffic control devices.
  4. Except when driven Code 3 or to an Assist Officer, no emergency vehicle will be driven faster than the posted speed limit.

# Dallas Police Department General Order

## 301.00 Emergency Vehicle Operation

Revised 06/5/2023

- E. Officers requesting a cover element will advise the dispatcher if the response needed is Code 1 or Code 3, and the number of elements required. No other terminology will be used.
  - 1. When an officer requests cover elements to respond Code 3, it will be implied that the officer is requesting for an Officer Assist response.
  - 2. If an Officer Assist response is deemed not necessary by the requesting officer, the officer making the request will state that an Officer Assist response is not needed, and the cover elements will respond Code 3 by the requirements listed in 301.03 B. 1-2 above.
  - 3. A Code 3 response is appropriate when an officer reasonably believes that a delay in response could jeopardize the safety of a citizen or officer.
  - 4. Officers responding to a Code 3 cover request will notify the dispatcher, and upon acknowledgement, immediately activate the emergency equipment and headlights.
- F. In all Assist Officer incidents, responding officers will be authorized an emergency response as indicated in 301.03 B.3 without the need to notify the dispatcher of their intent to respond.
- G. Officers will hold Code 3 or Officer Assist responses to the essential minimum and terminate a Code 3 or Officer Assist response at the earliest possible time. When the emergency warning devices are deactivated, a Code 1 response is in effect.

### 301.05 Authority to Operate as an Emergency Vehicle

- A. The State Transportation Code permits authorized emergency vehicles to be operated in an emergency manner in response to an emergency call and in immediate pursuit of an actual or suspected violator of the law.
- B. The following will be considered emergencies within the meaning of Section A above:
  - 1. Calls assigned by the radio dispatcher that are designated as emergencies and only when dispatched as emergencies by the designation *Code 3*.
  - 2. Calls or situations wherein the personal knowledge of an officer justifies the reclassification of a Code 1 assignment to an emergency level Code 3.
  - 3. Situations wherein a supervisor directs that response be made Code 3.
  - 4. Routine Traffic Stops-  
Pursuit of a violator when the use of both emergency warning lights and siren is necessary to alert other traffic and/or to command the attention of the vehicle operator so that the he/she can be directed to stop. Officers may clock speeding traffic violators without using emergency lights and siren when they can do so safely and only for short distances.
  - 5. Chase Pursuit- Pursuit of a violator wherein the violator refuses to stop and the continuing use of both emergency warning lights and siren is necessary in the interest of warning others. The authority to drive contrary to traffic regulations requires the emission of an audible signal and activation of emergency warning lights. At the conclusion of the chase pursuit, all visible emergency warning lights will remain on at the scene.
- C. Authorized Levels of Response - The only authorized levels of response are Code 1 and Code 3, which are defined in GO 301.03.
- D. Authorized Operators - No Police Department vehicle will be operated with emergency equipment activated unless operated by a sworn member of the Police Department.
- E. The law enforcement goal of protection of life may be better served if an in-the-act offender is not alerted to an officer's arrival. When the siren and emergency warning lights are deactivated, the Code 3 response will cease and a Code 1 response will be in effect, and the officer must begin considering a tactical approach.

### 301.06 Private Vehicle - Emergency Escort

- A. When an officer in the field is requested to escort a private vehicle carrying an injured or ill person, the officer will determine the severity of the injury or illness. The officer should offer to call an ambulance and offer to administer first aid.
- B. If the driver and patient refuse the officer's offer and want to continue to the nearest hospital or medical facility, the officer may escort the vehicle Code 1. The dispatcher will be notified prior to the escort.
- C. If the situation is not of a life threatening nature, the officer will politely suggest that the driver proceed carefully and obey all traffic regulations, and if appropriate, suggest the quickest and safest route to the hospital. Should the driver not know the way to the hospital, the officer may furnish an escort Code 1.
- D. An officer will not escort a private vehicle Code 3.

### 301.07 Vehicle Pursuits

- A. Purpose - The purpose of this policy is to establish guidelines for making decisions with regard to vehicular pursuits.
- B. Philosophy - General Order 906.01 B., states "Protection of human life is a primary goal of the Police Department; therefore, police officers have a responsibility to use only the degree of force necessary to protect and preserve life." Initiating or participating in a vehicular pursuit presents a danger to the officers involved, the suspect, and the general public. Accordingly, the decision to initiate a pursuit must be based on the pursuing officer's conclusion that the immediate danger to the officer, public and suspect created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.
- C. Definition - A Pursuit is defined as an active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect in a motor vehicle who is attempting to elude the officer. A suspect is considered to be fleeing upon making any overt action intended to avoid arrest. For the purpose of this order, violators who follow all traffic regulations after an officer initiates a traffic stop and are merely failing to yield to the authorized emergency vehicle are not considered to be fleeing. The term "Chase" will be considered synonymous with "Pursuit."
- D. Decision to Initiate Pursuit
  - 1. The decision to pursue must be based upon facts and circumstances known to the officer.
  - 2. In deciding whether to pursue, an officer must take the following pursuit risk factors under consideration:

# Dallas Police Department General Order

## 301.00 Emergency Vehicle Operation

Revised 06/5/2023

- a. road, weather and environmental conditions,
  - b. population density, vehicle and pedestrian traffic,
  - c. relative performance capabilities of both the authorized emergency vehicle and the suspect's vehicle,
  - d. seriousness of the offense,
  - e. presence of other persons in the police vehicle,
  - f. age of offender,
  - g. whether or not the offender's identity is known, and
  - h. any circumstance under which the pursuing officer will be unable to maintain control of the emergency vehicle.
3. An officer may initiate a pursuit under the following circumstances:
    - a. when the officer has probable cause to believe that a felony involving the use or threat of physical force or violence has been, or is about to be, committed, or
    - b. to assist another law enforcement agency that has initiated a pursuit under the same circumstances, or
    - c. an outside agency has initiated a pursuit which has entered the City of Dallas and there is only one police vehicle involved, or
    - d. an officer on-views a suspect discharge a firearm in a public place or displays a firearm in a public place in a threatening manner, and
    - e. the officer reasonably believes that the immediate need to apprehend the offender outweighs the risk to any person of collision, injury or death.
    - f. all other pursuits are prohibited.
  4. Officers will not pursue a motorist whose only offense is driving while intoxicated if the actions of the driver escalate beyond merely failing to yield to the emergency vehicle.
- E. Manner of Operation While in Pursuit
1. The emergency warning lights, siren, and emergency vehicle headlights will be used at all times while operating Code 3.
  2. Only police vehicles equipped with operable emergency warning lights and sirens will participate in the pursuit of a fleeing vehicle.
  3. Unmarked vehicles without roof mounted emergency warning light systems will not become involved in a pursuit. Supervisors in unmarked vehicles will follow the chase using a Code 1 response.
  4. If a pursuit is initiated by a motorcycle, the motorcycle will abandon the pursuit when a four-wheel unit with roof mounted emergency warning light systems joins the pursuit.
  5. Vehicles with passengers (prisoners, witnesses, suspects, complainants or other non-police personnel who have not signed a waiver of liability) will not become engaged in pursuits.
  6. Paddy Wagons will not become engaged in pursuits.
- F. Pursuit Termination
1. Pursuing officers shall continually assess the pursuit risk factors and terminate the pursuit when the danger to the officer, public or suspect becomes greater than the immediate need to apprehend the suspect.
  2. If visual contact is lost other than momentarily, officers will discontinue the pursuit.
  3. Officers will terminate a pursuit when directed to do so by a supervisor.
  4. Once the decision has been made to terminate a pursuit, officers will immediately disengage emergency warning lights and siren and reduce to Code 1.
- G. Prohibited Practices
1. Setting up roadblocks to stop violators.
  2. Deploying or the use of spike strips.
  3. Attempting to force the vehicle from the roadway by driving alongside or in front of the fleeing vehicle.
  4. Bumping or ramming the fleeing vehicle in an attempt to force it from the road.
  5. Discharging weapons at a moving vehicle unless an occupant of the vehicle is using or attempting to use deadly force on an officer or other persons.
  6. Pursuing violators the wrong way on any freeway, one-way service road, one-way street, or divided roadway. This order is not intended to prohibit pursuit on an adjacent roadway where the officer is driving with the traffic flow.
  7. Following so closely that adequate reaction and braking time is insufficient to prevent collision with any leading vehicle.
- H. Responsibilities of Pursuing Elements
1. Any element initiating a pursuit will immediately notify the police dispatcher of the following information:
    - a. Element number.
    - b. Direction of travel.
    - c. Reason for pursuit to include offense that has been, or is about to be, committed.
    - d. Description and number of occupants.
  2. No more than the following three vehicles will be involved in a pursuit - the pursuit element, one support element, and a supervisor (either the Controlling Supervisor or another supervisor). The officer in the primary vehicle or the supervisor engaged in the pursuit may request approval from the Controlling Supervisor to add additional elements to the pursuit. The Controlling Supervisor may grant this request and has the option to add additional elements based upon personal judgment. Factors to be considered before requesting or allowing additional elements to join the pursuit include, but are not limited to:
    - a. The nature of the offense.
    - b. The number of suspects.
    - c. Whether to add a third element to the pursuit if no supervisor is able to join it.
    - d. Whether the participating elements have more than one officer per vehicle.
    - e. Any factor that could reasonably cause an increased hazard.
  3. Other police vehicles will not enter a pursuit to assume the lead or secondary vehicle position unless these factors apply:
    - a. The lead or secondary vehicles have fallen far enough behind the suspect's vehicle that it may be reasonably

# Dallas Police Department General Order

## 301.00 Emergency Vehicle Operation

Revised 06/5/2023

- assumed the lead or secondary vehicle cannot maintain contact with the suspect's vehicle.
      - b. The vehicle can enter the pursuit without causing other pursuing squad cars to take evasive action.
      - c. If a police vehicle assumes the lead or second vehicle position (after meeting the above conditions), the vehicle entering the pursuit will immediately inform the dispatcher of the action taken. The last or third police vehicle (unless it is a supervisor) will then leave the pursuit and notify the dispatcher of this action.
    - 4. Officers involved in a pursuit will immediately inform the dispatcher of any collision or other injury observed by the officer as a result of the pursuit.
    - 5. Vehicles trailing a chase at a distance and at legal speed limits will not follow the chase beyond their Operations Division geographical boundaries and will obey traffic control devices. Sufficient vehicles to provide this support will be available in the Operations Division in which the chase continues.
    - 6. Officers not directly involved in a pursuit will not respond Code 3 to catch up to a pursuit unless directed to do so by a supervisor.
  - I. Responsibilities of the Controlling Supervisor
    - 1. When an element becomes involved in a pursuit, the field supervisor of the responding element, if available, will be assigned by the dispatcher as the Controlling Supervisor. If this supervisor is not available, another first line supervisor will be assigned. If another first line supervisor is not available, the watch commander will be assigned.
    - 2. Command the pursuit from either a stationary position or while proceeding Code 1 toward the pursuit.
    - 3. Have the option of joining the pursuit, if another supervisor has not done so. If the supervisor joins the pursuit, another supervisor, if available, will become the controlling supervisor.
    - 4. Monitor all radio communications to ensure that only those elements authorized and designated by the dispatcher participate in high-speed pursuits.
    - 5. Consider the nature and seriousness of the offense for which the suspect is being pursued and assess the potential, if any, for identifying and arresting the fleeing offender at a later time.
    - 6. Order a pursuit discontinued when any of the following are applicable:
      - a. The known circumstances or facts do not justify continuing the pursuit.
      - b. The actions of other police agencies or individuals increase the danger to officers or the public. This includes actions of other police agencies that violate the Inter-Jurisdictional Pursuit Agreement, whether or not the violating agency is a signatory to that agreement.
      - c. Upon receiving a recommendation by the primary pursuit element, the supervisor involved in the pursuit, or a superior officer.
      - d. The risk to any person of injury, collision or death outweighs the immediate need to apprehend the offender.
    - 7. Police motor vehicle pursuits are only authorized in very limited circumstance. However, these circumstances involve potential violent offenders who in some cases may pose a substantial danger to pursuing officers at the conclusion of the pursuit. When these circumstances exist, a controlling supervisor is authorized to add additional elements to the pursuit. Factors to be considered before requesting or allowing additional elements to join the pursuit include, but are not limited to:
      - a. The nature of the offense.
      - b. The number of suspects.
      - c. Whether to add a third element to the pursuit if no supervisor is able to join it.
      - d. Whether the participating elements have more than one officer per vehicle.
      - e. Any factor that could reasonably cause an increased hazard.
    - 8. If a supervisor authorizes additional elements in a pursuit, either based on his or her own judgment or in response to a request by involved elements, the justification for the authorization must be documented in the Vehicle Pursuit form.
    - 9. Completion of the Vehicle Pursuit form located on the BlueTeam link under the Dallas Police Department intranet home page. Supervisors must attach the Evading Offense report and Chase report to the Vehicle Pursuit form. If available, supervisors must provide any DVR video, AVL reports, and arrest reports with the Vehicle Pursuit form through the chain-of-command to the Division Commander for review.
  - J. Responsibilities of the Patrol Watch Commander or Acting Watch Commander
    - 1. Monitor active pursuits to ensure a controlling supervisor has been assigned and pursuit policies are followed.
    - 2. Ensure the justification for the pursuit and decisions made regarding the pursuit are consistent with the Department's overall pursuit philosophy.
    - 3. Immediately terminate a pursuit which causes substantial danger to the officers or the public that outweighs the need to apprehend the offender.
    - 4. Evaluate all requests to add additional elements by the pursuing officers and authorization for additional elements by the controlling supervisor to ensure the additional elements do not create an unjustified risk to the involved officers and the public.
  - K. Responsibilities of the Communications Division
    - 1. Develop and maintain standard procedures for a Pursuit Management Team to include a Communications Supervisor, Dispatcher and Service Desk.
    - 2. The radio dispatcher will:
      - a. Transmit all information pertinent to the pursuit to other police elements.
      - b. Immediately designate the sector supervisor of the initiating element, if available, as the Controlling Supervisor.
      - c. Notify the helicopter duty officer.
      - d. Advise pursuit vehicles of any known or potential hazards in the path of the pursuit (accidents, street closures, repairs, etc.).
      - e. Attempt to determine the reason why a vehicle is fleeing (e.g., a robbery that may have occurred near the initiation point of the chase, etc.).
      - f. Sound the alert tone at the cessation of pursuit to audibly emphasize the requirement to reduce to Code 1 driving.
      - g. Ensure a patrol watch commander is made aware that a pursuit is occurring.
    - 3. When it becomes evident a pursuit may cross into another dispatch area with a different radio frequency, the originating dispatcher will notify the dispatcher responsible for the area into which the pursuit may continue. This

# Dallas Police Department General Order

## 301.00 Emergency Vehicle Operation

Revised 07/20/2021

- dispatcher will activate the *Alert Tone* to warn elements in his/her dispatch area that emergency radio traffic will be forthcoming. Activation of the alert tone will include two short *beeps* of this signal followed by pertinent information regarding the pursuit.
4. When a pursuit enters another Operations Division, that channel's dispatcher will keep the division officers informed of the location of the pursuit. No officer will join a pursuit without obtaining approval from the dispatcher and/or the Controlling Supervisor of the channel and/or division where the pursuit originated. Normally, all pursuits will be maintained and controlled on the radio channel where the pursuit originated and under the direction of the original Controlling Supervisor. The only exceptions to this policy will be:
    - a. If radio transmissions become weak or unreadable, a Communications Section supervisor will direct elements to a channel where transmissions are improved.
    - b. If a pursuit continues for an excessive length of time, the Communications Section Supervisor may direct elements to another channel so that operations on the primary channel may return to normal.
    - c. If the Controlling Supervisor advises that a pursuit should be broadcast on another channel for officer safety, the Communications Section supervisor will direct the elements to another channel.
  5. Notify Fusion with all available information so that intelligence can be developed while the pursuit is occurring.
- L. Responsibilities of the Station Sergeant
1. Ensure no element within the division is attempting to overtake the pursuit from an impractical distance or with excessive speed.
  2. Ensure officers are not trailing pursuit in violation of GO 301.07, H. 5.
  3. If the chase proceeds into another division, the station sergeant of that division will also begin monitoring the AVL in addition to the station sergeant from the division where the chase originated.
  4. Monitor all elements for violations of the general order.
  5. Ensure all elements observed to be violating or attempting to violate department emergency vehicle operation policy are immediately directed to cease the activity.
  6. Ensure all violations observed from monitoring the AVL are documented on the chase report.
- M. Helicopter Involvement
1. Whenever possible, the helicopter will join a pursuit after notification by the dispatcher. Upon joining the pursuit, the helicopter will:
    - a. Advise the dispatcher and Controlling Supervisor of the helicopter's presence, its ability to maintain contact while directing the pursuit, and the number of vehicles in the pursuit.
    - b. Direct ground units to the fleeing vehicle's termination point.
  2. If practical and safe, the helicopter will:
    - a. Maintain a position that allows the pilot and/or observer to see an area several blocks in front of and behind the suspect's vehicle.
    - b. Notify pursuing officers of any upcoming traffic hazards.
    - c. Be aware of the number of police vehicles in the pursuit and notify the Controlling Supervisor and/or the dispatcher of any changes in the number of vehicles involved in the pursuit.

### 301.08 Inter-Jurisdictional Pursuit Policy

- A. If it becomes evident the pursuit might cross into another jurisdiction or if elements from another police agency become involved in the pursuit, the dispatcher will determine whether the jurisdiction being entered or agencies participating in the pursuit are signatories to the Inter-Jurisdictional Pursuit Agreement. This information will immediately be broadcast to the pursuit vehicles and Controlling Supervisor.
- B. Before a pursuit enters another jurisdiction, the dispatcher will notify the other agency with the following information:
  1. The pursuit is about to enter their jurisdiction.
  2. Reason for the pursuit and nature of violation.
  3. Location and direction of the pursuit.
  4. Complete description of occupants and vehicle.
  5. Number of elements involved in the pursuit.
  6. Whether or not assistance is needed.
  7. If applicable, notify that agency when the pursuit is leaving their jurisdictional boundaries or the location of termination.
- C. The initiating agency will have control and be responsible for the pursuit. Other agencies will not participate unless requested to assist.
- D. A total of no more than three vehicles from the combined jurisdictions will be involved in any pursuit - two elements and one supervisor.
- E. During a pursuit involving more than one agency, the following practices are prohibited:
  1. Roadblocks.
  2. Ramming.
  3. Forcing pursued vehicle off roadway.
  4. Shooting at pursued vehicle (except to protect against the use of unlawful deadly force).
- F. Responsibility of the initiating agency:
  1. Arraignment of arrested persons.
  2. Disposition of any passenger.
  3. Disposition of arrested person's vehicle.
  4. Coordination of all reports, citations, and criminal charges.
- G. Without unnecessary delay, the apprehending officer will take the arrestee or have him/her taken before one of the following:
  1. The magistrate who issued the warrant or the magistrate named in the warrant - if the magistrate is in the same county where the person is arrested.
  2. Some magistrate in the county in which he/she was arrested - if the issuing or named magistrate is in another county.

# Dallas Police Department General Order

## 301.00 Emergency Vehicle Operation

Revised 06/5/2023

3. A magistrate in a county bordering the county in which the arrest was made - if it is necessary to provide the required warnings more expeditiously to the arrestee.
- H. As a matter of professional courtesy, Dallas Police Department personnel will provide police personnel from the agency where the pursuit terminated pertinent information regarding the pursuit.

### 301.09 Pursuits - Reporting and Review

- A. Offense Report
  1. At the conclusion of each vehicular pursuit, officers will obtain a service number and prepare a direct entry offense report titled *Evading Arrest*. This report will be prepared regardless of whether the suspect was arrested or escaped.
  2. Officers will prepare an offense report titled *Evading Arrest-No Pursuit* whenever a suspect fails to stop for an authorized emergency vehicle but a pursuit was prohibited by departmental policy.
  3. These offense reports will fully describe the particulars of the incident and actions taken by the officers involved.
  4. In instances where the suspect escapes, the offense report will contain as much information as available regarding suspect and vehicle descriptions and any other pertinent identifying data.
  5. Information contained in the offense report will be used by detectives to develop a case against an offender who may have escaped. This information may result in the suspect being arrested at a later time and in a safer manner.
- B. BlueTeam Vehicle Pursuit Incident Report
  1. The Controlling Supervisor will complete a Vehicle Pursuit incident report in BlueTeam prior to the end of their shift. If a Controlling Supervisor is not assigned, the primary pursuit element will advise their assigned supervisor of the details of the pursuit. If the assigned supervisor is not available, the primary pursuit element will then advise the sector relief supervisor or a late relief supervisor assigned to that watch. The supervisor will then be responsible for completing the Vehicle Pursuit incident report in BlueTeam before the end of their shift.
  2. The BlueTeam Vehicle Pursuit incident report, offense report, AVL report, any arrest reports, and any video recording of the pursuit will be reviewed by the initiating officer's chain of command through the Division Commander level.
  3. The Division Commander will:
    - a. Review all pursuits for adherence to departmental policy;
    - b. Ensure that any appropriate follow-up including commendation, correction or training is taken;
    - c. Notify the Departmental Safety Officer of any recommendations that may enhance officer or citizen safety.
    - d. Forward the BlueTeam Vehicle Pursuit incident report to the Program Administrator for review by the DVR ReviewTeam.
  4. An annual report of vehicle pursuit incidents will be completed and forwarded to the Chief of Police. The report will analyze available information related to vehicle pursuits in order to reveal patterns or trends that may indicate additional training needs or changes in departmental procedures.

### 301.10 Moving Surveillance/Tactical Apprehension

- A. This order establishes a mechanism for field personnel to effect an apprehension of suspects in a moving vehicle or under circumstances that do not meet the criteria for a pursuit per General Order 301.07.D(3). In this circumstance, the violation must be of a serious nature and the officer believes there is an immediate need to apprehend the suspects. (This will not include traffic or Class C offenses). As with all operations, the safety of police personnel and the community is the primary goal.
- B. Tactical Apprehension: a coordinated and supervised operation involving one or more departmental workgroups in the apprehension of a suspect (s) with vehicular mobility or other similar circumstance. An apprehension of this type may be conducted with the helicopter, covert elements and marked units along with a controlling supervisor. To initiate a Tactical Apprehension an officer must do the following:
  1. Determine probable cause exists that an offense has been or is about to be committed.
  2. Determine that a Code 3 operation is not authorized and no emergency warning lights or siren will be utilized.
  3. Notify the dispatcher and a controlling supervisor of the need to tactically apprehend a suspected violator. Ideally, the patrol deployment squad supervisor will control a Tactical Apprehension; but a patrol field supervisor may also assume control if a deployment supervisor is not available. Officers will give the controlling supervisor as much information as possible, including the suspected offense (burglary, auto theft, non-violent felony warrant etc.), element number, direction of travel, reason for request of Tactical Apprehension, description and number of occupants and any other available information.
  4. Request helicopter involvement immediately.
- C. Covert elements and the helicopter will respond to positions where they will be conducting the moving surveillance of the suspect vehicle, while marked elements will disengage and be directed to trail or perimeter positions by the controlling supervisor. All elements (covert and marked) will operate code 1.
- D. Helicopter Involvement – Whenever possible the helicopter will join the tactical apprehension. Upon joining, the helicopter will:
  1. Advise dispatcher and controlling supervisors of their presence.
  2. Be aware of the number of marked units and their positions. The helicopter may direct marked elements away from the suspect vehicle.
  3. Direct ground units to the vehicles termination point.
- E. The controlling supervisor will:
  1. Be involved in the tactical apprehension to the greatest extent possible and will determine how to coordinate the operation.
  2. Have the helicopter and/or covert elements follow the vehicle until the suspect(s) abandon the vehicle or direct marked patrol elements to initiate the stop as dictated by the individual circumstances.

## Dallas Police Department General Order 301.00 Emergency Vehicle Operation

Revised 06/5/2023

3. Coordinate information directing elements to a suspect's position for an arrest opportunity. Uniformed officers may be directed by covert elements or the helicopter to the suspect and will be provided with a physical and clothing description of the suspect. Uniformed officers will affect the arrest of the designated suspect (s) and provide transport for those suspects.
  4. **Ensure no pursuit will be initiated without circumstances that would authorize a pursuit under General Order 301.07.D (3).**
- F. For safety reasons covert officers will refrain from being part of the arrest and will only expose themselves in an emergency. If an emergency exists and covert officers deploy, they will wear a Dallas Police Identification Jacket or Vest with identifying marks and verbally identify themselves as Dallas Police Officers.
  - G. A controlling supervisor may also decide that an extended moving surveillance is required prior to an arrest opportunity. This surveillance consists of: the covert and accurate observation of persons, places or things for the purpose of obtaining physical and visual evidence concerning identities or activities of subjects for evidentiary or intelligence gathering purposes. At this point the supervisor will announce this decision on all affected radio channels to ensure involved personnel, field elements and the dispatcher are informed.
  - H. The controlling supervisor will determine the number of marked patrol elements required for the tactical apprehension of the suspect(s). All other patrol elements shall stay out of the operating area unless requested by the controlling supervisor, or circumstances develop that would require an immediate police response.
  - I. In some cases the helicopter or divisional deployment assets will not be available in a timely manner. The controlling supervisor should check with dispatch and request assistance from another division. If these resources are not able to respond the supervisor will make the decision to initiate a traffic stop or felony stop. If the suspect vehicle then flees or evades, General Order 301.07 will apply and no pursuit will be initiated.



## Dallas Police Department General Order

### 302.00 Traffic Enforcement

Revised 11/21/2022

#### 302.00 TRAFFIC ENFORCEMENT

##### 302.01 General Policy

- A. Age Limitations on Citations
  1. Traffic citations will not be issued to persons under twelve years of age or to persons over 65 years of age for pedestrian violations.
  2. Citations may be issued to persons over 65 for moving traffic violations.
- B. Officers should exercise discretion when taking enforcement action on out-of-town or out-of-state visitors. Traffic citations may be issued to out-of-town or out-of-state visitors. If the violation appears intentional or flagrant, the violator may be taken into custody and required to post bond. If unable to post bond, the individual may be placed in jail.
- C. Obtaining Arrested Person's Name and Address
  1. If a violator is unable to produce proper identification showing name and address, or satisfy the officer as to his/her identity, such person may be taken into custody and required to post bond. If the violator is unable to post bond, he/she may be placed in jail.
  2. After arrival at jail, if the violator is able to establish identity and proper address to the satisfaction of the jail supervisor, the jail supervisor will instruct the officer to issue the violator a citation and release the individual.
- D. If a violator refuses to sign a citation, he/she may be arrested and required to post bond.
- E. When an officer is in the process of having a parking violator's vehicle impounded and the driver returns to the scene before the wrecker leaves with it, a citation will be issued, and the vehicle released to the driver. No wrecker fee will be charged.
- F. Officers will not take minor traffic enforcement action when transporting a citizen on a Signal 62 (Public Service), unless public safety would be adversely affected by lack of action.
- G. Warnings: Written warnings are not utilized by the Department. Verbal warnings may be used when there is a new enforcement program going into effect and the preliminary phase calls for a period of public education. Newly enacted laws or regulations may be enforced on their effective date. A verbal warning may be sufficient in certain minor violations.
- H. Officers responding to a vehicular accident incident with a disturbance between principals will:
  1. Determine if an assault has occurred at the scene
  2. Investigate the assault, request Dallas Fire Rescue for any injuries and prevent any further assaults prior to investigating the accident.
  3. Note in the narrative section of the state crash form the case or incident number used for any assault that might have occurred during the disturbance.
- I. Officers that come into contact with a licensed driver who demonstrates symptoms of a possible health condition that may interfere with the safe operation of a motor vehicle will:
  1. Determine if the driver is capable of continuing to operate a motor vehicle at the time of contact, if so record the full name, date of birth and Texas driver's license number of the driver and release them, if the officer determines that it is not safe to allow the driver to continue to operate a motor vehicle the officer will find a safe alternative to releasing the driver.
  2. Report the driver to the Texas Department of Public Safety Driver Improvement and Compliance Bureau by completing a memo with the driver's information and a description of the contact and the medical or other condition that the officer feels may interfere with the safe operation of a motor vehicle. The memo will be forwarded through the officer's chain of command to the commander of the Tactical Operations Division.
  3. The Commander of the Tactical Operations Division or their designee will forward the information to the Texas Department of Public Safety Driver Improvement and Compliance Bureau.
- J. When completing the race/ethnicity field on a citation, officers will use the race or ethnicity category listed in the Texas Code of Criminal Procedure Article 2.132 that most accurately reflects that individual's race/ethnicity. Officers will not ask an individual for their race, but will make that determination to the best of their ability.

<b>RACE/ETHNICITY</b>	<b>Citation Code</b>
Black	B
Asian or Pacific Islander	A
White	W
Hispanic or Latino	H
Alaska Native or American Indian	I

##### 302.02 Traffic Enforcement in Accident Investigations

- A. During the investigation of traffic accidents, any officer who on-viewed and witnessed an accident may issue a citation for any violation occurring in his/her presence.
- B. During the investigation of traffic accidents, the investigating officer, although not a witness to the accident, will issue citations for "No Operators License" and "No Liability Insurance", when these violations have been committed. If any party wishes to file additional charges, he or she will be referred to the City Attorney's Office. Officers issuing "No Operators License" and "No Liability Insurance" citations will be guided by the following:

# Dallas Police Department General Order

## 302.00 Traffic Enforcement

Revised 11/21/2022

1. The officer must have a 'fact witness' who is willing to testify in City Court that the violator was, in fact, operating a motor vehicle on a public street, or the violator must admit to the investigating officer that he or she was the operator of the vehicle.
  2. The name of the witness, his/her address, zip code, and telephone number will be placed in the space provided on the court's copy of the citation.
  3. Any corroborating information, (such as statements of witnesses, direction of travel of vehicles, lane of traffic, block numbers) should be placed in the narrative portion of the court's copy of the citation.
- C. In all cases involving serious injury or death, the appropriate state law covering the incident will be used.
- D. Enforcement action will not be taken under the following circumstances:
1. When a motor vehicle overturns in the roadway or runs off the roadway without colliding with another vehicle or object and only the driver is injured and/or the overturned vehicle is damaged.
  2. When ice or snow is on the street and is the principal cause of an accident and no reckless disregard of safety is indicated.
  3. When an unforeseen hazard exists without forewarning and the hazard is the principal cause of the accident and no reckless disregard of safety is indicated (such as oil slicks, unusual mud deposits, unlighted barricades, piles of dirt or debris, objects left or fallen onto the street).
  4. Sections 2 and 3 above do not apply if persons other than the drivers are injured or killed. In this type of accident, the drivers at fault may be charged as appropriate under Chapters 19, 22, or 49 of the Penal Code. The officer conducting the accident investigation will make a reasonable attempt to ensure that the next-of-kin is notified when:
    - a. An adult or juvenile is killed.
    - b. An adult is injured or incapacitated to the point that he/she is unable to make his or her own notification.
    - c. A juvenile is injured.
- E. DART Bus Accidents
1. Non-injury and Non-fatality Accidents
    - a. The bus driver may continue on the route after exchanging all necessary information with the other driver and reporting the accident by telephone to a DART supervisor.
    - b. Any traffic ticket issued to a DART bus driver, out of the driver's presence, will be delivered to a DART supervisor. It will be noted on the Accident Report that the ticket was *Delivered to a DART supervisor*.
  2. Injury and/or Fatality Accidents
    - a. The DART driver will remain at the accident scene until released by the investigating officer.
    - b. A DART adjuster will be ordered through the police dispatcher.

### 302.03 Investigation of Minor Accidents

- A. The investigating officer will complete an Accident Report Form ST-3 for any minor accident when:
1. Any person involved in the accident is injured or claims injury.
  2. There is damage to public or private property other than the involved vehicles.
  3. An unattended vehicle is involved or damaged.
  4. Any criminal action, other than the issuance of citations for "No Operators License" and "No Liability Insurance", is involved. This will include, but is not limited to, FSRA, FLID, DWI, or when a stolen vehicle is involved. As a rule, officers will investigate FLID and FSRA accidents when either/or both parties have left the scene to:
    - a. Pursue the suspect;
    - b. Seek medical attention; and/or
    - c. Call the police from a telephone in close proximity.
  5. There is damage to City equipment. The accident investigator will determine the type of report to be made in accordance with state law and Traffic Section Standard Operating Procedure.
  6. A vehicle belonging to any governmental agency is involved.
- B. When an accident involves disabled or non-movable vehicles, a field element will be dispatched to the location. If necessary, the element may order a city contract wrecker. Unless the accident involves a situation outlined in 302.03A, an Accident Report is not required. A Miscellaneous Incident Report (MIR), outlining owner information and disposition of vehicle, will be completed instead. An MIR will be completed on any impounded vehicle.
- C. When the vehicles can be driven and none of the exceptions listed in 302.03A or B exist, the field element will notify the dispatcher to clear the call with an *N-5* (non-police incident) designation.
- D. If the damage to the vehicle/property of any one person exceeds \$500 and the accident is not investigated by an officer, the responding field element will do one of the following:
1. Provide state blue forms (ST-2) to the persons involved in the accident and advise them that in accordance with state law, they must complete and submit the form to the Statistical Services Bureau of the Texas Department of Public Safety.
  2. Direct the parties to any of the police substations where they may pick up a state blue form.
- E. When Fire Department 911/311 personnel receive a call reporting an accident, they will:
1. Determine if either Section 302.03A or B is applicable.
  2. If the call does not meet the criteria established in Section 302.03A or B, advise the person that the Police Department does not investigate minor accidents.
  3. Advise the person that the damage to the property of any one person is \$500 or more, the accident must be reported to the state in accordance with 302.03D, and explain where the state blue forms may be obtained.

### 302.04 FLID and FSRA Reporting Procedure

- A. Officers will be required to complete an Offense/Incident Report in conjunction with the Accident Report on FLIDs (Duty to Give Information) or FSRA's (Duty to Give Information and Render Aid). The Offense/Incident Report will be entered on a station RLN, an MDC, or called in to Direct Entry.

# Dallas Police Department General Order

## 302.00 Traffic Enforcement

Revised 11/21/2022

- B. State and Departmental Reporting Requirements
  - 1. Two service numbers are required: one for the Accident Report and another for the FLID or FSRA Offense Report. Each report must contain a complete narrative of what occurred and be cross-referenced to its related service number.
  - 2. A Polaris Report must be completed and submitted through the reporting officer's chain-of-command to the Traffic Section. The Accident Report must be completed according to the guidelines in ST-100 (*State of Texas Instructions [To Police] for Reporting Accidents on the Texas Peace Officer's Accident Report Form and Commercial Motor Vehicle Supplement Form*).
- C. Unless an exception is indicated, each FLID or FSRA Offense Report will contain the following:
  - 1. Property Page - Include a description of the damage done to the complainant's vehicle only.
  - 2. Vehicle Page - Complete one for each vehicle involved in the accident. If more than two vehicles are involved, the report must be called in to Direct Entry as there are only two vehicle pages available via the MDC.
  - 3. Suspect Page - Required only if suspect information is available.
  - 4. Witness Page - Required only if a witness is located.
  - 5. Narrative Page - The first sentence must be, "See Accident Report on Service #." (Use the service number of the accident). Include all other information related to the offense such as directions of travel, collision points, vehicle damage, injuries, etc. Do not include any identifying information on witnesses or suspects in the narrative.
- D. All other procedures pertaining to FLID offenses shall remain in effect.
- E. FLID-type accidents involving property damage that occur on private property (if defined as a non-reportable area in the Patrol Bureau S.O.P.), will be investigated as Reckless Damage or Criminal Mischief incidents, as appropriate.

### 302.05 Use of Police Vehicles to Protect Accident Scenes

- A. Police elements arriving at the scene of an accident may use the police vehicle to block off or protect the scene to determine if there are injuries and what type of assistance is needed.
- B. The officer will determine if the police vehicle is needed to protect his/her safety and prevent further injuries. If not, flares will be set out to protect or block off the scene and then the police vehicle will be moved to the shoulder or center median of the roadway.
- C. When police vehicles are used to protect the scene of an accident, they will be parked with emergency lights operating in a position that will be clearly visible to oncoming traffic. If possible, flares should also be put out to further secure the area.
- D. All officers will ensure that the trunk lid of their squad car does not remain open at an accident scene. An open trunk lid will obstruct emergency lights and render them ineffective.

### 302.06 Accidents Involving City Owned Equipment

- A. Employee Responsibilities
  - 1. A City employee driving a city-owned vehicle involved in an accident will ensure that a supervisor is called to the scene.
  - 2. The involved City employee will complete and submit an *Accident Report Involving City Equipment or Privately Owned Equipment Used on City Business* form (P-8 Rev.). All accidents involving privately owned vehicles used on City business (mileage reimbursed) will be handled as if city-owned equipment is involved.
- B. Property Damage Accidents
  - 1. Involving Only City-Owned Vehicle/Property - No Injuries
    - a. The investigating officer will complete and submit the following forms:
      - i. A computer-generated Miscellaneous Incident Report.
      - ii. Accident Investigator's Report Form 69-12R1 - as an Attachment.
    - b. The involved City employee is responsible for completing and submitting *Accident Report Involving City Equipment or Privately Owned Equipment Used on City Business* form (P-8 Rev.).
    - c. Drivers are not required to submit state blue forms ST-2 or SR-21.
  - 2. Involving Private Property or Private Vehicle - No Injuries
    - a. Damage Less Than \$500 Per Person
      - i. Unless a private citizen requests an Accident Report filed, the investigating officer will complete and submit the following forms:
        - (1) Miscellaneous Incident Report.
        - (2) Accident Investigator's Report Form 69-12R1 – as an Attachment.
      - ii. When a private citizen requests an accident report be filed, the investigating officer will complete and submit the following forms:
        - (1) Motor Vehicle Accident Report Form ST-3.
        - (2) An Accident Investigator's Report 69-12R1.
      - iii. The involved City employee will complete and submit *Accident Report Involving City Equipment or Privately Owned Equipment Used on City Business* form (P-8 Rev.).
    - b. Damage at Least \$500 Per Person
      - i. The investigating officer will complete and submit the following reports:
        - (1) Motor Vehicle Accident Report Form ST-3.
        - (2) Accident Investigator's Report Form 69-12R1 - as an Attachment.
      - ii. The involved City employee will complete and submit *Accident Report Involving City Equipment or Privately Owned Equipment Used on City Business* Form (P-8 Rev.).
    - c. Drivers are not required to submit state blue forms ST-2 or SR-21 in the following situations:
      - i. Damage to property or vehicle is less than \$500 per person.
      - ii. The investigating officer submits Motor Vehicle Accident Report Form ST-3.

# Dallas Police Department General Order

## 302.00 Traffic Enforcement

Revised 11/21/2022

- C. Injury or Fatality Accidents
  - 1. The investigating officer will complete and submit the following reports:
    - a. Motor Vehicle Accident Report Form ST-3.
    - b. Accident Investigator's Report Form 69-12R1 - Attachment.
    - c. A computer-generated Miscellaneous Incident Report - (required only on a fatality).
  - 2. The City employee will complete and submit *Accident Report Involving City Equipment or Privately Owned Equipment Used on City Business* form (P-8 Rev.).
- D. When a DART vehicle is involved, it is not necessary for the investigating officer to complete an Accident Investigator's Report (Form 69-12 R1).
- E. Damage Estimates
  - 1. It is unnecessary to call a city mechanic to the scene of an accident involving city- owned vehicles or vehicles working under contract with the City of Dallas.
  - 2. Southeast Service Center body shop personnel will estimate vehicle damages at their office. The body shop will be open for estimates between the hours of 7:00 a.m. and 3:30 p.m., Monday - Friday. The following vehicles, however, will not be estimated at the Southeast Service Center body shop:
    - a. DART vehicles.
    - b. Privately owned equipment (including city contract wreckers) on city business.
    - c. Fire Department vehicles.
    - d. Park Department vehicles.
  - 3. City equipment vehicles that cannot be driven will be taken to the body shop.
  - 4. If the City vehicle sustained very minor damage and will remain in service, the City vehicle driver will:
    - a. Report to the body shop with the damaged vehicle if the accident occurred during body shop hours.
    - b. Report to the body shop with the damaged vehicle the next day if the accident occurred after business hours or on Monday if the accident occurs on the weekend. If the driver will not be on duty, they will advise a supervisor who will designate someone to deliver the damaged vehicle to the body shop.
- F. Supervisor's Report on City Equipment Accidents (SO2001-16)
  - 1. After reviewing the employee's P-8 form and the Accident Investigator's reports concerning the accident, the employee's immediate supervisor will complete a *Supervisor's Investigation of Accident/Injury Report*.
  - 2. The employee's immediate supervisor will assemble a collision packet according to the procedures outlined in General Order 419.06-Police Equipment Collision Guidelines.
- G. Damage to Certain Types of Property
  - 1. Fire Hydrant - The investigating officer will contact the dispatcher, who will then notify the Water Utilities Department.
  - 2. Light Pole - The investigating officer will include the light pole number on the Motor Vehicle Accident Report Form.

### **302.07 Police Jurisdiction on the Dallas North Tollway**

- A. The Department of Public Safety (DPS) will have primary responsibility for enforcement of traffic laws and investigation of traffic accidents on the Dallas North Tollway and President George Bush Turnpike. DPD officers may take traffic enforcement on the Dallas North Tollway and President George Bush Turnpike for those portions that lie within the Dallas City limits. DPD officers will not use fixed radar locations anywhere on President George Bush Turnpike, Dallas North Tollway or Parkway extension.
- B. Criminal offenses, except traffic-related offenses, will be investigated by the local law enforcement officers in whose jurisdiction the offense occurred.
- C. Should a vehicle pursued by DPD enter on to the Dallas North Tollway before it can be stopped, the officers may pursue the car. The dispatcher will call DPS and request their assistance in apprehending the driver of the wanted vehicle.
- D. Dallas North Tollway Procedure
  - 1. DPD officers who receive a call on the Dallas North Tollway will proceed to the call location. If the element receives an accident call on the Dallas North Tollway, the officers will request DPS officers to meet them at the scene. Immediately upon the arrival of the DPS officers, DPD officers will relinquish the investigation to the DPS officers and return to service.
  - 2. The North Texas Tollway Authority (NTTA) equips DPD with non-revenue toll tags for official police department vehicles through the DPD liaison, stationed at the quartermaster. The liaison is responsible for coordinating all DPD toll tags and communications with the NTTA.
  - 3. Fleet coordinators will be responsible for communications with the liaison regarding any toll tag inquiries, requests or changes (i.e. vehicles to be taken out of service). The liaison will be responsible for ensuring the DPD portion of the NTTA toll tag database is current.
  - 4. All toll tags have individual identification numbers that are entered into the DPD portion of the NTTA database. A toll tag is issued to a vehicle and must remain with the vehicle and be accounted for at all times. Lost, stolen or damaged toll tags must be reported immediately.
  - 5. Non-revenue Toll Tags are not accepted at:
    - a. Love Field
    - b. DFW Airport
    - c. The Harris County Toll Road Authority
  - 6. By agreement, DPS jurisdiction on the Dallas North Tollway begins at the point where a vehicle leaves the City of Dallas right-of-way and enters the Tollway ramp and cannot reverse its action without backing up. The vehicle is said to have reached the point of decision and is thereby committed.
  - 7. The same formula is applied when a vehicle leaves the Tollway right-of-way and completely enters the City of Dallas right-of-way. The vehicle is said to be committed.

# Dallas Police Department General Order

## 302.00 Traffic Enforcement

Revised 11/21/2022

### 302.08 Juvenile Traffic Offenders

- A. Under 10 Years of Age
  - 1. Upon detaining a traffic offender under ten years of age, the officer will take the youth home and release him/her to the parents, guardian, or other responsible adult. If no adult is at the location, the officer will take the child into *Protective Custody* and transport him/her to Child Protective Services at 8700 N. Stemmons Freeway #104.
  - 2. The officer will complete a Field Interrogation Report (FIR) on the incident in accordance with Section 314.02 and forward it to the Youth Operations Unit.
  - 3. If the initial traffic contact is within reasonable distance from the child's home, the officer may allow the juvenile to push home any involved two-wheel, three-wheel, or four-wheel off-road vehicle/go-cart or impound the vehicle as circumstances warrant.
- B. Ages 10 - 16
  - 1. These juveniles detained as traffic violators will be issued a traffic citation that will be set in Municipal Court.
  - 2. After the citation has been issued, a FIR will be issued and the juvenile will be released.
  - 3. If the juvenile is issued a traffic citation for *No Operator's License* during the initial traffic contact and is within a reasonable distance from home, the officer may allow the juvenile to push home any involved two-wheel, three-wheel, or four-wheel off-road vehicle/go-cart or impound the vehicle as circumstances warrant.
- C. Juveniles Involved in Motor Vehicle Accidents
  - 1. Officer may issue a driver (Ages 10 - 16) involved in a vehicle accident a Municipal Court citation for any violations occurring in the officer's presence.
  - 2. If the officer did not observe the accident, he/she may issue citations for *No Operator's License* and/or *No Liability Insurance* if the officer has a fact witness. Officers will use the same guidelines established for adults in Section 302.02.
- D. Juvenile Driving While Intoxicated procedures are described in Section 314.08.

### 302.09 Driving While Intoxicated or Under the Influence of Drugs

- A. General Provisions
  - 1. Intoxicated juveniles (10-16 years of age) will be processed according to Section 314.08. Juveniles who are not intoxicated, but have any detectable amount of alcohol on their breath will be processed according to General Order 315.18 (Underage Alcohol Consumption Laws).
  - 2. Adults (without obvious injury) will be taken to the Lew Sterrett Criminal Justice Center and processed according to the Detention Services Section Standard Operating Procedures, which will be available for reference. While at the scene, the arresting officer may read the Statutory Warning on Body Worn Camera or the In-Car camera. Once an adult is arrested for DWI the officer has the option to offer a breath and/or blood test. If the arrestee refuses a breath and/or blood test, an affidavit for an evidentiary search warrant will be prepared by the officer and submitted to the Magistrate at Lew Sterrett for signature to obtain a blood specimen to be tested for alcohol and/or drugs. Officers are required to have DWI blood draw evidence drawn at Parkland Hospital Emergency Room, or any of the Hospital Emergency Rooms in the area. If the arrestee voluntarily agrees to provide a blood specimen after being read the Statutory Warning at the scene, the officer may transport the arrestee directly to the hospital for the blood draw prior to going to Lew Sterrett for processing.
  - 3. Adult minors (17 - 20 years of age) who have a breath/blood test result below .08 or adult minors with any detectable amount of alcohol on their breath will be processed according to General Order 315.18 (Underage Alcohol Consumption Laws). Adult minors who refuse to take a breath/blood test will be processed according to the provisions outlined in the remainder of this General Order.
  - 4. Drivers involved in accidents may be charged with D.W.I. under either of these circumstances:
    - a. A fact witness, either an officer or another person, can identify that the suspect was the driver of the vehicle at the time of the accident.
    - b. The suspected driver admits to the investigating officer that he/she was driving when the accident occurred.
    - c. The officer has evidence that the suspect was the driver. Example: Seatbelt marks indicating the suspect was in the driver seat, abrasions on the arms from airbag deployment, etc...
  - 5. The arresting officer is responsible for checking the arrested person's driving record for previous D.W.I. convictions. It will be noted in the *Officer's Comments* section who checked for previous conviction information, or if not checked, the reason why (i.e. computers down, etc.).
  - 6. D.W.I. Charges - If the arrested person has:
    - a. No previous D.W.I. conviction - charge will be *DWI M/B*.
    - b. Only one previous D.W.I. conviction - charge will be *DWI-Enhanced M/A*.
    - c. Two or more convictions for D.W.I., the charge will be *DWI-Enhanced F/3*.
  - 7. For enhancement purposes, the following information is required on prior D.W.I. convictions:
    - a. Date of conviction;
    - b. County of conviction;
    - c. Convicting court name;
    - d. Case or docket number; and
    - e. Sentence.
  - 8. A conviction prior to January 1, 1984 punished by probation, deferred adjudication, and suspended sentences cannot be used to enhance a D.W.I. case.
- B. Procedures for Conducting a Drug Evaluation - This procedure will be used when a suspect is arrested for D.W.I. whether or not it was accident involved.
  - 1. The arresting officer will take the suspect to Lew Sterrett where the subject will be offered a breath test. If the breath test is refused, the subject will be offered a blood test. If the subject refuses to be tested or the test result is .08 or higher, the suspect will be charged with D.W.I. and procedures from 302.09 A.4-7 will be followed.

# Dallas Police Department General Order

## 302.00 Traffic Enforcement

Revised 11/21/2022

2. Arresting officers may request a Drug Recognition Expert be called to evaluate a suspect who has a breath alcohol level below .08 and whose impairment is not consistent with the BAC.
- C. Public Intoxication in Car
  1. An intoxicated person involved in an accident may be charged with *Public Intoxication* if there is no fact witness and the person does not admit to driving the vehicle when the accident occurred.
  2. An intoxicated person found in a parked vehicle may be charged with *Public Intoxication* if the vehicle is in a public place.
  3. Drivers of motor vehicles will be charged with and placed under custodial arrest for *Public Intoxication*, whenever, in the officer's opinion, the driver does not meet the statutory .08 limit, but is too impaired to drive.
- D. Arrests on Parking Areas - An intoxicated person operating a motor vehicle on a private parking lot (either public or private property) may be charged with *Driving While Intoxicated* if the parking lot is a *public place* as defined in Section 1.07, Texas Penal Code. (This normally includes parking lots of apartment complexes, restaurants, bars, and shopping centers where a substantial portion of the public has ready access to such areas).

### 302.10 Driving While License Suspended

- A. Mandatory Suspension
  1. Definition: A D.W.I. charge is usually the cause of this type of suspension.
  2. Procedure
    - a. When a subject check is made and it is determined the operator is Driving While License is Suspended (DWLS) with a mandatory suspension, the Communications Section personnel will notify the officer of the following applicable information:
      - i. Reason suspended.
      - ii. Location (county) of suspension.
      - iii. Expiration date of suspension.
    - b. The subject will be arrested for the county charge of *Investigation of D.W.L.S.*, if driving with this type of suspension. The information provided in A.2.a above (reason, location, expiration) will be included in the Arrest Report.
- B. Habitual Violator Suspension
  1. Definition: Repeated violations are the cause of this type of suspension.
  2. Procedure
    - a. When a subject check is made and it is determined the operator is D.W.L.S. with a habitual violator suspension, the Communications Section personnel will notify the officer of the following applicable information:
      - i. Location (county) of suspension.
      - ii. Expiration date.
    - b. The subject will be arrested for the county charge of *Investigation of D.W.L.S.* if driving with this type of suspension and the information provided in B.2.a above (location, expiration) will be included in the Arrest Report.
- C. Safety Responsibility Suspension
  1. Definition: A liability problem with a motor vehicle accident is the cause of this type of suspension.
  2. Procedure
    - a. If a judgment number (i.e., a number containing a "J" that is listed after the *SR Suspension* on the printout) is present, a judgment has been rendered on the D.W.L.S. charge by the court. Regardless of the date given or the absence of one, the subject will be arrested on the county charge of *Investigation of D.W.L.S.*
    - b. If there is no "J" present in the number, the date of the suspension determines whether the subject may be arrested for the county charge of *Investigation of D.W.L.S.*
      - i. Prior to June 19, 1975, citizens did not have the opportunity to challenge a safety responsibility suspension. Therefore, it was ruled an illegal suspension and the subject cannot be arrested on the county charge of *Investigation of D.W.L.S.* if it is dated before June 19, 1975. However, the operator may be written a citation or arrested for *No Valid Texas Driver's License*.
      - ii. Since June 19, 1975, citizens have had the opportunity to challenge a safety responsibility suspension. Therefore, a subject who has had a license suspended since that date will be arrested on the county charge of *Investigation of D.W.L.S.*
    - c. When a check is made on a subject and it is determined the operator is D.W.L.S. with a safety responsibility suspension, the Communications Section personnel will notify the officer of the following applicable information:
      - i. Judgment number.
      - ii. Date the safety responsibility suspension was rendered if there is no judgment number.
    - d. When a subject with a safety responsibility suspension is arrested for the county charge of *Investigation of D.W.L.S.*, the information provided in C.2.c above will be listed on the Arrest Report.
- D. Occupational Driver's License
  1. Definition
    - a. A restricted driver's license ordered by a court.
    - b. It specifies time and/or geographical conditions under which a person is permitted to operate a vehicle while the person's driver's license has a mandatory, habitual or safety responsibility suspension.
    - c. The fact that a subject has an occupational driver's license will not appear on the computer printout.
  2. Procedure
    - a. If a subject has violated the restriction of the occupational driver's license, the operator will be arrested for the charge of *Violation Code Restriction, Occupation License, M/B*.
    - b. The type of suspension given to the individual prior to receiving the occupational driver's license will be listed on the Arrest Report.

# Dallas Police Department General Order

## 302.00 Traffic Enforcement

Revised 11/21/2022

- c. The restrictions on the occupational driver's license will be listed on the Arrest Report.
- E. Charging Suspects with Driving While License Suspended
  - 1. Suspects may be charged with D.W.L.S. based on witness observation that the suspect was operating a motor vehicle. The suspect must be under arrest for an offense other than D.W.L.S. before the D.W.L.S. charge can be added.
  - 2. The civilian witness may be used at the trial to testify that he/she observed the suspect driving the vehicle at the time in question. For that reason, the arresting officer must obtain the name and address of the civilian witness so that the witness can be contacted at a later date to testify, if needed.
  - 3. D.W.L.S. arrests based on witness observation of driving cannot be made in situations where that is the only charge.
- F. Revoked Driver's License
  - 1. Definition: Non-compliance with Administrative procedures outlined in the Texas Transportation Code is usually the reason for Driver's License Revocation.
  - 2. Procedure
    - a. When a Driver's License check is made and it is determined that the license has been revoked, the Communications Section personnel will notify the officer of the following applicable information:
      - i. That the Driver's License has been revoked.
      - ii. The reason for the revocation as defined in the Texas Transportation Code, Section 521.294
    - b. The Driver may be charged with No Valid Texas Operators License.

### 302.11 Strategic Targeting Against Aggressive Driving and Road Rage

- A. The primary goal of this program is proactive traffic enforcement to reduce the number of traffic accidents at high accident locations using a mandated zero tolerance approach. Each Patrol Operations Division will be assigned an unmarked vehicle to handle traffic problems, such as reducing the number of accidents at specific intersections, as identified by Traffic Section accident analysis. The unmarked vehicles will also be used in responding to neighborhood concerns of speeding, traffic violations at red light or stop sign controlled intersections, aggressive driving, road rage, and other non-traffic neighborhood concerns. Officer safety will not be minimized.
- B. Definitions
  - 1. Aggressive Driving - Inconsiderate and other forms of negligent driving that may include following too closely, speeding, unsafe lane changes, or failure to signal, etc.
  - 2. Road Rage - That behavior that typically surfaces as an angry, frequently violent response to an aggressive driving incident.
- C. Unmarked vehicles used in this enforcement are for traffic stops only and will be operated only under the exceptions as described in Section 301.02. If involved in a self-initiated pursuit, the operator of the STARR vehicle will immediately abandon the pursuit and reduce to a Code 1 status once a marked element is able to take over the pursuit. STARR vehicles will not become involved in a pursuit initiated by any other element.
- D. When used for traffic enforcement, the unmarked vehicle may be staffed by one or two officers. If staffed by only one officer, that officer must have successfully completed a basic radar certification school. If staffed by two officers, one officer must have successfully completed a basic radar certification school.
- E. To avoid citizen confusion, assigned officers must be in full uniform and carry their departmental identification cards.
- F. Violators may be cautious when stopped by an unmarked vehicle; therefore, officers should not become offended or overly assertive if someone refuses to stop.

### 302.12 Multiple Violation Citations

- A. The goal of this program is to reduce the amount of paper citations that an officer must write out in order to complete an enforcement action against a violator in the field.
- B. Officers will not place more than three violations on one citation.
- C. Officers will inform the violator of the number and types of charges they are issuing to the violator
- D. Officers will not add charges to the citation without providing the violator with documentation of the added charges at the time of contact.

### 302.13 Reports Required

During **all** motor vehicle stops (regardless if a citation is issued or not), officers are required to record and report the following information:

- A. The gender of the individual stopped
- B. The race or ethnicity of the individual
- C. If the race or ethnicity was known prior to the stop
- D. A reason for the stop
- E. Location of the stop
- F. If a search was conducted
- G. The reason for the search
- H. If any contraband was discovered
- I. Description of discovered contraband
- J. Result of the stop
- K. If there was an arrest, what the arrest was based on
- L. If any physical force resulting in bodily injury was used

Officers shall ensure all data is gathered from every motor vehicle stop and submitted prior to the end of their shift. Supervisors shall ensure officers comply with this order.



## Dallas Police Department General Order

### 303.00 Alternative to Arrest Program

Revised 01/30/07

#### 303.00 ALTERNATIVE TO ARREST PROGRAM (ALTAR)

##### 303.01 Purpose of the Program

- A. The purpose of the Alternative to Arrest Program is to allow the field officer the option of releasing, in the field, any person with a single Alias Warrant. It is designed to reduce jail activity, extend a courtesy to the citizens of Dallas, and create more street patrol time.
- B. The ALTAR Program is designed to be an option for the field officer. Its use is left solely to the discretion of the officer.

##### 303.02 Field Procedure

- A. Upon being notified by the Communications Section that a subject has a single misdemeanor warrant with the City of Dallas, an officer may opt to release the subject in the field.
  1. The officer will request the OCA Number from the Communications Section. That 6-digit number is also the Citation Number.
  2. The officer will then issue the subject a citation for Failure to Appear (F.T.A.). *F.T.A.*, plus the OCA Number, will be written in the *Other Violation* area of the citation.
  3. It is not necessary to confirm the warrant if the officer chooses not to arrest and instead issues a citation. If the warrant is invalid, the F.T.A. citation will be dismissed by Court Services personnel.
  4. If the subject is to be placed in jail, then confirmation would be accomplished in the usual manner.
- B. Failure to Appear is a non-traffic violation. It will be considered a city arrest when posting daily activity.
- C. When issuing a citation for Failure to Appear under the ALTAR Program, the officer will inform the citizen that:
  1. If, within 21 days, he/she adjudicates or otherwise disposes of the citation for which a warrant was issued, the F.T.A. citation will automatically be dismissed.
  2. If the F.T.A. citation is ignored, he/she will be prosecuted for both offenses and specifically targeted for arrest by the Office of the City Marshal.



## Dallas Police Department General Order

# 304.00 Crime Investigation

Revised 3/10/2023

### 304.00 CRIME INVESTIGATION

- A. Uniformed Operations Division officers will be responsible for conducting preliminary investigations in most cases. Any officer may perform this function on a need basis. Officers will be responsible for the following when conducting preliminary investigations:
  1. Observing all conditions, events and remarks;
  2. Locating, identifying and interviewing the complainant, witnesses and suspects;
  3. Maintaining and protecting crime scene and contacting PES for collection of evidence.
- B. Detectives will be assigned cases per General Order 210.05 and will be responsible for conducting the follow-up investigation.
- C. Detectives from investigative units will attend shift briefings as needed; to share, obtain and disseminate intelligence information. Detectives from Property Crimes will attend and participate in shift briefings at their stations regularly, during working hours, as outlined in the Property Crimes SOP. Detective's attendance should be recorded on the patrol daily detail and reported to their supervisor.
- D. All crime scenes will be approached with caution to avoid damaging or destroying possible evidence. If a victim is involved, the officer's primary responsibility is protection of the victim and the scene until a search can be conducted.
- E. The first officer arriving at any crime scene will be responsible for protecting the scene. If the responding officer determines that the Crime Scene Response Section's Physical Evidence Squad (PES) is needed to process the crime scene, the officer will request PES through the dispatcher or by telephone. The officer will not leave the scene until relieved by other officers or released by detectives who have follow-up responsibility and PES personnel. Should the initial officer need to leave the scene, the relief officers will be briefed on the particulars of the crime so that they can relay this information to the PES personnel. In a medical emergency, the officer will, if at all possible, make a list of all Dallas Fire Department personnel entering the crime scene and provide a list to PES personnel on their arrival. This information will allow PES to eliminate fingerprints left at the scene by paramedics.
- F. No personnel other than medical personnel, or personnel needed to preserve the victim's life or to protect other officers or citizens will be allowed to enter the scene until the arrival of PES or the detectives who have follow-up responsibility. The immediate supervisor of the officers responsible for protecting the scene may enter the scene if it becomes necessary.
- G. No personnel shall take unauthorized photographs of crime scenes or other evidence.
- H. The crime scene will continue to be secured by the initial responding officers and no one, including non-authorized police personnel and members of the news media, will be allowed to enter without authorization of PES and detectives who have follow-up responsibility for conducting the crime scene search.
- I. The procedures outlined in sections D-F will be followed for all scenes in which the downtown PES is called. The exceptions will be theft, burglary, and criminal mischief offenses and in auto theft cases in which the vehicle is not taken to the pound, but PES is called.
- J. When seizing digital evidence it is important to consider the many and differing types of items and electronic storage devices available for use. When seizing a personal computer, if the computer is turned off, do not power it on. If the computer is turned on; a normal routine shut down may be used to power down the computer. When seizing a laptop and/or PDA, the power supply must also be seized. If the evidence is on a larger system with a server, the Financial Investigations Unit – Computer Crimes Squad will be contacted and a certified digital forensics examiner will be consulted with, prior to the seizure. The investigating detective will determine what evidence is transported to the North Texas Regional Computer Forensics Laboratory (NTRCFL).
- K. When following up on an offense, if a patrol officer obtains evidence related to the offense, the officer will complete a supplement on the offense case number in FBR documenting the evidence, who received it, and when/how it was obtained. The officer will communicate with the assigned case detective and ensure all evidence is uploaded to RMS, placed in the property room or transferred to the detective promptly.

### 304.01 EYEWITNESS IDENTIFICATION

#### PURPOSE

Eyewitness identification will always be a significant tool in the investigation and prosecution of criminal cases. Most agree that it can be the most important, powerful, and convincing evidence in a criminal trial. Recent developments with DNA evidence however has shown that innocent people have been convicted, many based on misidentifications by eyewitnesses. As a result of these documented cases of witness error, there has been an ongoing national discussion centered on law enforcement practices in the identification process. The Dallas Police Department has monitored both the research on this topic and implementation of new policies by other agencies. It is our belief that implementation of new policies requiring "blind" administration of line-ups using the "sequential" method will assist in eliminating errors and restoring confidence in the eyewitness identification process. To that end, the following policies are adopted for the administration of line-ups. Even with implementation of this policy, our goal of verifying all eyewitness identifications through independent evidence will remain.

#### Definitions

Blind Administrator – The person administering the line-up has no knowledge of which person in the Photo Line-Up is the suspect.

Sequential – A method of administration where photographs are shown to the witness one at a time, with an independent decision on each, before the next photo is shown.

# Dallas Police Department General Order

## 304.00 Crime Investigation

Revised 3/10/2023

Line-Up Administration Squad – primary unit comprised of sworn and non-sworn employees who have successfully completed the appropriate training.

- A. Photo Line-up Policy
  - 1. All Photo Line-Ups will be conducted by Line-Up Administrators who have been specifically trained in the “sequential” method of administration.
  - 2. Line-Up Administrators must not know the identity of the suspect to be included in the line-up.
  - 3. The Investigations Bureau Commander will develop and administer appropriate training for all Line-Up Administrators in the “sequential” line-up process and will ensure that all trained administrators are promptly notified of any changes in protocols for “sequential” Line-Up Administration.
- B. Preparation of Photo Line-ups
  - 1. The detective assigned responsibility for investigative follow-up will remain the primary contact for all victims and witnesses to a criminal case. The detective will be responsible for identifying cases requiring a line-up and will assemble a line-up packet, which will require a sergeant’s or above approval from their designated unit, prior to contacting a trained Line-Up Administrator.
  - 2. Prior to creating the line-up, the investigating detective will contact the complainant/witness and complete the “Line-up Creation Form” which is used to support the line-up in court and can be found on the DPD Intranet under Resources/Forms in the Photo Line-Up folder. (Link: [Photo Lineup Packet.pdf](#)) The Photo Line-Up packet has been updated and approved.
    - a. The sequential line-up packet will consist of a photograph of the suspect and 5 “filler” photos of persons unconnected to the incident under investigation.
    - b. The suspect and “filler” photographs should resemble the witness’s description of the suspect in significant features, such as race, sex, age, facial features, profile, height, weight, build, specific items of clothing, etc. to the extent applicable to the photo being used of the suspect.
      - i. If multiple photographs of the suspect are available, detectives will select the photograph that most resembles the suspect description or appearance at the time of the incident.
      - ii. Attention should be paid to unusual identifying marks described by the witness that are visible on the suspect’s photo. In these cases, photos containing a similar feature should be included, or the area of the feature may be covered on all photographs to be included.
      - iii. All photos should be the same size; no photo should unduly stand out from the others.
    - c. Once selected, all of the photographs will be copied individually onto the middle section of separate sheets of paper. The detective preparing the line-up packet will select one of the filler photos and will place the number “1” on the back of the photo in a manner that it cannot be seen by the complainant or witness when viewing the photos. In the subsequent line-up, the administrator will place this photo in the first position. The investigating detective will not number the suspect or other filler photos, as the Line-Up Administrator will later randomize and number them on the back of each photo, corresponding to their position in the line-up.
  - 3. If multiple suspects are involved, a separate Line-Up Packet must be prepared for each suspect to be presented to the witness.
  - 4. In cases where one witness will view multiple line-ups containing different suspects, detectives will ensure that different “filler” photographs are used in each line-up packet.
  - 5. If multiple witnesses will be shown a line-up containing the same suspect, there also must be a separate line-up packet assembled for each witness. The detective may use the same “filler” photographs in each packet, (when there will be no time delay or opportunity for communication), color copies will be made and placed in a separate packet for each witness.
  - 6. In cases where there is a time delay between showing the line-ups or when there is an opportunity for witnesses to communicate after one has viewed the line-up, the “filler” photo labeled as number “1” should be changed by the investigating detective and the Line-Up Administrator should randomize the remaining photos.
  - 7. The detective will ensure the Photo Line-Up packet is complete and that a sergeant from their designated unit has approved and signed the Photo Line-Up packet before it is administered.
- C. Administration of Photo Line-Ups
  - 1. The Line-Up Administrator will ensure the packet has been signed by a sergeant before conducting the line-up. If the packet has not been approved; it will not be administered.
  - 2. A line-up should be scheduled at the convenience of the complainant/witness. The investigating detective can arrange transportation for the complainant/witness to be brought to headquarters or if necessary, the line-up can be shown to the complainant/witness at their residence, place of employment, or other alternate location. Once a line-up is scheduled by the investigating detective, the Line-Up Administration Squad will be contacted and told of the time and place of the line-up. The Line-up Administration Squad will ensure that a trained administrator is at the location to administer the line-up. If a line-up needs to be shown after hours, the investigating detective can call the Fusion Center for an on-call Line-Up Administrator.
  - 3. Determine before any Photo Line-Up presentation if the witness is deaf, illiterate, or has limited English proficiency. If the witness is deaf, illiterate, non-English speaking, or has limited English proficiency; then the detective will arrange for assistance to translate the Photo Line-Up Form in the language of the witness or otherwise assist the witness in understanding the instructions before proceeding. The identification of the assisting individual will be documented as well as the assistance provided.
  - 4. No information on the identity of the suspect will be revealed to the Line-Up Administrator.
  - 5. Detectives will attempt to schedule line-ups at facilities with video recording equipment if possible. Copies of the video recordings will be obtained by the Line-Up Administration Squad after completing the line-up and placed in the case file to be maintained for courtroom purposes.
  - 6. The Line-Up Administrator will conduct the line-up following the process for “Sequential” administration established by the Investigations Bureau Commander.
  - 7. The assigned detective, or anyone with knowledge of the suspect, will not be allowed in the room at the time of the Line-Up Administration.

# Dallas Police Department General Order

## 304.00 Crime Investigation

Revised 3/10/2023

8. The Line-Up Administrator will give instructions to the witness by verbally reading the admonishment form located in the Photo Line-Up folder to the complainant/witness and determine if they understand. The complainant/witness will then be asked to sign and date the form.
  9. If the complainant/witness is a child and not capable of comprehending the instructions in the admonishment form, the Line-up Administrator does not have to read the form to the child. In these cases, the line-up must be conducted at a facility with video and audio recording capabilities.
  10. The Line-up Administrator will avoid any actions or comments that could be construed as an attempt to influence a complainant/witness to select a particular photo.
  11. If the complainant/witness identifies someone the Line-up Administrator will then ask the complainant/witness to describe in their own words how confident they are of the identification. Even if someone is identified all of the photographs in the series will be shown
  12. Once the line-up is conducted, the Line-up Administrator will return the line-up packet to the investigating detective along with a copy of the results report.
  13. The Line-up Administrator is prohibited from providing any feedback about the line-up results to the complainant/witness.
  14. Once the sequential line-up process is complete, the Line-Up Administrator will record the results of the sequential line-up, initial the back of each photograph for line-up verification in court and sign the Results Report.
  15. The investigating detective will return to the witness/complainant and answer any questions or conduct further interview with the witness/complainant.
  16. The investigating detective will maintain the line-up packet in the case file or will place it in the property room to be maintained for review in subsequent court proceedings.
  17. These procedures do not apply in the following circumstances:
    - a. On-scene identifications immediately after the commission of an offense. See One Person "Show Up" Identifications, G.O. 304.01 E.
    - b. When an officer is notified by a complainant and/or witness that a specific individual who the complainant and/or witness knows by true name and face is the person who committed the offense. See One-Person Photo Line-up, G.O. 304.01 D.
    - c. On rare occasions in which an alternate identification process is necessary for expediency and in the interest of public safety. This must be approved by a supervisor and justification must be documented in an investigative supplement. If the administration of a "Blind Line-up" is not possible then the sequential method will be utilized if possible.
    - d. Other specialized circumstances where alternative procedures are necessary and are reviewed by the District Attorney and approved by the Investigations Bureau Commander.
- D. One-Person Photo Line-up
1. Introduction - Field investigations conducted by responding officers are vital and are often a major contributor in determining the outcome of a criminal investigation.
  2. The identification of the unknown suspect in any crime can be determined by many factors such as:
    - a. Fingerprints
    - b. DNA Evidence
    - c. Eyewitness Identification
  3. Each technique used to identify the unknown suspect has certain protocols that need to be completed to ensure that such evidence can withstand integrity tests/admissibility challenges in a future criminal trial.
  4. Presenting a **single** photograph of a subject to a complainant/witness to determine if the subject is the **unknown** offender in the case is improper and will not be done by any officer. This type of identification will not withstand the admissibility challenges in court and can negatively affect the outcome of an investigation and/or prosecution.
    - a. When an officer has information and/or knowledge that could assist in the identification of the unknown suspect, it should be provided to the investigative detective responsible for the investigation, (MIR, supplement, email, etc.).
    - b. It is the responsibility of the investigative detective to determine what technique(s) is to be used to identify the unknown suspect.
  5. In a criminal case where the complainant/witness knows the suspect by a true name and face, a presentation of a single photograph of the named person can be done. This procedure would be utilized to verify that the person depicted in the single photograph is the same person known by the complainant/witness and is the offender. This procedure is done for verification purposes only on known suspects.
  6. The above policies are applicable to offenses in which an officer or the City of Dallas is the complainant such as evading on foot or in a vehicle.
  7. Juvenile photographs (Techshare photos) can only be displayed if there is no identifying information or Techshare criminal history information visible when showing the photo.
  8. When an officer has concerns regarding any identification technique(s) that should be utilized, the involved officer should contact the assigned investigator or the On-Call detective in the unit that will have investigative follow-up responsibility.
- E. One Person "Show-Up" Identification
- Philosophy - While allowing a crime victim or witness to view a potential suspect in a one person "show-up" identification may sometimes be necessary to establish probable cause for an arrest, it can be suggestive in nature and will only be used in very limited circumstances. Specifically, use of this process should be limited to those circumstances in which there is insufficient probable cause for an arrest or long-term detention, and there are public safety concerns if the suspect were to be released without attempting the identification.
1. "Show-Up" identification is the presentation of one suspect to a victim or eyewitness within a short time frame after the commission of a crime. This process is allowed under the law if the following criteria are present:
    - a. If the suspect is apprehended within a short time period and the "show-up" is conducted within a short window of time.
    - b. If the suspect is apprehended at or near the crime scene.

# Dallas Police Department General Order

## 304.00 Crime Investigation

Revised 3/10/2023

2. Policy - If probable cause exists to make an arrest for either the offense in question, for an unrelated charge, or warrants that will result in detention at the Lew Sterrett jail, then the one person "show-up" identification process will not be used. When the current investigation involves a felony offense, the on-call detective of the division who has investigative responsibility will be contacted and consulted. This consultation will be regarding what action will be taken prior to the possible suspect being placed in jail. In misdemeanor cases where the subject is arrested on unrelated charges, the possible suspect information will be forwarded to the appropriate investigative unit that has follow up responsibility.
  - a. When there is insufficient probable cause to secure the arrest of a suspect and there are public safety concerns if the suspect were to be released without attempting identification, the "show-up" identification procedure may be used. In these cases, the following policy must be followed:
    - i. A Sergeant must respond to the scene and supervise the process.
    - ii. Officers will attempt to gain consent from the suspect to be transported to the investigative division with follow-up responsibility. The detective at the investigative unit will create a Photo Line-Up and present the line-up to the witness or complainant for identification purposes.
    - iii. If the offense occurs after business hours and is an offense in which notification of an on-call detective is not required, Fusion will be notified, and the suspect will be transported to the appropriate investigative unit where a Photo Line-Up will be created. A Fusion Center detective will present the line-up to the witness or complainant for identification purposes.
    - iv. If the suspect refuses to be transported, the supervisor will contact the Watch Commander to obtain approval to conduct a "show-up" identification.
    - v. The supervisor will further direct the process to ensure:
      - (1) That the suspect was located near the crime scene and detained within a short time period before the "show-up" identification is conducted and within a short window of time after the offense occurred.
      - (2) That the witness or victim has provided a detailed description of the suspect and that the person to be placed in the "show-up" identification fits the provided description.
      - (3) That whenever possible, the witness should be transported to the detained suspect's location rather than bringing the suspect to the witness location or crime scene. This procedure will limit the legal impact of the suspect's detention and eliminate the possibility of crime scene contamination.
      - (4) That when the witness requests, or is concerned about possible retaliation, officers should attempt to conceal the witness during the "show-up" identification procedure.
      - (5) That an attempt to obtain a verbal consent from the suspect is made. Consent from the suspect is not required but should be obtained if possible.
      - (6) That an admonishment is provided to the witness prior to the "show-up" identification acknowledging that the person to be viewed may or may not be the offender and that the investigation will continue regardless of whether or not identification is obtained.
      - (7) That if there are multiple witnesses and one witness makes an identification during the "show-up" identification; further "show-up" identifications will not be done. (Other identification procedures will be used for the remaining witnesses)
      - (8) That the "show-up" identification is limited to one witness at a time and those witnesses have been separated and are not present when another witness is viewing the "show-up" identification.
      - (9) That the procedure is completed in such a manner to avoid suggestiveness, avoiding any statements suggesting that we have "apprehended the suspect" or have "who we think is responsible."
  - b. Although it is not improper to have the potential suspect in a police vehicle and handcuffed if necessary for safety, it is preferred that the suspect is unhandcuffed and outside of any police vehicle during a "show-up" identification.
  - c. If the complainant/witness identifies someone, the officer conducting the "show-up" will then ask the complainant/witness to describe in their own words how confident they are of the identification.
  - d. The officer conducting the "show up" is prohibited from providing any feedback about the "show up" results to the complainant/witness.
  - e. At the conclusion of the process, the supervisor will be responsible for completing a "show-up" identification documentation form on all uses of this process. A copy of the form must be emailed to the Investigations Bureau Commander and the original forwarded through the sergeant's chain of command to the Deputy Chief and then forwarded to the investigative unit with follow-up responsibility.

### 304.02 Death or Serious Injury Cases

- A. In incidents involving death or serious injury, the investigating section assigned to handle the incident is responsible for notifying the next of kin as soon as possible. This notification will be made in person by a DPD officer if the relative lives within the city limits of Dallas. If the nearest relative lives outside the City of Dallas, the law enforcement agency where the relative resides will be notified and requested to notify the relative. Notification by telephone will only be used when other methods are not feasible.
- B. A supervisor will be called to all scenes where a death occurs.
- C. The Medical Examiner will be notified as soon as possible by telephone in all death cases.
- D. The Traffic Section has responsibility for conducting preliminary investigations in cases of accidental death attributable directly or indirectly to the motion of a motor vehicle or its load, whether or not the death occurs on a roadway.

### 304.03 Felony in Progress

- A. Felony in progress calls demand three primary considerations:

# Dallas Police Department General Order

## 304.00 Crime Investigation

Revised 3/10/2023

1. To ensure the greatest level of safety available to all officers and citizens concerned with the call.
  2. To contain the scene to prevent the escape of suspects.
  3. To preserve the scene and all evidence.
- B. The first element on the scene has responsibility for:
1. Ascertaining if it is a legitimate call and if it is not, disregarding other elements.
  2. Advising the dispatcher what assistance is needed.
  3. Immediately broadcasting descriptions of suspects and/or vehicles if they have left the scene.
  4. Reporting on the DEFERS System.
- C. Other elements will not go to the scene after the first element advises that the situation is under control.

### 304.04 Bomb Threat

- A. An Operations Division supervisor and field element will be dispatched to the location to contact the person in charge of the premises. It will be left to the discretion of the person in charge of the premises whether or not the building will be evacuated and/or searched.
- B. If the premises are to be searched, the patrol supervisor will ask for adequate elements to make a quick and thorough search. If explosives or anything resembling explosives are found, officers will evacuate all persons from the endangered area and stand by for a member of the Explosive Ordnance Squad.
- C. Explosives will not be brought into Operations Division stations or the City Hall complex. The Explosive Ordnance Squad will transport all explosives to the Firearms Training Center. The explosives will be destroyed by the Explosive Ordnance Squad at the Firearms Training Center or stored until released to the Military Explosive Ordnance Disposal.
- D. Ammunition that is .50 caliber and smaller will not be considered to be *explosives* and may be handled by the investigating officer.
- E. In all incidents involving explosives, the protection of human life will be the key point dictating the procedure to be followed. Police supervisors who are not familiar with explosive disposal procedures will not order or direct the disposal of an explosive item without full consideration of the Explosive Ordnance Squad's opinion.
- F. If a bomb threat involves a commercial airplane, the FBI will be in charge of the investigation. The Operations Division supervisor and elements assigned to the incident will offer assistance to the FBI representatives. The Operations Division supervisor and elements will not search the individual passengers' luggage. The airline will supply personnel for this purpose.

### 304.05 Sexual Assault Offenses

- A. After the officers answering the call determine that a sexual assault may have occurred and they have control of the situation, they will inform the female victim that a female police officer will conduct any further interviews if the victim so desires. The responding officer will notify the dispatcher if the female victim requests a female police officer.
1. If no female police officer is available to interview the victim, a female officer from another division will be called in to conduct the interview.
  2. If the only available female police officer is inexperienced in interviewing complainants, she will be present while an experienced police officer conducts the interview.
- B. The responding officer will notify a supervisor and the Crime Scene Response Section.
1. The officer will advise the victim that they may have their examination performed at Parkland Memorial Hospital (PMH), Texas Health Presbyterian Hospital Dallas, or any area hospital that has a SANE (Sexual Assault Nurse Examiner) program.
  2. The supervisor will arrange for transportation to and from the examination location for the victim if he/she so desires.
  3. The supervisor will also determine whether the transporting officers will remain with the victim at the hospital until the examination has been completed.
- C. The responding officer will notify the Crimes Against Persons Division under the following circumstances:
1. All sexual assault offenses where a suspect is arrested.
  2. A stranger-on-stranger home invasion/sexual assault.
  3. Any serial case.
  4. Any abduction/sexual assault offense where the complainant is restrained, taken to a place and held, other than nearby the initial offense location.
  5. The facts and/or evidence do not corroborate the victim's account of the offense, or when there is insufficient information to establish the elements of a sexual assault. The detective and officers at the scene will discuss the case and determine what course of action should be taken. The detective will make the final determination if an offense, sexual assault preliminary investigation report, or a miscellaneous incident report is the most appropriate course of action to be taken.
  6. An offense is reported more than five days after it has occurred (beyond the time when a sexual assault offense examination can be performed). The responding officer will also advise the victim that a Sexual Assault Unit detective will contact her/him as soon as possible to make an appointment to discuss the case. The officer will make a preliminary investigation report, list all complainant contact information, and request that it be routed to the CAPERS' Sexual Assault Unit.
- D. If taken to PMH, the victim will be taken to the Emergency Admissions Desk regardless of whether the assault was of an oral, vaginal, or anal nature. After routine admission papers have been completed, female victims will be taken to the OB/GYN Section of the Emergency Room, while male victims will be taken to Medicine A or B.
- E. The patrol officers are responsible for identifying, obtaining, and properly submitting clothing or any other items of evidentiary value in sexual assault cases.
- F. The interviewing officer will make the report on the DEFERS System.
- G. The transporting officer will furnish the examining physician with the service number of the offense.

# Dallas Police Department General Order

## 304.00 Crime Investigation

Revised 3/10/2023

### 304.06 Recovered Stolen Vehicles

- A. All recovered stolen vehicles that were reported stolen in Dallas will be canceled by the Records Section NCIC operator.
- B. The unit assigned to an offense has the final responsibility for canceling the stolen vehicle through an NCIC operator. When notified of the recovery of a stolen vehicle, the procedure is to:
  - 1. Notify the NCIC operator that the vehicle is recovered.
  - 2. Enter information on the Daily Clearance Log Form in the Auto Theft Unit and forward the original to the Records Section.
- C. Any telephone calls regarding the recovery in another jurisdiction of a vehicle reported stolen in Dallas will be referred to the Auto Theft Unit during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. The Communications Section will take calls during other hours and route the information to the Auto Theft Unit.
- D. The teletype operator will record all teletypes regarding stolen vehicles in the logbook and forward a copy of the teletype to the Auto Theft Unit. The entry number will be on both the original and copy of the teletype.
- E. When the Auto Theft Unit is not on duty, the Salvage Unit will send a list of impounded stolen vehicles to the Auto Theft Unit by fax.
- F. Notification of Owners
  - 1. The unit assigned to an offense is responsible for notifying the owner when a stolen vehicle is recovered.
  - 2. The person making notification will inform the Auto Pound Section that the owner has been contacted.
  - 3. The Auto Theft Unit will notify all initiating police agencies of any recovered stolen vehicle.
- G. Stolen Vehicles Recovered in Storage or on Paid Parking Lots
  - 1. Officers recovering a stolen vehicle in storage or on a paid parking lot will either:
    - a. Cause the recovered stolen vehicle to be impounded (particularly if it needs to be checked for prints or paint samples).
    - b. If the owner is at the location (except paid parking lots) and desires that the car not be impounded (i.e., left at the scene or released at the scene), request the owner or their representative to take immediate custody of the vehicle. If the car is not otherwise in violation of the law (and physical evidence, such as prints, is not needed) and the owner insists it be left in place, there is no legal basis to take further action. If a vehicle is released to the owner under these circumstances, it will be noted in the offense supplement.
  - 2. Under no circumstances should an officer remove a vehicle from a parking lot (requiring paid parking) without impounding the vehicle. Impounding the vehicle will ensure that the officer is not accused of being a party to a theft of service.
- H. Allowing Recovered Stolen Vehicles to Become Occupied
  - 1. Officers will not allow an unoccupied stolen vehicle to become occupied with the following exceptions (and then only with supervisory approval):
    - a. The vehicle was taken in the commission of a felony involving the use or threat of physical force or violence, or
    - b. The vehicle has been identified as the suspect vehicle in a felony involving the use or threat of physical force or violence, or
    - c. Approved surveillance by non-uniformed officers.
  - 2. Supervisors must weigh the likelihood of a pursuit and the risk to the public against the seriousness of the offense and the immediate need to apprehend a suspect prior to granting approval to allow an unoccupied stolen vehicle to become occupied.
- I. Additional information on the disposition of vehicles is in Section 313.14.

### 304.07 Repossession of Automobiles

- A. A reposessor may legally repossess a vehicle as long as he does so peaceably and does not destroy any private property. A court order is not necessary. An example is when a reposessor tows away a vehicle from private or public property without the owner's knowledge.
- B. If the owner catches the reposessor and the Police Department is called, it is a civil matter unless the reposessor has a court order.
  - 1. A reposessor with a valid court order and who has obtained full physical possession of a vehicle will be permitted to retain possession of the vehicle.
  - 2. If the owner has full physical possession of the vehicle, the reposessor will be directed to the Sheriff's Department or the appropriate Constable's office for service of the order.
  - 3. If neither the owner nor reposessor has full physical possession of the vehicle, the reposessor will also be directed to the Sheriff's Department or the appropriate Constable's office for service and the owner may retain possession of the vehicle.
- C. If the owner takes the vehicle back from the reposessor, a theft charge will not be accepted unless the reposessor had a court order.
- D. Dallas Police Department personnel will not be directly involved in the service or execution of a court order in civil cases.
- E. This order is not intended to prevent arrest if probable cause exists that a theft is taking place. Repossessors will normally have documents on the car (i.e., title, license receipt) and/or instructions on the lien holder's letterhead.

### 304.08 Inspection of Salvage Vehicles

Only officers assigned to the Auto Theft Unit will perform salvage inspections of vehicles.

# Dallas Police Department General Order

## 304.00 Crime Investigation

Revised 3/10/2023

### 304.09 Missing and Distressed Persons

- A. Missing or Wanted to Locate Reporting
  - 1. Reports from citizens will be accepted on all persons who become missing persons in, or who were last seen in, Dallas. The reportee need not be in Dallas.
  - 2. Reports will be accepted from other law enforcement agencies when notified officially whether by mail, teletype, telegram, or telephone. When taking reports directly, identify the reporting agency, the reporting officer, and the agency telephone number.
  - 3. Reports will be taken immediately. No arbitrary waiting period is required.
  - 4. Reports will not be taken from citizens when the person did not become missing in nor was the person last seen in Dallas, or where there is no reason to believe the person is in Dallas. Tactfully inform the citizen how to file the initial report in the city of jurisdiction with assurance that the Dallas Police Department will assist in any requested follow-up.
  - 5. Reports will not be taken from Child Welfare workers when a child runs away from the Children's Shelter and that child is a resident of a Dallas suburb. Child Welfare will be advised to contact the jurisdiction where the runaway resides.
- B. Immediate and Continuing Investigations
  - 1. An immediate and continuing investigation will be conducted when the missing person is:
    - a. A child less than ten years of age.
    - b. An adult more than 70 years of age.
    - c. Mentally incompetent (for this purpose, competency will be measured by the subject's ability to provide for his or her safety, necessities, or medication, and ability to communicate).
    - d. The possible victim of some harm or criminal act.
  - 2. Exceptions may exist where a continuing investigation would not be warranted, such as:
    - a. Where a child less than ten years of age is mature beyond their chronological age and is a frequent runaway.
    - b. Where an adult more than 70 years of age is mentally and physically capable of managing their own affairs.
  - 3. Where a continuing investigation is required, the officer handling the call will:
    - a. Determine that a supervisor has been notified.
    - b. Request the helicopter and such other assistance as might be required.
    - c. Notify the Youth Operations Unit.
    - d. Submit the report into FBR.
    - e. Call staff review and have the report approved and immediately placed on NCIC
    - f. Start a systematic search.
  - 4. While a continuing investigation is being conducted, the details will be reported on the involved Operations Division's 24-hour report for the Chief of Police by each reviewing watch. Reporting will continue until the person is located or the search is terminated. The last entry will clearly indicate the means by which the search was terminated.
  - 5. Ordinarily, searches will continue until the person is located. When the determination is made under B.2 above that a continuing search will not be conducted or to discontinue the search, it will be the responsibility of the Operations Division Watch Commander and the Youth Operations Unit Commander to reach the concurring opinion that there is no practical reason to continue. Their judgments will consider such factors as information learned, the absence of workable information, and the absence of some indication of harm or a criminal act against the victim.
- C. Elderly Senile Persons
  - 1. Officers contacting an elderly person who is lost will call the Youth Operations Unit to determine if a Wanted to Locate Report has been made or if any information pertaining to the person is in the Youth Operations Unit files. If no information is available in the Youth Operations Unit files, the officer making the original contact will take the individual to the Salvation Army Welfare Center, 5302 Harry Hines, and furnish the Youth Operations Unit with all information regarding the person.
  - 2. If such person is contacted in the field and can be returned home, the officer making the contact will notify the Youth Operations Unit of the contact and disposition.
  - 3. Should an officer come in contact with an elderly senile person who is obviously a danger to self or others, the procedures outlined in General Order 315.11 will be followed.
  - 4. In all cases involving a found elderly senile person, a Youth Operations Unit detective will be assigned to make a follow-up investigation.
  - 5. The Youth Operations Unit will maintain a file on all elderly persons brought to their attention. The information in this file will be made available to all officers.

### 304.10 Hate Crimes

- A. Philosophy - The Dallas Police Department will take a proactive role in promoting peace within the community and in ensuring that rights guaranteed by state laws and the U.S. Constitution are protected for all citizens regardless of race, color, sexual orientation, ethnicity, or religion. All acts of violence or threats of violence predicated on race, religion, ethnicity, or sexual orientation will be viewed as serious and the investigations will be given priority attention. It will be the policy of the Department to bring the investigative and enforcement elements of the Police Department into action following any and all reported or observed criminal offenses involving racial, religious, ethnic, or sexual orientation hatred. Special emphasis will be placed on victim assistance and community cooperation in order to reduce victim/community trauma or fear. It must be remembered that actions taken by the Department in dealing with *hate crimes* are visible signs of concern and commitment to the community.
- B. Definition - Hate crimes and crimes of prejudice are those offenses motivated by hatred or prejudice due to the race, religion, ethnicity, or sexual orientation of the victim. Further defined, a hate crime is an act or a threatened or an attempted act by any person or group of persons against a person or the property of an individual or group that

# Dallas Police Department General Order

## 304.00 Crime Investigation

Revised 3/10/2023

constitutes an expression of racial, religious, ethnic, or sexual orientation hostility. This would include threatening telephone calls, hate mail, physical assaults, arson, vandalism, cross burning or destruction of other religious symbols. While this listing is not all-inclusive, some incidents may not clearly fit a specific definition. In such cases, a common sense approach must be used. Verification of motive should be determined during the investigation.

- C. Procedure for Handling Hate Crimes
1. Patrol Operations personnel responding to the scene of a reported hate crime will:
    - a. Determine whether the offense fits the definition of a hate crime and should be handled as a crime of this type.
    - b. Prepare an offense report. Justification for the hate crime designation should be included in the narrative section.
    - c. Inform Direct Entry personnel that this offense report should be flagged as a hate crime/crime of prejudice. This will ensure that Criminal Intelligence Unit personnel, in addition to personnel with primary investigative jurisdiction, receive a copy of all offense reports and supplements.
  2. Criminal Intelligence Unit - Protective Services Squad duties:
    - a. Verify that a flagged offense fits the requirements of a hate crime/crime of prejudice.
    - b. If it is determined that a crime should not be classified as a hate crime, prepare a supplement to change the classification.
    - c. If the hate crime classification is confirmed, the Protective Services Unit will notify the Patrol Operations Division Commander where the incident occurred. The Protective Services Squad will also notify the division, section, or unit having primary investigative responsibility to offer assistance as needed.
    - d. The Protective Services Unit supervisor will be responsible for facilitating follow-up investigations and notifying the appropriate personnel of the status of an investigation.
    - e. The Criminal Intelligence Unit will serve in a support role to the primary investigative division, section, or unit and provide assistance as requested by an affected Division Commander.
  3. Patrol Operations Division responsibilities:
    - a. The Patrol Operations Division Commander or designee should ensure that personnel are aware of the incident, and initiate a contact (in person or by telephone depending on the circumstances) with the victim, if appropriate.
    - b. The Patrol Operations Division Commander should initiate necessary actions to prevent any escalation or counter violence at a hate crime location.
  4. Patrol Operations Division/Investigative Unit duties:
    - a. The division, section, or unit having primary investigative responsibility for an offense will ensure that all related supplemental offense and arrest reports are routed to the Protective Services Squad for inclusion in the incident file.
    - b. Primary investigative and case filing responsibilities remain with the division, section, or unit having investigative responsibility.
    - c. It is the responsibility of the Division Commander whose personnel conduct the initial on-the-scene investigation or the follow-up investigation, which will result in case filing, to ensure that the Protective Services Squad supervisor is notified.

### 304.11 Crime Victim Compensation

- A. Eligibility for crime victim assistance:
1. Must be an innocent victim, intervener, or dependent.
  2. The crime must have been reported to the police within a reasonable amount of time.
  3. The crime must have resulted in personal injury or death. (No payment for loss of property or damage unless medically necessary)
  4. The crime must have occurred after January 1, 1980.
  5. Police and Firefighters are eligible for Crime Victims compensation.
- B. Procedure:
1. Crime Victim Information Notices will be kept at Operations Divisions.
  2. Duties of the officer making the preliminary report:
    - a. All officers will carry Crime Victim Information Notices.
    - b. Unless prohibited by either the physical or emotional condition of the crime victim, the officer making the preliminary offense report will deliver a Crime Victim Information Notice to the victim or the victim's next-of-kin.
    - c. The officer making the preliminary report will note in the report whether a Crime Victim Information Notice was delivered.
  3. Duties of the Victim Services Coordinator or Victim Advocate:
    - a. The Victim Services Coordinator or Victim Advocate will respond to all inquiries about the Crime Victim Compensation Act from victims of community referrals.
      - i. The name, address, and any other pertinent information of all persons requesting crime victim assistance will be maintained in a permanent record.
      - ii. All requests for crime victim assistance will be reviewed by the Victim Services Coordinator or Victim Advocate. When the request meets the basic qualifications, a Crime Victim Compensation Application will be provided along with assistance to apply. A permanent record will be made to reflect whether a Crime Victim Compensation Application was provided and assistance and services provided will be documented.
    - b. The Victim Services Coordinator/Liaison and Victim Advocate will respond to all requests from the Attorney General for records associated with a Crime Victim Compensation Application.
    - c. The Victim Services Coordinator and Victim Advocate will complete all required reports and forward them to the Attorney General.

# Dallas Police Department General Order

## 304.00 Crime Investigation

Revised 3/10/2023

### 304.12 Unlisted Telephone Numbers

To obtain telephone subscriber information under non-emergency circumstances, officers will contact the Communications Section for instructions.

### 304.13 Removing or Blocking a Pay Telephone's Ability to Receive In-Coming Calls

- A. Upon determining that a pay telephone is being used to further illegal activities such as prostitutes receiving phone calls from customers or the relay of drug trafficking information, officers may request that the telephone be removed or blocked from receiving in-coming calls.
- B. If a pay telephone appears to be the only one available in the area for law abiding citizens to use, blocking incoming calls should be requested rather than removal of the telephone.
- C. An officer wishing to remove or block a pay telephone will document the request in a memorandum and send it through the Division Commander to the Communications Section.
- D. The Communications Section will make the request that AT&T Telephone Company remove or block the pay telephone.

### 304.14 Metal Detectors and X-ray Machine Operation

- A. No officer, either on-duty or off-duty, will operate or supervise the operation of a magnetometer (metal detector) or x-ray machine to screen persons or packages entering buildings or secured areas unless directed by a Division Commander or working security at the Jack Evans Police Headquarters Building.
- B. Officers will not conduct a search of a person or property based solely on the activation of a metal detector or x-ray machine unless directed by a Division Commander or working security at the Jack Evans Police Headquarters Building.
- C. Officers may remain nearby while a metal detector or x-ray machine is being operated. Officers may provide assistance if a disturbance occurs or after an authorized operator conducts a search and finds contraband items. Appropriate enforcement action may be taken by officers and will be based upon applicable laws of arrest and/or search and seizure.
- D. Notices posted in the Jack Evans Police Headquarters Building, and other locations designated by Division Commanders, will state that people and packages entering secured areas are subject to a search. People entering these secured areas are consenting to a search of their person and their property.

### 304.15 Assistance for Victims/Witnesses who have been Threatened or Fear Further Victimization

- A. The Dallas Police Department will provide appropriate assistance to victims/witnesses who have been threatened or who, in the judgment of the agency, express specific, credible reasons for fearing intimidation or further victimization. As a rule the Dallas Police Department does not provide protection to crime victims/witnesses unless it is solicited from someone whose personal safety is put at risk because of their involvement in a criminal episode, or during the course of an investigation the Dallas Police Department discovers a real or valid threat to the victim or witness. An officer, detective or employee of the police department that either receives a request for protection or feels that protection is needed will draft a memo describing the solicitation for or the facts discovered during the investigation that warrants protection to the Commander of the effected workgroup. The Commander of the effected workgroup will make the determination if protection is warranted.
- B. This General Order does not relieve officers from immediately assisting victims and witnesses by providing protection while they collect their belongings or transportation to a safe environment.

### 304.16 Citizen Contacts Requiring Interpreter

- A. During the course of their duties, officers may come into contact with citizens who are unable to speak or otherwise communicate effectively, ie. Foreign language speaker only, a deaf person, a deaf/blind person, etc. These individuals may not recognize or be able to respond to officer's directions. This may lead the officer to improperly believe that these individuals are uncooperative. When encountering such a citizen, the officer will do the following:
  1. Speak clearly and slowly while facing the citizen tactically safe.
  2. Attempt to communicate through written means if the person is hearing impaired prior to requesting a sign language interpreter.
  3. Utilize hand signals while trying to get the attention of a deaf person at a distance.
  4. It is important to clearly identify yourself and explain all processes for blind individuals.
  5. Avoid using a family member to translate if possible. Dependent on the type of possible offense, it is preferable to use an officer or independent interpreter, as the family member that is assisting in translating may be a potential suspect. Family members may also be emotionally involved which could lead to an improper interpretation.
  6. Contact the dispatcher and request an officer to translate. The dispatcher will attempt to locate an officer that can translate from the division first, and then citywide. If unable to locate an officer, the dispatcher will follow Communications SOP in contacting a translator and advise the officer. For foreign languages, the LANGUAGE LINE may be used to speak with an interpreter by phone. For citizens that are totally hearing and speech impaired (that communicate through sign language), an interpreter will come to the scene if written communication is not effective.
- B. An officer will contact a supervisor if advised that no interpreter is available or is uncertain if the circumstances require an interpreter.
- C. Document all actions taken to communicate in the offense report. This will enable the investigator to prepare any necessary resources.
- D. See G.O. 315.14 Interview and Arrest Procedure for Deaf and Hearing-Impaired Persons.

# Dallas Police Department General Order

## 304.00 Crime Investigation

Revised 3/10/2023

### 304.17 Automated License Plate Recognition (ALPR)

- A. Purpose – This policy provides guidelines on the proper use of Automated License Plate Recognition (ALPR) systems. ALPR camera systems, fixed and mobile, scan license plates and immediately compare them to databases for “hits” such as stolen/wanted vehicles. The historical data collected may also be used by officers in the investigation of offenses in attempting to find a vehicle. Operational Technology is the unit responsible for overseeing the ALPR program and related training.
- B. Strategy – The City of Dallas Police Department will deploy fixed and mobile automated license plate recognition cameras to identify wanted vehicles and suspects. They will be deployed at intelligence-driven locations throughout the city. Members will abide by the guidelines set forth herein when using ALPR systems.
- C. Restrictions – The use of ALPR systems is restricted to public safety-related missions of the Dallas Police Department.
  - 1. ALPR systems and associated equipment and databases are authorized for official public safety purposes. Misuse of this equipment and associated databases, or data, may be subject to sanctions and/or disciplinary actions.
  - 2. ALPR systems and ALPR data are the property of the Dallas Police Department and intended for use in conducting official business.
- D. Administration – The Dallas Police Department will designate employees with administrative oversight for the ALPR system deployment and operations that are responsible for:
  - 1. Establishing protocols to preserve and document ALPR reads and “alerts” or “hits” that are acted on in the field or associated with investigations or prosecutions.
  - 2. Establishing protocols to establish and ensure the security and integrity of the data captured, stored, and/or retained by the ALPR system.
  - 3. Ensuring the proper training of personnel approved to operate the ALPR system.
  - 4. Maintaining records of approved ALPR deployments and documenting their results, including appropriate documentation of significant incidents and arrests that are related to ALPR usage.
  - 5. Authorizing any requests for ALPR systems use or data access according to the policies and guidelines of the Dallas Police Department.
  - 6. Designated trained personnel in coordination with the vendor will check equipment on a regular basis to ensure functionality and camera alignment. Any equipment that falls outside expected functionality shall be taken out of service and reported to the vendor for immediate repair.
    - a. ALPR system repairs, hardware or software, shall be made by authorized vendors.
- E. Automated License Plate Recognition System Usage:
  - 1. ALPR operations and access to ALPR collected data shall be for official Dallas Police Department purposes only.
  - 2. Only officers who have been given administrative access in the use and operational protocols of the ALPR systems shall be permitted to use it.
  - 3. Searches into the ALPR database must have law enforcement reason entered into the database prior to conducting a search in the ALPR database.
    - a. Examples: Case Number, CAD Number, Offense Type, etc.
  - 4. ALPR Alerts/Hits: Prior to the initiation of the traffic stop officers will:
    - a. Visually verify that the vehicle plate number matches the plate number run by the ALPR system, including both alphanumeric characters of the license plate and the state of issuance.
    - b. Verify the current status of the plate through dispatch or MDC query when circumstances allow.
    - c. Employees must be assigned a City of Dallas work phone to receive Alerts/Hits via SMS text message.
    - d. Use of personal cell phones, personal computers, or any other electronic device not owned by the City of Dallas or authorized for use by the City of Dallas is strictly prohibited.
  - 5. In each case in which an “alert” or a “hit” is triggered, the user will record the disposition of the “alert” and the “hit” into the ALPR system.
  - 6. Custom Hotlists may be updated manually by entering a specific plate into the ALPR system. Manual entry of a plate into the system may be made by an individual employee or by the Fusion Center and the reason must be documented.
    - a. Each individual employee that manually enters a Custom Hotlist will be responsible for every entry they make into the ALPR database.
      - i. Individual employees must review their custom hotlist entries every 14 days to validate if the entry needs to remain or be removed from the database.
      - ii. A specific description involving the criminal investigation of the vehicle must be added into the custom entry. Examples include but are not limited to: Burglary Investigation, Narcotics Investigation, Robbery Suspect.
    - b. Custom Hotlists will be reviewed by ALPR administrative personnel and/or Fusion personnel, for validity of hot list entries and duration.
    - c. Custom Hotlist entries to be shared with the entire Department will require approval from a Fusion Supervisor prior to being created.
      - i. These entries may include: Wanted Felons, fresh in-the-act offenses, any vehicle involved in a situation that the officer would deem an officer safety issue.
  - 7. Special Details: ALPR use during non-traditional deployments (e.g., special operations or during a criminal investigation) must be approved by the Division Commander of the Intelligence Division.
- F. **ALPR Data Sharing and Dissemination** – ALPR data should be considered “For Official Use Only” and can be shared for legitimate law enforcement purposes:
  - 1. Information sharing amongst agencies will be dictated in accordance with MOUs (memoranda of understanding).
  - 2. All data dissemination outside the Dallas Police Department will be documented in a secondary dissemination log.
- G. **Retention Policy** – Automated License Plate Recognition system data will be retained for a period of thirty (30) days from the date of the read.

# Dallas Police Department General Order

## 304.00 Crime Investigation

Revised 3/10/2023

1. "Hits" or "Reads" shall be preserved:
  - a. if it results in enforcement action
  - b. if it is needed for case filing
  - c. if it is needed for evidence
2. Preservation of the "hit" or "read" shall be saved to the employees' Evidence.com account and tagged with the appropriate category for retention.
3. If the employee does not have an Evidence.com account, the employee shall preserve the "hit" or "read" into the case in RMS.

### 304.18 Deconfliction

- A. Deconfliction of planned law enforcement operations will be completed in order to avoid dangerous confrontations with other law enforcement personnel conducting overlapping investigations and to reduce the risk of compromising on-going investigations.
- B. Event Deconfliction
  1. An event is planned law enforcement action that will occur at a designated place during a defined period of time. Events shall be entered in the Case Explorer deconfliction program by contacting the Dallas Fusion Center. Alternatively, units that have assigned officers who have been trained to use the Case Explorer system will utilize the appropriate officer within their unit. All information entered is considered confidential and law enforcement sensitive. When a conflict arises, both agencies are notified and can decide the extent to which they wish to share case details.
  2. The following activities/events shall be entered into the event deconfliction system:
    - a. The service of search warrants.
    - b. The service of arrest warrants.
    - c. The planned arrest of a person immediately after the anticipated delivery or receipt of contraband (buy-busts, reverse sting operations, controlled drug deliveries, etc.).
    - d. Taking delivery of any contraband from a suspect who is not arrested, pending further investigation (buy-walk).
    - e. Informant or officer face-to-face meetings with suspects for the purpose of receiving, delivering, or negotiating receipt or delivery of any contraband.
    - f. Approaching a person at his or her residence and requesting permission to search for any contraband, evidence, or person (knock and talk).
    - g. Planned surveillance, whether stationary or mobile.
    - h. Covert activity by officers, or informants acting under the direction of officers, that could initiate a response from citizens or law enforcement who may reasonably believe that a crime is in progress.
    - i. Fugitive operations (roundups).
    - j. Any other high-risk or specialized law enforcement activities that would benefit from deconfliction.
  3. All operations requiring entry into the deconfliction system shall be submitted as soon as information is available and, whenever possible, at least two hours before the commencement of the event. In no case should an event be initiated without prior deconfliction.
  4. Information entered into the deconfliction system shall include:
    - a. Date and time of planned operation.
    - b. Type of operation.
    - c. Location of operation.
    - d. Available Information about the suspects, including names, dates of birth, vehicle information, and phone numbers.
    - e. Lead and participating agency names.
    - f. Name, agency and telephone number of the person initiating the event, as well as a secondary point of contact.
  5. If a conflict with another law enforcement activity is identified, Dallas Fusion Center personnel will notify both of the contact persons for the respective events. Each affected law enforcement entity is responsible for resolving the conflict before taking further action. Investigating personnel must refrain from executing any operations until identified conflicts have been resolved.
  6. Unresolved operational conflicts will be referred to the involved unit's supervisor. Any deviation from this procedure shall be considered on a case-by-case basis and approved by a Lieutenant or above.
- C. Target Deconfliction
  1. A target is the case subject of an investigation and includes persons, addresses, vehicles, phone numbers and e-mail addresses.
  2. Any target of an open investigation may be submitted for deconfliction through the Texoma HIDTA Watch Center. The Watch Center is available Monday through Friday from 8 a.m. to 5 p.m. Officers may email the deconfliction/information request form to [watch.center@texomahidta.org](mailto:watch.center@texomahidta.org).
  3. Each arrest warrant entered into RMS by a Detective will be assigned by badge to an officer for apprehension.
  4. The assigned officers will maintain a case management linked to the original case number associated to the arrest warrant. The officer assigned to the warrant is responsible for uploading the warrant packet and all other relevant information regarding the apprehension into RMS under the linked case management for Michael Morton compliance.
  5. If a warrant is already assigned for apprehension in RMS and a separate officer has relevant information, then it will be discussed with the assigned officer to prevent conflicts.
- D. Do not contact the Dallas Fusion Center and the Texoma HIDTA Watch Center for the same Target or Event Deconfliction, as it will create a conflict.



## Dallas Police Department General Order

### 305.00 Non-criminal Special Investigations

Revised 01/30/07

#### 305.00 NON-CRIMINAL SPECIAL INVESTIGATIONS

##### 305.01 Method of Request

- A. All requests for special investigations of a non-criminal nature from personnel outside the Department will be addressed to the Chief of Police and forwarded through the chain-of-command to the Investigations Bureau for action.
- B. The request for investigation must be originated by the City Manager, one of the Assistant City Managers, or a Department Director.

##### 305.02 Criteria for an Investigation

- A. The appointee, employee, or prospective employee to be investigated must have a position of trust and/or of a highly sensitive nature. A brief explanation of the sensitivity of the position should be included in the request for investigation.
- B. The request should be accompanied by the following:
  - 1. A fact sheet or job application containing all available physical and numerical identifiers.
  - 2. A current photograph.
  - 3. A Waiver of Liability Form signed by the individual to be investigated.
- C. The results of the completed investigation will be forwarded through the Chief of Police to the originator of the request.



## Dallas Police Department General Order

### 306.00 Operations Outside Dallas City Limits

Revised 01/30/07

#### 306.00 OPERATIONS OUTSIDE DALLAS CITY LIMITS

- A. As a general rule, officers should refrain from involving themselves in Class C matters occurring in other jurisdictions except in cases of a breach of the peace where there is a potential for injury to a citizen. In all cases involving other jurisdictions, whether on or off-duty, officers are expected to respond only to the extent that their ability and preparedness allow, keeping in mind the safety of the citizens and officer. In cases where an officer takes any enforcement action in another jurisdiction, he shall notify the other jurisdiction and a Dallas Police Supervisor, beforehand if possible, or as soon as he can safely do so.
- B. Anytime police personnel conduct preplanned operations, including warrants and surveillances, outside the City of Dallas, the involved jurisdiction will be notified of the nature and extent of the operation prior to the operation, unless such notification will jeopardize the safety or integrity of the operation. In such cases, a Division Commander shall be notified and the decision on when to notify the involved jurisdiction will be made. Routine covert vehicle surveillances, where a vehicle is simply being followed through an adjoining jurisdiction do not need to be reported, unless the vehicle stops and some enforcement action is taken in the other jurisdiction.



## Dallas Police Department General Order

### 307.00 Family Violence Prevention

Revised 11/03/2015

#### 307.00 FAMILY VIOLENCE PREVENTION

##### 307.01 Requirements of Officers

- A. Officers responding to calls involving family violence are required to protect any victims or potential victims of family violence, without regard to the relationship between the alleged offender and victim.
  - 1. An officer shall arrest a suspect when there is probable cause to believe that the suspect has committed or will commit an act of family violence as defined under the provisions of Section One, Chapter Five, or Section Two, Article 14.03 of the Code of Criminal Procedure.
  - 2. An officer shall make an arrest when there is probable cause to believe that the suspect has committed a violation of a protective order issued under provisions of Sections 3.581, 71.11 or 71.12 of the Family Code.
- B. Officers responding to family violence incidents will fully interview the complainant and witnesses and will make a reasonable effort to locate the suspect, if applicable.
- C. Officers will leave a *Notice to Adult Victims of Family Violence* card with adult victims and verbally advise them of their legal rights and remedies and of the availability of shelter or other community services for family violence victims.
- D. Officers having reason to believe that an offense involving family violence has occurred will submit an offense report and include the following information:
  - 1. A narrative of the incident.
  - 2. A description of the injuries.
  - 3. An indication of whether family violence has occurred or was alleged.
  - 4. A description of the suspect, when necessary.
  - 5. Witness information.
  - 6. Notations regarding other family violence reports, if the reporting officer has personal knowledge of such reports.
  - 7. In the narrative of the offense/incident report, the officer will note the issuance of the *Notice to Adult Victims of Family Violence* card and the verbal advisement of available legal remedies.
  - 8. A *Domestic Violence Supplement Packet* form will be completed by patrol officers when responding to all family violence assaultive offenses (Chapter 22, Texas Penal Code).
  - 9. Complete a Lethality Assessment Survey on all intimate partner offenses in which violence has occurred, regardless of the penalty group.
    - a. This will be completed in accordance with Roll Call Training Bulletin 2012-49.
    - b. Intimate Partner is defined as two consenting adults, regardless of their gender, engaged or having engaged in a dating relationship.
- E. Officers that respond to domestic violence calls involving Police Department employees will do the following:
  - 1. Immediately notify a supervisor to respond to the scene.
  - 2. The patrol supervisor will notify Communications Division who will contact the Domestic Violence Unit on call detective. A Domestic Violence Unit supervisor will respond to the scene.
  - 3. The involved employee's Chain of Command will defer any offense investigation to the Domestic Violence Unit.
- F. Employees, on or off-duty, that become aware of a potential family violence incident involving another employee will immediately notify a supervisor. Supervisors will defer all questions related to a family violence incident to the Domestic Violence Unit.

##### 307.02 Stocking of Notification Cards

Patrol Operations Division stations will secure and maintain an adequate supply of *Notice to Adult Victims of Family Violence* cards (POL-03484), which will be ordered through the Purchasing Department.



# Dallas Police Department General Order

## 308.00 Protective Orders

Revised 02/17/2017

### 308.00 PROTECTIVE ORDERS

#### 308.01 Definition

A protective order is issued by a court that finds that family violence has occurred and is likely to occur again in the foreseeable future. It prohibits a party from doing specified acts or requires a party to do specified acts necessary or appropriate to prevent or reduce the likelihood of family violence. The order usually lists the names of persons involved. It also gives the length of time the order will remain in effect. The maximum length is two years.

#### 308.02 Legal Services Section Responsibilities

The Legal Services Section will:

- A. Receive the protective orders from the clerk of the District Courts.
- B. Enter into the computerized Protective Order File the names of the persons protected by the order, home and business addresses of the persons protected by the order, names of the persons to whom the protective order is directed, and the expiration date of the protective order (either specified or by operation of law).
- C. Forward the original protective order to the Youth Operations Unit.

#### 308.03 Youth Operations Unit

The Youth Operations Unit will maintain copies of enforceable protective orders that will be available for review on a 24 hour basis. The Domestic Violence Unit is responsible for filing all cases where there exists probable cause to believe a protective order has been violated.

#### 308.04 Communications Section Responsibilities

The Communications Section will inform the officers dispatched to an address where a valid protective order has been issued of the existence of the order and, if available, give the names of the persons and relationships involved. Officers on the scene of an incident will, if necessary, request the Communications Section check for the existence of protective orders by name of protected person, name of the person to whom the order is directed, home address of the protected person, or business address of the protected person.

#### 308.05 Officer Responsibilities

- A. Officers will enforce valid protective orders and temporary ex parte orders that are issued under the provisions of Texas Penal Code 25.07 and Chapter 85, Chapter 86, Chapter 87, and Chapter 88 of the Family Code. Peace Bonds and restraining orders will not be enforced; however an MIR should be completed documenting the violation of the civil order.
- B. Officers will accept as valid a certified copy of a protective order, or a copy of a certified protective order that appears to be valid, for enforcement purposes. Officers should presume that the order is valid unless the termination date is past or two year has passed since the date of issuance.
- C. Field officers will notify their immediate supervisor when it comes to their attention that a protective order address needs to be removed from the Protective Order File.
- D. Patrol Operations Division supervisors will send a memo to the Legal Services Section when they learn that a protective order is no longer in existence at an address.

#### 308.06 Departmental Employees Protected by or Named in a Protective Order

- A. All employees will notify their chain of command as soon as they are aware that they are named in a Protective Order or they obtain a Protective Order. The employee will provide a complete copy of the Protective Order to their chain of command.
- B. The Division Commander will forward a copy of the protective order to the Youth Services Section (Domestic Violence Unit), which will be responsible for ensuring the order is entered into the protective order computer files and the statewide protective order registry. The Domestic Violence Unit supervisor will also maintain a current list of all employees currently affected by a protective order.
- C. These guidelines apply to both ex parte and permanent protective orders issued by any court in any jurisdiction.
- D. A sworn employee who is the respondent of a Protective Order, issued under Section 6.504 or Chapter 85, Texas Family Code, or under Article 17.292, Code of Criminal Procedure, or by another jurisdiction as provided by Chapter 88, Texas Family Code, will comply with the following stipulations in order to comply with Federal Law 18 U.S.C. section 922 (g) (8) and 922 (d) (8).
  1. The sworn employee will only be armed when on duty or actually working an approved off-duty job. At all other times, the sworn employee's duty weapon will be secured in their work locker. The weapon will be secured immediately after completing any police department assignment.
  2. An exception will be allowed for the employee to travel directly from his/her work place to the location of off-duty employment and to travel directly from off-duty employment to the work place.
  3. At no other time may be armed.
  4. At any time when the employee is not scheduled to be on duty or not working an off-duty job, a supervisor may check the location of the employee's weapon for compliance with this order. The affected employee must sign a statement that he/she has read and understands General Order 506.03 (A), search of lockers.



## Dallas Police Department General Order

### 309.00 Dallas Area Hospitals

Revised 02/24/09

#### 309.00 DALLAS AREA HOSPITALS

#### 309.01 Dallas Area Hospitals

- A. The following Dallas Area Hospitals have their own Police Department:
  1. Baylor University Medical Center (BUMC) – 3500 Gaston Avenue
    - a. BUMC Department of Public Safety Administrative office telephone number - (214) 820-2358
    - b. BUMC Department of Public Safety Emergency telephone number - (214) 820-4444
  2. St. Paul Medical Center (SPMC) – 5909 Harry Hines Boulevard
    - a. SPMC Department of Public Safety Administrative office telephone number - (214) 879-2670
    - b. SPMC Department of Public Safety Emergency telephone number - (214) 879-2671
  3. Methodist Dallas Medical Center (MDMC) – 1441 N. Beckley Avenue
    - a. MDMC Police Department Administrative office telephone number - (214) 947-8181
    - b. MDMC Police Department Emergency telephone number - (214) 947-8899
  4. Methodist Charleston Medical Center (MCMC) – 3500 W. Wheatland Road
    - a. MCMC Police Department Administrative office telephone number - (214) 947-7777
    - b. MCMC Police Department Emergency telephone number - (214) 947-7784
- B. The Dallas Police Department and the Dallas Area Hospitals listed in G.O. 309.01A (further referred to as "hospital") share concurrent jurisdiction in responding to calls for service on hospital property. The following guidelines apply for answering calls on hospital property:
  1. As a general rule, Hospital Police Departments mentioned in G.O. 309.01A will respond to all calls for service and have primary jurisdiction in all misdemeanor and felony property crimes, including Robbery and Aggravated Robbery.
  2. The Dallas Police Department will respond to all felony-in-progress calls and have primary jurisdiction on all felony crimes against persons (except those noted on 309.01 B.1.). These offenses include but are not limited to: homicide, suicide, unexplained deaths, officer-involved shooting incidents, felony motor vehicle offenses, hostage situations and the criminal attempt of these offenses. The Hospital Police Departments will also respond but will only control the situation, protect the crime scene, render first aid and detain suspects and witnesses until the Dallas Police Department arrives.
  3. All E-911 calls received by the Dallas Fire Department Communications Division occurring on hospital properties will be forwarded to the respective hospital. The Dallas Police Department will respond to all Priority I calls, except E-911 hang-ups, received by the DPD dispatcher on all hospital properties. If the caller insists on Dallas Police on any call, one will be dispatched. Dallas Police will not normally respond to Priority III calls on hospital properties.
  4. Hospital Police Departments will request assistance on offenses when it determines the expertise of the DPD will help in solving the case. The extent of involvement of DPD personnel will be determined by the DPD Bureau or Division Commander who has offense jurisdiction.
- C. Follow-up investigations will generally be handled and completed by the same department (DPD or Hospital Police Department) that handled the initial call for service. General rules for investigation include, but are not limited to the following:
  1. Each agency will keep the other informed of the progress of any investigation of an offense occurring on hospital property.
  2. The Dallas Police Department will conduct physical evidence investigations of all offenses in its area of responsibility occurring on hospital property. The Dallas Police Department will act only in an advisory capacity, if requested, for investigations conducted by Hospital Police Departments.
- D. If notified by Fire Department personnel that a caller requests a Dallas police Officer, Communications Section personnel will notify Hospital Police Departments any time a DPD element is dispatched to hospital property.



## Dallas Police Department General Order

### 310.00 Dallas County Hospital & Community College District

Revised 05/12/10

#### 310.00 DALLAS COUNTY HOSPITAL DISTRICT (DCHD) AND COMMUNITY COLLEGE DISTRICT

The Dallas County Hospital District (DCHD) Department of Security/Public Safety and Dallas County Community College District (DCCCD) Police Department are fully accredited police departments with authority and rights granted by the State of Texas. These rights include the authority to arrest, answer calls, and investigate offenses on DCHD and DCCCD property. The officers may also issue citations on streets inside and adjacent to DCHD and DCCCD property. The following sections include guidelines and procedures to be followed when answering calls for service on DCHD and DCCCD property. Also included are guidelines for investigation of offenses and lists of various responsibilities for individual divisions.

#### 310.01 Answering Calls For Service and Investigating Offenses on Dallas County Hospital District Property

- A. The Dallas Police Department and the DCHD share concurrent jurisdiction in responding to calls for service on DCHD property. The following guidelines for answering calls on DCHD property apply:
  1. As a general rule, DCHD will respond to all calls for service and have primary jurisdiction for simple assaults and property crimes, including Robbery and Aggravated Robbery.
  2. The Dallas Police Department will respond to all felony-in-progress calls and have primary jurisdiction on all felony crimes against persons. These offenses include, but are not limited to: homicide, suicide, unexplained deaths, sexual assaults, officer-involved shooting incidents, felony motor vehicle offenses, hostage situations and the criminal attempt of these offenses. DCHD will also respond but will only control the situation, protect the crime scene, render first aid, and detain suspects and witnesses until the Dallas Police Department arrives.
  3. All E-911 calls received by the Dallas Fire Department that occurred on DCHD properties will be forwarded to DCHD. The Dallas Police Department will respond to all Priority I and crimes against persons calls, except simple assaults on DCHD property. DCHD will handle all E-911 hang-ups on its property.
  4. DCHD will request assistance on offenses when it determines the expertise of the Dallas Police Department will help in solving the case. The extent of involvement of Dallas Police Department personnel will be determined by the Dallas Police Department Division Commander who has offense jurisdiction.
  5. DCHD will continue to enforce traffic regulations pertinent to their property, and transport any prisoners they arrest to the Lew Sterrett Criminal Justice Center.
- B. Follow-up investigations will generally be handled and completed by the same department (DPD or DCHD) that handled the initial call. However, where the interest of the Dallas Police Department and DCHD are best served, the Dallas Police Department will assist DCHD in the execution of search and arrest warrants at the request of DCHD. General rules for investigation include but are not limited to the following:
  1. When requested, each agency will keep the other informed of the progress of any investigation of an offense occurring on DCHD property if such action does not compromise the investigation/prosecution.
  2. The Dallas Police Department will conduct physical evidence investigations on all offenses in its area of responsibility occurring on DCHD property. The Department will act only in an advisory capacity, if requested, for investigations conducted by DCHD.
- C. The Communications Section will notify DCHD whenever a DPD element is dispatched to DCHD property on any type of call except routine report taking and follow-up of off-site incidents.

#### 310.02 Dallas County Community College District – Answering Calls for Service and Investigating Offenses

- A. The Dallas County Community College District has four campuses that are within the geographical boundaries of the city of Dallas.
  1. Richland College, 12800 Abrams Road, Dallas, TX 75243-2199
  2. Mountain View College, 4849 W. Illinois Ave. Dallas, TX 75211
  3. El Centro College, 801 Main Street Dallas, TX 75202-3605
  4. Eastfield College Extension, 802 S. Buckner Blvd., Dallas, TX 75217
- B. The Dallas Police Department and the Richland College Police Department, Mountain View College Police Department and the El Centro College Police Department share concurrent jurisdiction in responding to calls for service on the above listed three Dallas County Community College (DCCCD) properties. The following guidelines apply for answering calls on these DCCCD properties:
  1. As a general rule the DCCCD Campus Police Departments will respond to all calls for service and have primary jurisdiction in all misdemeanor and felony crimes.
  2. The Dallas Police Department will respond to all 911 calls received by the Dallas Police Department 911 center, but will allow the Campus Police Department to take the lead in all investigations unless otherwise requested by the Chief of the Campus Police. The Dallas Police Department will afford any assistance needed to help the Campus Police Department to safely handle all situations.
  3. The Dallas Police Department will respond to request for assistance from the appropriate DCCCD Campus Police Department on offenses when it determines the expertise of the DPD will help in solving the case. The extent of involvement of DPD personnel will be determined by the DPD Bureau or Division Commander who has offense jurisdiction.
  4. Each of the independent DCCCD Campus Police Departments have their own phone numbers:
    - a. Richland College Police Department, 972-238-6911
    - b. El Centro College Police Department, 214-860-2232
    - c. Mountain View College Police Department, 214-860-8758
    - d. Eastfield College Extension (Main DCCCD Dispatch), 972-860-4290

**Dallas Police Department General Order**  
**310.00 Dallas County Hospital & Community College District**

Revised 05/12/10

- C. Follow-up investigations will generally be handled and completed by the same department (DPD or appropriate DCCD Campus Police Department) that handled the initial call for service. General rules for investigation include, but are not limited to the following:
  - 1. The Dallas Police Department will act only in an advisory capacity, if requested, for investigations conducted by DCCCD Campus Police Department.
  - 2. The Dallas Police Department will update the appropriate DCCCD Police Department regarding any investigation in their jurisdiction when requested to do so by the DCCCD Police Department.
- D. If notified by a 911 operator that a caller requests a Dallas police Officer, Communications Section personnel will notify the appropriate DCCCD Campus Police Department any time a DPD element is dispatched to a DCCCD Campus that lies within the geographical boundaries of the City of Dallas. If a DPD element arrives at the scene of a call and determines that the call for service is within a DCCCD Police Departments jurisdiction they will notify the Communications Section and ask them to contact the appropriate DCCCD Police Department.



## Dallas Police Department General Order

# 311.00 Foot Pursuits

Revised 11/08/2018

### 311.00 FOOT PURSUITS

#### 311.01 Purpose

- A. The purpose of this General Order is to provide guidance and serve as a training tool for foot pursuits and establish guidelines for foot pursuits. Foot pursuits are rapidly evolving incidents that occur with little or no warning to the officer. As such, this order is intended as general guidance for officers in determining whether to initiate a foot pursuit and establishes criteria for termination of a foot pursuit. These guidelines are also intended to provide officers tactical considerations to avoid foot pursuits, alternatives to foot pursuits and safety considerations during a foot pursuit.
- B. Philosophy - Situations exist that may require officers to pursue a suspect who is evading capture on foot. It is the policy of the Dallas Police Department that the safety of our officers and the public shall be the determining factor for initiating and/or terminating a foot pursuit. Accordingly, the decision to initiate a foot pursuit must be based on the pursuing officer's belief that the immediate danger to the public created by the failure to apprehend the suspect outweighs the potential risk in pursuing the suspect on foot.

#### 311.02 Definitions

- A. **Foot Pursuit** is defined as an active attempt by an officer to pursue a suspect or potential suspect who is evading detention or arrest by fleeing from the officer on foot.
- B. **Evading Arrest or Detention** (Texas Penal Code § 38.04)(a) A person commits an offense if he intentionally flees from a person he knows is a peace officer attempting lawfully to arrest or detain him.
- C. **Unprovoked Flight** is the physical act of running from or in the presence of a police officer uninitiated by any readily ascertainable reason other than the presence of the police officer.

#### **Differentiating Unprovoked Flight from Evading Detention or Arrest**

An officer has the authority to stop any person with or without a warrant when there is reasonable suspicion to believe that the person has committed or is about to commit a criminal offense or the officer has established lawful grounds to detain or arrest the suspect.

- A. **Terry Stops.** The United States Supreme Court has ruled that an officer who has reasonable, articulable suspicion that criminal activity is afoot may conduct a brief, investigatory stop, *Terry v. Ohio*, 392 US 1 (1968). It is also well settled that officers may detain (but not arrest) a person if they are aware of facts constituting "reasonable suspicion" to believe the person was committing a crime. See *Alabama v. White*, 496 US 325 (1990).
- B. **It is important to note that flight alone does not constitute sufficient legal justification to detain or arrest an individual.** The Supreme Court, in *Illinois v. Wardlow*, 529 US 119 (2000), while acknowledging that unprovoked flight is suggestive of wrongdoing, rejected the argument that a detention is always justifiable when a suspect flees upon "seeing a clearly identifiable police officer." Flight must be accompanied by one or more factors that together provide sufficient justification to support a temporary investigatory stop.

#### 311.03 Preventing Foot Pursuits

- A. Based on the inherent dangers associated with foot pursuits, officers shall take precautions when confronting suspects in order to prevent the suspect an opportunity to flee on foot.
- B. Officers should take preventative measures when approaching a suspect to reduce the opportunity for flight by the suspect.
- C. Utilize the Contact/Cover Principle
  1. Tactical positioning by officer during initial contact with suspect to cut off suspect's escape routes
  2. Officers should place suspects in positions of advantage to the officer, example: sitting, kneeling etc.
  3. Calm the suspect by tone of voice and choice of words. Talking with suspect keeps their mind focused on what the officer is saying
  4. Command presence / officer presence - Take control of the suspect and situation
- D. Be aware of suspect's body language
  1. Telegraphing signs they might run
  2. Pulling pants up getting ready to run
  3. Looking for escape routes

#### 311.04 Initiating Foot Pursuits – Considerations

Although it is an officer's decision to initiate a stop, it is the suspect or violator who decides to precipitate a foot pursuit by fleeing. If the officer has sufficient legal justification to detain or arrest and the individual flees to evade detention, arrest or escape from custody, an officer's decision to pursue on foot shall be made with an awareness of the risk to which the officer and others will be exposed.

- A. In deciding whether or not to initiate a pursuit, an officer shall consider the following alternatives to foot pursuit:
  1. Aerial support
  2. Utilizing police vehicle
  3. Containment of the area

# Dallas Police Department General Order

## 311.00 Foot Pursuits

Revised 11/08/2018

4. Canine search
  5. Saturation of the area with patrol personnel
  6. Apprehension at another time and place when the officer knows the identity of the subject or has other information that would likely allow for later apprehension
- B. In deciding whether to initiate or continue a foot pursuit, officers should consider the following risk factors:
1. Whether the officer is acting alone
  2. Familiarity with the area or an area that is hostile
  3. The ability or inability to obtain backup in a timely manner
  4. The dangers of pursuing in inclement weather, darkness, or reduced visibility conditions
  5. Whether the officer is in adequate physical condition to conduct a foot pursuit
  6. Geographic and physical hazards that could endanger the officer

### 311.05 Initiating Foot Pursuits – Accountability and Responsibility

#### Responsibility of Pursuing Officer(s)

Officers initiating foot pursuits shall be responsible for the foot pursuit unless circumstances dictate otherwise or until relieved by a supervisor. In any situation, an officer must always base the decision to engage in a foot pursuit on known facts, and circumstances that can be articulated by the officer. To engage in a foot pursuit the officer must have a reasonable suspicion that the person has committed or is about to commit a criminal offense. **It is important to note that flight alone does not constitute sufficient legal justification to detain or arrest an individual.**

#### Pursuit Procedures

- A. One officer shall not attempt to pursue more than one suspect at a time. Attempting to pursue and capture two or more suspects simultaneously creates significant risk to the pursuing officer and should not occur.
- B. If two officers engage two or more suspects and the suspects flee in different directions, the two officers shall not separate and should pursue a single suspect.
- C. If two or more officers have multiple suspects detained and one suspect flees, an officer shall not pursue the fleeing suspect if that leaves his/her partner or fellow officers in a situation in which the number of detained suspects cannot be safely controlled by the remaining officers.
- D. An officer shall not initiate and/or continue a foot pursuit if the officer knowingly loses possession of his/her firearm.
- E. An officer should not initiate and/or continue a foot pursuit if the officer loses their ability to communicate with dispatch.
- F. Once an officer decides to initiate a pursuit the initiating officer shall:
  1. Identify his/her element number over the radio and advise the dispatcher of the foot pursuit
  2. Provide location and direction of travel
  3. Give description of the suspect and his/her clothing description
  4. Advise whether the suspect is armed
  5. Advise the dispatcher and responding elements if sight of the suspect is lost and last location
  6. Advise the dispatcher if responding elements can reduce to code 1
  7. Advise the dispatcher once suspect is taken into custody

#### Supervisor Responsibilities

- A. Upon becoming aware of a foot pursuit, the supervisor shall monitor the pursuit and decide as soon as possible whether the foot pursuit should continue. The supervisor should allow the pursuit to continue if:
  1. There is a reasonable belief that the suspect has committed an act that would permit the officers to detain the suspect
  2. There is a reasonable belief that the suspect poses an immediate threat to the safety of the public or other police officers
- B. The supervisor shall terminate a foot pursuit at any time he or she concludes that the danger to pursuing officers or the public outweighs the necessity for immediate apprehension.
- C. The supervisor monitoring the foot pursuit shall command, control, and coordinate the situation as soon as possible, appropriately directing resources to safely apprehend the suspect.
- D. The monitoring supervisor shall respond to the culmination point of a pursuit if an arrest is made.
- E. The supervisor monitoring and controlling the foot pursuit will be responsible for ensuring a Blue Team entry is completed.

#### Communications Division Responsibilities

- A. Receive, record, and immediately report incoming information from the officer(s) involved in the pursuit to other officers regarding the suspect; and ensure cover officers are immediately assigned.
- B. Alert a patrol supervisor from the division of the foot pursuit.
- C. Alert the helicopter.

### 311.06 Discontinuing a Foot Pursuit

An officer shall not continue a pursuit under the following conditions:

- A. An officer or a third party is injured during the pursuit and requires immediate assistance, and there are no other police or medical personnel able to render assistance.

## Dallas Police Department General Order 311.00 Foot Pursuits

Revised 11/08/2018

- B. The suspect flees into buildings, structures, confined spaces, or into wooded or otherwise isolated areas and the officer does not have sufficient backup. In this instance the primary officer shall stand by, radio his or her location, and await the arrival of other officers to establish a perimeter. At this point, the incident may be considered a barricaded person.
- C. The pursuing officer loses more than momentary visual contact with the suspect and becomes unsure of the suspect(s) whereabouts or continued direction of travel.
- D. The pursuing officer is unsure of his or her own location or direction of travel.
- E. Anytime the danger to the pursuing officer(s) or public outweighs the necessity for immediate apprehension of the suspect.

### **311.07 Training**

This General Order is intended to be used as a training tool for officers when they engage in a foot pursuit and as ongoing guidance about the potentially dangerous nature of foot pursuits and as such no discipline will be associated with violations.

### **311.08 Reporting Requirements for Foot Pursuits**

- A. The involved officers are required to enter any required offense or arrest reports.
- B. If a suspect is captured, involved officers must enter a Response to Resistance report in BlueTeam per General Order 909. "Evading on Foot" will be listed as a "Type of Resistance Citizen Used Against Officer." "Foot Pursuit" will be attached as "Force Used by Officer Against the Citizen" in addition to any additional resistance and response types used. Involved officers will forward their BlueTeam entry to their supervisor for approval.
- C. If a suspect is not captured and no other force has been used by any involved officer, a single Response to Resistance entry will be made in BlueTeam by the officer completing the Evading Detention/Arrest offense report to document the incident. "Evading on Foot" will be listed as a "Type of Resistance Citizen Used Against Officer." "Foot Pursuit" will be attached to every officer involved as "Force Used by Officer Against the Citizen." The completed entry will be forwarded to the supervisor of the officer completing the single BlueTeam incident report.
- D. Supervisors will be responsible for ensuring the appropriate BlueTeam entry is completed for any related offense/arrest reports and forwarded through the chain of command. Response to Resistance reporting and approval guidelines in General Order 909 will be followed.



## Dallas Police Department General Order

### 312.00 Dallas Area Rapid Transit (DART)

Revised 02/23/09

#### 312.00 DALLAS AREA RAPID TRANSIT - ANSWERING CALLS FOR SERVICE AND INVESTIGATING OFFENSES

- A. The Dallas Police Department and the Dallas Area Rapid Transit Police Department (DART) share concurrent jurisdiction in responding to calls for service on DART property. The following guidelines apply for answering calls on DART property:
  1. As a general rule, DART Police will respond to all calls for service and have primary jurisdiction in all misdemeanor and felony crimes.
  2. DART Police can request assistance on offenses when it determines the expertise of the DPD will help in solving the case. The extent of involvement of DPD personnel will be determined by the DPD Bureau or Division Commander who has offense jurisdiction.
  3. The DART Police Headquarters is located at 2111 S. Corinth St. Road Dallas, TX 75203, Emergency Only Number 214-928-6300 and the Non-Emergency number is 214-749-5900.
- B. Follow-up investigations will generally be handled and completed by the same department (DPD or DART) that handled the initial call for service. General rules for investigation include, but are not limited to the following:
  1. The Dallas Police Department will update the DART Police Department on any investigation, where the offense occurred on DART property, when requested to do so.
  2. The Department will act only in an advisory capacity, if requested, for investigations conducted by DART Police Department.
- C. If notified by a 911 operator that a caller requests a Dallas Police Officer, Communications Section personnel will notify the DART Police Department any time a DPD element is dispatched to a DART location that lies within the geographical boundaries of the City of Dallas. If a DPD element arrives at the scene of a call and determines that the call for service is at a DART location or within the DART Police Departments jurisdiction they will notify the Communications Section and ask them to contact the DART Police Department.



## Dallas Police Department General Order 313.00 Arrest Policies - Adults

Revised 3/21/2023

### 313.00 ARREST POLICIES (ADULTS)

#### 313.01 Responsibility at the Scene of Police Incidents

- A. The senior officer or ranking supervisor at the scene of any police incident will be responsible for the proper disposition of that incident.
- B. The senior officer or ranking supervisor will remain at the scene until such time as the incident is under control until the incident is being properly handled in accordance with existing policies until sufficient instruction has been issued to result in the proper disposition of that incident, or until relieved.
- C. Exceptions to this policy are listed in General Order sections 600.00 thru 620.00.

#### 313.02 Authority to Arrest

- A. Arrests will be made in the following instances:
  - 1. When a warrant of arrest has been issued by a magistrate or court of law.
  - 2. When arrest without a warrant is authorized under the laws of the United States, laws of the State of Texas, or the ordinances of the City of Dallas.
  - 3. The arrest does not conflict with Dallas Police Department General Orders or Standard Operating Procedures.
- B. Discretion should be used, however, when the warrant of arrest is for a Class C Misdemeanor and extreme hardship or inconvenience may result from an immediate arrest. In most instances, the arresting officer may issue the offender a Failure to Appear citation under the ALTAR Program (General Order Section 303.00) in lieu of making a full custody arrest. Additionally, the person should be advised of the warrant and the procedures for posting bond or paying the fine.

#### 313.03 Misdemeanor Citations

- A. Generally, the misdemeanor citation will be used in every case of violations of the traffic code or non-traffic City Ordinances wherein the officer is authorized to release the person charged on the individual's own recognizance at the scene of the arrest.
- B. A prisoner arrested for a Class C Misdemeanor only who requires medical treatment will be taken directly to Parkland Memorial Hospital. The prisoner will be issued a citation (traffic or non-traffic), and/or any necessary offense/incident report will be prepared. No prisoner under these circumstances will be booked into jail unless an unusual situation exists and with supervisory approval. The arresting officer must include in the Arrest Report the justification for placing the person in jail.
- C. The Class C misdemeanor citation may also be used in any other instance of charging an individual with a violation of a non-traffic City Ordinance as currently authorized by accepted procedures or as may be authorized in the future. These violations include, but are not limited to, the following:
  - 1. Unauthorized collection of trash.
  - 2. Fireworks violations.
  - 3. Anti-litter ordinance.
  - 4. Animals running at large.
  - 5. Advertising by holding show cards on public property.
  - 6. Loud speaker violations.
  - 7. Abandonment of refrigerators.
  - 8. Sleeping in public places.
  - 9. Operating motor vehicles in an unauthorized area of public parks.
  - 10. Disorderly conduct.
  - 11. Class C Misdemeanor Theft.
  - 12. Class C Misdemeanor Theft, when the suspect obtained the property by issuing/passing a check.
  - 13. Class C Misdemeanor Theft of Service.
  - 14. Reckless Damage or Destruction.
  - 15. Class C Misdemeanor Criminal Mischief.
- D. In lieu of a jail arrest, officers may issue a non-traffic citation for Municipal Court to the suspect in the above offenses after:
  - 1. Establishing positive identification.
  - 2. Checking the suspect for outstanding warrants (in all cases) and prior arrests (in the case of all thefts).
- E. When a citation is issued for M/C Theft, Theft of Service, or Reckless Damage (or Destruction), the below information must be entered on the back of the citation in the area provided for non-traffic violation information. The same elements must be provided in an Arrest Report if a custody arrest is affected:
  - 1. Name, address, and phone number of the complainant. If the complainant is a business concern, the name, address, and phone number of the business.
  - 2. Name, address, and phone number of the person in charge of the property if the complainant is a business concern. This person can be any of the following: the store manager, the department manager, or the buyer for the store.

**Dallas Police Department General Order**  
**313.00 Arrest Policies - Adults**

Revised 3/21/2023

3. Name, address, and phone number of the witness to the offense. (In most cases this will be the store security guard).
  4. Complete description of the property taken or damaged.
  5. Value of the property taken or damaged.
- F. When issuing citations for Disorderly Conduct or Class C Family Violence to persons licensed to carry a handgun, officers will include the handgun license number on the back of the citation in the area provided for non-traffic violation information.

**313.04 Citations Requiring Special Handling**

- A. Purpose
1. In order to maintain the integrity of the Department, it is important that all individuals who are issued citations be made aware of the citation's existence. In addition, the Department must be able to ensure any citation issued without the acknowledgment of the recipient is within Departmental policies and procedures.
  2. The purpose of this general order is to establish guidelines for issuing either traffic or non-traffic citations when the individual is unable or refuses to sign the citation. This order also establishes a procedure for the capture and periodic review of citations issued without an acknowledgment.
- B. General Guidelines
1. In all cases when the individual receiving a citation is present and has the capacity to acknowledge receipt, officers will request the individual to sign the acknowledgment section on the citation.
  2. Traffic and non-traffic citations, except for speeding violations, should not be issued to individuals who are placed in Lew Sterrett Justice Center. Instead, these charges will normally be added to the arrest report. Officers are authorized to count each traffic charge on their daily activity in these circumstances. Exceptions may be made with prior field supervision approval. The issuing officer will record the supervisor's name and badge number in the "Notes" section on the back of the citation.
  3. Individuals who are arrested for outstanding warrants and transported to another detention facility may be issued traffic and non-traffic citations with field supervisor approval. The issuing officer will record the supervisor's name and badge number in the "Notes" section on the back of the citation.
  4. Officers must notify an on-duty supervisor as soon as possible after issuing a citation where the individual refused to sign the citation or is unable to sign the citation due to physical or mental condition. In all cases, this notification must be made prior to the end of the issuing officer's shift. The issuing officer will record the supervisor's name and badge number in the "Notes" section on the back of the citation. Officers must receive supervisory approval before issuing a "Filed at Large" citation.
- C. Individual Refuses to Sign Citation
1. Traffic Citations
    - a. Individuals who can be positively identified at the scene and refuse to sign the acknowledgment section of the citation may be issued the citation(s) without his or her signature. Officers will print "REFUSED" in the acknowledgment section of the citations and along the top of the citation. An arrest may be authorized in this circumstance as outlined in General Order 302.01D.
    - b. Individuals whose identity cannot be positively identified at the scene and refuse to sign the acknowledgment section of the citation may be arrested as authorized by General Order 302.01C.
  2. Non-Traffic Citations M/C
    - a. Individuals whose identity can be positively determined at the scene and refuse to sign the acknowledgment section of the citation may be issued the citation(s) without his or her signature. Officers will print "REFUSED" in the acknowledgment section of the citations and along the top of the citation. An arrest may be authorized by an on-duty supervisor in this circumstance in lieu of a citation being issued.
    - b. Individuals, who cannot be positively identified, regardless of their willingness to sign the acknowledgment section, will be handled as outlined in General Order 313.03.
- D. Individual Unable to Sign M/C Citation
1. Citations may be issued to individuals who are unable to sign the acknowledgment section of the citation due to medical reasons or intoxication and are not taken into a full custodial arrest.
  2. The individual's copies of the citation will be placed with his/her personal property. Officers will document the following information in the "Notes" section of the citation:
    - a. The location the individual was released such as Parkland Hospital or the violator's home. Exact addresses should be used when the location is not a commonly known public facility.
    - b. The name or identifier of the person or group to whom the individual was released. Example entries are DFD717, Parkland Emergency Room Staff, or the name of the individual taking responsibility for the violator.
    - c. The location where copies of the citations were placed.
  3. Officers will print "RELEASED TO APPEAR" in the acknowledgment section of the citations and along the top of the citation.
- E. M/C Citations Issued to Individuals No Longer at the Location
1. "Filed At Large" citations can only be issued under the following circumstances:
    - a. The violator is no longer at the location.
    - b. The name, race, sex, date of birth, and home address of the violator is known by the issuing officer.
    - c. The approximate time and location of the offense is known.
    - d. The violation is a class C misdemeanor and no other charges with a higher penalty classification are being filed.
  2. Officers will print "FILED AT LARGE" in the acknowledgment section of the citations and along the top of the citation.
  3. "Filed At Large" citations will not be issued when the violator has no home address.

# Dallas Police Department General Order

## 313.00 Arrest Policies - Adults

Revised 3/21/2023

4. Officers must notify an on-duty supervisor prior to issuing a "Filed At Large" citation. The issuing officer will record the approving supervisor's name and badge number in the "Notes" section on the back of the citation.
  5. A citation issued for a Handicapped Parking Violation will not require the violator's race, sex, and date of birth when the violator is not present at the location. Officers will list the registered owner's name and address in the operator's section of the citation and place two copies of the citation and instruction sheet on the vehicle.
- F. Reporting Requirements
1. Each division will maintain a database of all citations issued without a violator's signature. The database will contain the following information:
    - a. Name and badge number of issuing officer.
    - b. Name and badge number of approving field supervisor.
    - c. Race, sex, and date of birth of violator.
    - d. Citation number.
    - e. Date and Time of Issuance.
    - f. Charge on the citation.
    - g. Location of offense.
    - h. Justification in acknowledgment section – "Refused", "Released to Appear" or "Filed at Large."
  2. All citations without a violator's signature will be reviewed by an administrative supervisor to confirm they are complete and were approved by a field supervisor. The reviewing supervisor will initial the lower left corner of these citations after review. The administrative supervisor will ensure each of these citations is entered into the division database.
  3. A copy of each citation will be made and forwarded to the issuing officer's direct supervisor. The officer's supervisor will review related offenses, arrest, or other reports to ensure all information is consistent with the charges filed.
  4. Field supervisors are responsible for reviewing their assigned personnel in the divisional citation database on a monthly basis to identify trends or indications of possible abuse. Supervisors will notify the division commander by memo if any trends or possible abuse are identified.
  5. The Division Commander will provide a monthly report to the Bureau Commander on all "Filed At Large" citations. This report is not required for divisions who are not assigned field operations.

### 313.05 Marijuana Possession

To reduce the burden on police resources and to lessen the impact of arresting individuals for low-level amounts of marijuana, the following procedures will be followed for individuals found to be in possession of misdemeanor A or B amounts of marijuana. These procedures do not decriminalize marijuana, nor do they alter the penalties for possession of a controlled substance.

- A. Misdemeanor B amounts of marijuana (less than 2 ounces):
1. If one of the following circumstances is met, the officer shall make a custodial arrest for the corresponding possession of marijuana charge:
    - a. The circumstances of the possession are indicative of marijuana distribution. Such as:
      - Multiple small individual baggies packed for resale
      - Presence of digital scales, packs of empty baggies
      - Officer observed hand-to-hand drug transactions
      - The offender was involved in a drug-related call or Narcotics Division investigation
    - b. The offender possesses marijuana in conjunction with a weapon.
    - c. The offender has a companion charge for a crime against person offense.
    - d. The officer can document an articulable reason for a custodial arrest and obtains approval from a supervisor.
  2. If one of the following circumstances below is met, the officer shall NOT immediately arrest or charge the offender for possession of marijuana and instead shall complete a 'preliminary investigation' report:
    - a. Circumstances of the possession do not indicate distribution (as outlined above).
    - b. The only companion charge(s) is a warrant hold.
    - c. The offender has a companion felony drug charge.
  3. It is not necessary to field test marijuana that will be part of a preliminary investigation. All marijuana evidence will be packaged and transported in accordance with G.O. 321.04. Under no circumstances shall seized marijuana be destroyed at the scene.
- B. Misdemeanor A amounts of marijuana (more than 2 ounces but less than 4 ounces):
1. If an offender possesses a misdemeanor A amount of marijuana, officers will utilize the Cite and Release program if the offender meets the requirements. If the offender does not meet the requirements, officers shall make a custodial arrest for the corresponding possession charge. Cite and Release is a program allowing an officer to issue an Acknowledgement & Acceptance Form (citation) for the misdemeanor possession of marijuana in lieu of a full custodial arrest. All officers will utilize the Cite & Release process for those who meet the eligibility requirements unless the officer can document an articulable reason for custodial arrest and obtains approval from a supervisor.
  2. Requirements
    - a. The offense must be the possession of marijuana (misdemeanor A or B).
    - b. The offense must occur in Dallas County.
    - c. The offender must reside in Dallas County.
    - d. The offender must be in possession of a valid driver's license or identification card issued by the State of Texas.

**Dallas Police Department General Order**  
**313.00 Arrest Policies - Adults**

Revised 3/21/2023

- e. The offender must be 17 years of age or older.
  - f. Possession of marijuana must be the only offense in which the offender is subject to arrest with the following exceptions:
    - Companion Class C offenses DO NOT disqualify an individual from Cite and Release. This includes all Class C offenses except breaches of the peace (e.g., Public intoxication where the individual is a danger to themselves or others.) Multiple traffic offenses (i.e., "Jail Traffic") will NOT disqualify a person from Cite and Release. If you wish to charge the individual with traffic offenses, issue a citation.
  - g. Offenses occurring in Drug-Free Zones are not eligible for Cite and Release.
3. Officer Responsibilities:
- a. Seize suspected marijuana.
  - b. Request a supervisor to the scene to field test and obtain the preliminary weight of suspected marijuana. The marijuana must weigh more than two (2) ounces but less than four (4) ounces.
  - c. Complete an Acknowledgement & Acceptance Form.
  - d. Obtain thumbprints from the offender.
  - e. Contact Detention Services to obtain a Cite & Release warrant number and write the number on the Acknowledgement & Acceptance Form (citation).
  - f. Issue the offender a court date (3rd Wednesday of the month set two months in advance) and release the offender to appear.
  - h. Transport the marijuana evidence in accordance with G.O. 321.04.
  - i. Complete the offense report.
  - j. Contact a Detention Services supervisor to review and approve the offense report.
4. Supervisor Responsibilities:
- a. Report as requested to the officer's location.
  - b. Ensure all requirements for the cite and release program are met.
  - c. Field test and weigh suspected marijuana.
  - d. Ensure the Acknowledgement & Acceptance Form has been completed.
  - e. Ensure the officer has obtained thumbprints from the offender and issued the correct court date.

**313.06 Public Inebriate Program**

- A. General Information
  - 1. The facility is located at 1600 Chestnut.
  - 2. Prisoners will be received on a 24-hour basis.
  - 3. Prisoners will be held a minimum of four hours before any type of release is allowed.
  - 4. Checks will be made on all prisoners that are to be taken to the Public Inebriate Detention Center (PIDC). The check may be made over the radio if necessary.
- B. Admission Policy - The processing of persons at PIDC will be in accordance with the procedures established by the City Marshal's Office and approved by the Chief of Police. These procedures will be posted at the Center and available for reference. Any questions will be referred to an on-duty Patrol supervisor.
- C. When an arrest is rejected by a PIDC supervisor, a police supervisor from the arresting officer's division will be notified. The police supervisor will determine what should be done with the arrested person (i.e., released to a relative, mental evaluation) and the facts documented in an offense/incident report.

**313.07 Drug Evaluation and Classification Process**

- A. Only officers with current Drug Recognition Expert (D.R.E.) certification will conduct D.R.E. post-arrest evaluations on suspects.
- B. All D.R.E. evaluations will be conducted according to the current Drug Evaluation and Classification S.O.P., which will be available for review at the jail.
- C. D.R.E. officers may be requested to conduct drug evaluations at Lew Sterrett. Drug evaluations may be conducted at other bureaus throughout the department if the D.R.E. approves of the testing area.
- D. In general, a drug evaluation will not be conducted on suspects with a breath alcohol concentration of 0.08 or above or when blood tests are given, and alcohol is the only suspected cause of impairment.
- E. A D.R.E. officer may request a urine specimen from a suspect who has been evaluated, in addition to any other specimen which would be prudent to request, depending on the crime. All Dallas police officers may request a urine specimen, in addition to a blood specimen in D.W.I. cases, when no D.R.E. evaluation is performed, and the officer believes the impairment is caused by substances other than alcohol.

**313.08 Stake-outs and High-Risk Apprehension Operations**

- A. Definitions
  - 1. Stake-out: an operation in which officers assume concealed or covert positions in anticipation of a criminal act for the purpose of apprehending the persons involved.
  - 2. Surveillance: the continuous observation of persons, places, and things for the purpose of gathering information.
  - 3. High-Risk Apprehension: any planned arrest in which there is good reason to believe that the person to be arrested may be armed and intent upon resistance.
- B. Objectives
  - 1. To apprehend the suspect with a minimum risk to persons and property.
  - 2. To obtain information concerning the activities and identities of individuals.
  - 3. To protect any informant who may be involved.

# Dallas Police Department General Order

## 313.00 Arrest Policies - Adults

Revised 3/21/2023

- C. Procedures
  - 1. All surveillance, stakeouts, and high-risk apprehensions must have the prior approval of a supervisor and be entered into Case Explorer in accordance with section 304.18.
  - 2. The supervisor in charge will develop a plan for the operation. This plan will include but not be restricted to the following:
    - a. Staffing with sufficient personnel to ensure the safety of all persons involved and successful completion of the objective.
    - b. Briefing of all personnel as to the objectives, and fully informing them of the nature of their assignment and their individual responsibilities.
    - c. Ensuring that all personnel are familiar with any specialized equipment to be used.
    - d. Ensuring, when necessary, that all personnel have distinctive and/or protective clothing available if an arrest/confrontation is necessary.
    - e. Arranging for uniformed police officers to be available if an arrest or pursuit is anticipated.
    - f. Providing for adequate communication capabilities for all units and personnel involved.
    - g. Providing relief for personnel if the operation is prolonged.
    - h. Remaining aware of and providing for the safety of all persons involved.
  - 3. Unless there is a clear possibility of compromising the operation, the following organizations will be notified:
    - a. Communications Section.
    - b. Patrol Operations Division where the operation is to take place.
    - c. Any other departmental unit which may be involved/affected by the operation.
  - 4. This notification should include the nature of the operation, number of personnel involved, supervisor in charge, vehicles involved (if possible), the dress of officers involved, and any other information necessary for the safety of the officers involved and any other officers who may respond as back-up in an emergency situation.
- D. Requests for SWAT Assistance during Stake-Out and High-Risk Apprehension of Suspects
  - 1. Officers receiving information that a violent crime is likely to occur will notify their supervisor who will notify the SWAT Unit.
  - 2. Examples of the types of offense situations to which the SWAT Unit will respond and have primary command responsibility are armed robbery, hostage situations, barricaded persons, kidnapping, or any other violent crime involving an armed suspect. Routine stakeouts, surveillance, drug raids, and Fugitive Squad apprehensions, for example, do not require that the SWAT Unit be called.
  - 3. Any supervisor may request the presence of SWAT Unit personnel in situations other than the extreme instances of D.2. Supervisors may request assistance in conducting routine stakeouts and surveillance. In these instances, the requesting bureau/ division/section will retain command responsibility.
  - 4. Consideration of such factors as the type of information, the time element involved, risk of persons involved, anticipated length of operation, etc., will be made by the requesting supervisor to determine if a situation warrants requesting SWAT Unit assistance.
- E. Procedure
  - 1. If the SWAT Unit is needed, a SWAT supervisor will be notified.
  - 2. When the SWAT Unit responds to a request, it will be the responsibility of the SWAT Unit to coordinate the efforts of the operation.
    - a. The requesting division will be in charge of the scene until the SWAT Unit arrives.
    - b. Upon their arrival, SWAT Unit personnel will take charge of the scene, except in those instances in D.3 where command responsibility remains with the requesting unit.
  - 3. Informants
    - a. Sole responsibility for dealing with any informants involved rests with the requesting unit personnel who originally developed the information.
    - b. SWAT Unit personnel will be provided information about informants only on a need-to-know basis. The identity of an informant does not necessarily have to be revealed.
- F. Where applicable these procedures will be incorporated into division Standard Operating Procedures, along with any additional special considerations unique to a particular division.

### 313.09 Felony Arrest Warrant Service

This General Order does not apply to misdemeanor arrest warrants, but these procedures may be used at the discretion of the supervisor in charge. This General Order does not preclude any officer or detective from knocking on a door and attempting to arrest a wanted person, however, should the wanted person not voluntarily come to the door and surrender, officers/detectives will not enter the location in order to search for the suspect without following the procedures specified in this general order.

- A. Definitions
  - 1. Felony Arrest Warrant Service: a planned execution of a felony arrest warrant in which officers intend to enter a location and search for a suspect.
  - 2. Arrest Warrant Service Class: the Dallas Police Department's arrest warrant service training program.
- B. Objective
  - 1. Apprehend the suspect with minimum risk to officers, suspects, and citizens.
- C. Procedures and Requirements
  - 1. Confirm all arrest warrants before attempting service.
  - 2. A planning session, conducted by a warrant-trained supervisor, will be conducted before any warrant is served. All personnel serving the warrant will attend the planning session. This may take place in the field if necessary.
  - 3. Handheld police radios must be carried by all personnel participating in the warrant execution. The supervisor will ensure that all personnel have their radio set to the designated operating channel.

# Dallas Police Department General Order

## 313.00 Arrest Policies - Adults

Revised 3/21/2023

4. The controlling supervisor will ensure a deconfliction is completed through the Fusion Center in accordance with General Order 304.18. A deconfliction is an intelligence-sharing system that promotes the highest level of public safety and to prevent law enforcement officers from confronting blue – on – blue situations in the field.
  5. The Communications Services Group and the affected Patrol Division will be notified prior to the execution of the warrant.
  6. All personnel will wear body armor.
  7. All personnel will wear clothing which clearly identifies them as Dallas Police officers. This includes the Dallas Police uniform as well as identification jackets or vests issued by the Department. The vests and/or jackets must have the badge or the badge insignia and "Dallas Police" markings.
  8. Officers will use available means (including, but not limited to: surveillance, telephone calls, or credible information from Confidential Informants or witnesses as defined in Narcotics SOP) to confirm that the suspect is at a location before attempting to execute an arrest warrant, but a lack of such information will not preclude an attempt to serve a warrant.
  9. Personnel requirements: A **minimum** of 6 (six) officers will be required to serve a felony warrant. This includes a trained supervisor, a trained three officer search team, and two perimeter officers. Perimeter officers do not have to be warrant trained, but must attend the planning session.
  10. Calls for service regarding a wanted person at a location require that the above procedures be followed, unless the wanted person is at another government facility such as a parole office, etc.
- D. Third Party Residence
1. If the arrest warrant for the felony suspect is taking place at the residence of a third party, then officers must obtain a search warrant in order to enter the location.
  2. The search warrant requirement may be waived if:
    - a. Exigent circumstance exist (i.e. hot pursuit, screams for help, etc).
    - b. Written consent to search is given by a third party who has standing to give such consent.
    - c. The officers can articulate facts and circumstances that give rise to the belief that the suspect actually resides in the residence owned by a third party.
- E. Forced Entry
1. Definition: **Any** entry into a residence without the consent of the owner or legal representative, regardless of whether physical force is used.
  2. Forced entry is allowed when serving a felony arrest warrant.
  3. Forced entry is **not** allowed when serving a misdemeanor arrest warrant.
  4. A search warrant is not required to execute a forced entry at the current residence of the wanted person, however; officers and the controlling supervisor must be able to articulate **reasonable grounds** to believe that:
    - a. The address is the residence of the wanted person.
    - b. The wanted person is actually inside the residence at the time.
  5. The use of forced entry will be at the discretion of the controlling supervisor.
  6. Mechanical breaching equipment is authorized. This equipment reduces the risk of injury to officers and should be utilized at the discretion of the controlling supervisor.
  7. Officers will only use handheld rams and pry bars for forced entry. Officers will not use vehicles to pull/push open doors or bars unless they are assigned to SWAT.
  8. Diversions, such as breaking windows, etc. are authorized. These tactics reduce the risk of injury to officers and should be utilized at the discretion of the controlling supervisor.
  9. Forced entry will not be authorized at locations where drug sales routinely occur, whether fortified or not, unless assigned to SWAT.
  10. No officers may use explosive or incendiary diversion devices such as "flash bangs", or any type of explosive entry, unless assigned to SWAT or the Tactical Investigations Group.
- F. SWAT Requirement
1. The felony arrest warrant should be considered a high risk apprehension and deferred to the SWAT Unit (as noted in General Order 313.08), if credible intelligence indicates any of the following are present:
    - a. Fortified location: Fortified is defined as preparing a location in a manner to impede the entry of police. Examples include, but are not limited to, door blocks or stops, burglar bar cages (both exterior and interior), surveillance cameras, or a combination of any such items. Burglar bars alone do not constitute a fortified location.
    - b. Automatic weapons, explosives, or booby traps.
    - c. Body armor was worn during the commission of the original offense.
    - d. The suspect or others at the location are actively taking measures to violently resist or repel any law enforcement effort to arrest.
- G. Outside Agency/ Jurisdiction Considerations
1. Officers may execute Dallas PD arrest warrants in other jurisdictions.
  2. The arrest warrant must have been issued for a Dallas PD offense or the wanted person may be a suspect in an unrelated Dallas PD offense.
  3. Officers will notify the law enforcement agency having jurisdiction before serving a warrant outside of the city limits of Dallas, unless this would compromise the safety and integrity of the warrant service.
  4. Officers may execute arrest warrants for other agencies within the city limits of Dallas.
  5. Entry teams will be comprised of Dallas officers ONLY. Outside agencies' officers will be allowed to perform perimeter duties if they have attended the warrant briefing. Dallas officers may perform perimeter duties for other agencies entry teams, if those agencies choose to execute the arrest warrant. Everyone that will participate in the warrant execution (entry, perimeter) must attend the briefing.
- H. Exceptions
1. The planned arrest execution takes place during a vehicle stop. If this tactic is used, Officers should perform a felony stop.

# Dallas Police Department General Order

## 313.00 Arrest Policies - Adults

Revised 3/21/2023

2. When the wanted person is located in a public place.
  3. When a wanted person voluntarily surrenders.
  4. Prisoner transfers.
- I. Ongoing training
1. All officers and supervisors that complete the Felony Arrest Warrant class will be required to participate in and pass semi-annual training. One remedial training session will be allowed if an officer or supervisor is unable to complete this training at an acceptable level.
  2. Any officer, senior corporal, or supervisor that is unable to satisfactorily complete the Felony Arrest Warrant class or the semi-annual training will not be authorized to serve felony arrest warrants, and may be removed from any position where warrant service is an integral part of that Unit's function at the discretion of his/her Chain of Command
- J. Search Warrants
1. The 4<sup>th</sup> Amendment prohibits unreasonable searches. The Supreme Court has stated a warrantless search is an unreasonable search unless it meets the criteria of a recognized exception to the search warrant requirement. Therefore, officers should operate under the presumption a search warrant is needed. In the event officers determine a search warrant is required, officers will contact a detective for assistance in obtaining a warrant and in the execution of the warrant.
  2. Officers should reference Patrol SOP 804 Warrantless Searches for questions regarding an exception to the search warrant requirement.
- K. Types of warrant entries
1. Dynamic Entry
    - a. Dynamic Entry is the rapid entry into a structure to limit occupant movements and prevent the destruction of evidence, where speed, surprise and domination is the objective. Executing officers must have a reasonable suspicion that knocking and announcing their presence, under the particular circumstances, would be dangerous or futile or that it would inhibit the effective investigation of the crime.
    - b. As a general policy, the Dallas Police Department will not execute dynamic entry search warrants in the following instances: early in the morning (before daylight) or late at night, when serving misdemeanor warrants, if there is evidence of children present inside the location, or at locations housing suspects who are considered low level offenders where the propensity for violence and anticipated resistance is minimal. Dynamic search warrants will **only** be executed by the SWAT Unit. There may be instances where dynamic entry must be utilized, including hostage rescue operations, exigent circumstances that require immediate entry be made to prioritize the safety of innocent parties inside a location, or when it has been deemed the safest and most tactically effective way to handle the situation, based upon suspect/offense and location analysis.
    - c. Pre-operational surveillance will be conducted on the target location, in an attempt to identify any potential hazards that may exist, including the presence of children, elderly or disabled individuals, safety of surrounding residents or third parties, or any other factor that would necessitate conducting the operation in a different manner. This will also ensure the target location is visually identified prior to warrant service, thus reducing the risk of executing the warrant at the wrong location.
    - d. Based upon the target analysis and the totality of the location and suspect factors identified, SWAT will make the determination if the warrant will be executed dynamically.
    - e. On each warrant request, SWAT will complete a Warrant Execution Form and a Review for Dynamic Warrant Service Form. The SWAT Commander will make the tactical consideration for service of the warrant and obtain final approval from the Deputy Chief over the Tactical Operations Group.
  2. Deliberate Entry, Breach and Hold and Call Out
    - a. Can be accomplished through setting a perimeter, knocking and announcing, breaching and holding at the entry point, and calling out the suspect(s) from the entry point, or effecting entry.
    - b. Deliberate entry into a structure where the pace at which the clearing operation conducted is reduced significantly.
    - c. The basic concept is that the search is slower, and the structure can be partially cleared from the outside.
    - d. If entry is made, ballistic shields can be utilized to minimize risk to entry personnel.
  3. Surround and Call Out
    - a. The overall objective is to set a perimeter and call out the suspect(s) from the structure, then effect the arrest.
    - b. The use of a "loud hailer" or LRAD should be utilized to notify occupants to safely exit the structure.
    - c. The escalation of tactics may become necessary if suspect(s) are non-compliant or officers receive no response.
    - d. Entry may be necessary to clear the location and locate the suspect(s).
- L. Warrant Threat Assessment Matrix
1. Any Unit authorized to execute felony arrest warrants is also authorized to serve search warrants, with the exception of warrants on locations where narcotics are known to be routinely sold. Warrants on locations where narcotics are known to be routinely sold will only be served by authorized units within the Tactical Investigations Group and SWAT Unit. Factors that require the SWAT Unit to execute an arrest warrant also apply to search warrants. Authorized units within the Tactical Investigations Group and the SWAT Unit will follow their respective unit SOPs in regards to Threat Assessment. If a search warrant requires entry into an occupied or possibly occupied structure and intelligence indicates any of the factors listed below are present, the supervisor will assess whether to notify a SWAT supervisor to determine if the SWAT Unit will execute the warrant:
    - a. Suspect/Offense Assessment:
      1. The offense is for Murder or any violent felony with firearms
      2. The suspect(s) is believed to have committed previous violent felony offenses
      3. Body armor is believed to be available to the suspect

**Dallas Police Department General Order**  
**313.00 Arrest Policies - Adults**

Revised 3/21/2023

4. Suspect(s) have police/military training
  5. Suspect(s) known to have used or carried firearms during the commission of the offense
  6. Threats or offenses made by suspect(s) against officers
  7. Aggressive resistance is anticipated
  8. Suspect(s) known to possess automatic weapons, scoped firearms, explosives
  9. Suspect(s) have two or more previous felony convictions
  10. Suspect(s) is on probation/parole
  11. Suspect(s) is affiliated with a gang or is a documented gang member
  12. Suspect(s) has previous weapons charges
  13. Suspect(s) drug/alcohol abuse
  14. Suspect(s) has mental health history
  15. Suspect(s) has previous felony convictions
- b. Should a proposed operation contain any of the "suspect/offense" assessment factors listed as hazards 1-8, then service by SWAT will be requested. A SWAT supervisor will make the determination if the SWAT Unit will execute the warrant. If after consultation between the SWAT supervisor and the on-scene supervisor, it is determined that SWAT is not needed to execute the warrant, then the requesting unit supervisor may execute the warrant. When assessing a proposed operation, the supervisor shall consider factors such as manpower, personnel capabilities and other hazards such as those listed in 9-15. This assessment applies to operations that are based on officers securing a residence, building, or a structure that will need to be searched to effect the arrest of a suspect(s) and/or secure evidence.
- c. Location Assessment:
1. Location is heavily fortified: (i.e. external/internal cages, barnyard blocks, etc.)
  2. Rapid entry is required to limit occupant movement or to prevent the destruction of evidence
  3. The location is used for the sale of illegal drugs
  4. Counter surveillance is present (good-eyes, cameras)
  5. Is the amount of planning appropriate for the operation?
  6. Geographic barriers: (upstairs apt, location on high ground, limited access)
  7. Surrounding area high crime/unfriendly towards police
  8. Vicious and/or guard dogs are present
  9. Access to the location is restricted: (i.e. fencing, high walls, adjacent structures)
  10. Children, elderly and/or handicapped persons are believed to be present
  11. Previously considered a hazardous location
  12. Size/complexity of the location
  13. The day of week and time of day of operation
  14. Proximity to a school or daycare
  15. Is the intelligence from a credible source
- d. Should a proposed operation contain any of the "location" assessment factors listed as hazards 1-3, then service by SWAT will be requested. A SWAT supervisor will make the determination if the SWAT Unit will execute the warrant. If after consultation between the SWAT supervisor and the on-scene supervisor, it is determined that SWAT is not needed to execute the warrant, then the requesting unit supervisor may execute the warrant. When assessing a proposed operation, the supervisor shall consider factors such as manpower, personnel capabilities and other hazards such as those listed in 4-15. This assessment applies to operations that are based on officers securing a residence, building, or a structure that will need to be searched to effect the arrest of a suspect(s) and/or secure evidence.
2. The Threat Assessment Matrix cannot reasonably cover all possibilities and factors relating to the service of warrants. Although the hazards and considerations on the Threat Assessment Matrix may not require SWAT activation, there may be instances where consultation would be appropriate. Nothing in this matrix should dissuade supervisors from soliciting information, advice or guidance from a SWAT supervisor.

**313.10 Field Warning Procedure**

- A. Arresting officers are not required to provide *Miranda* rights to persons in custody unless they are going to interrogate them. If it becomes necessary to interrogate an arrested subject, the officer must provide the *Miranda* rights before any questioning occurs.
- B. If the subject invokes any of the *Miranda* rights, the officer will note it in the arrest report and provide specific information on the rights invoked, such as the right to remain silent, right to have an attorney present, etc.
- C. Field warnings are not required under the following circumstances:
  1. When no questioning or interrogation will occur.
  2. During general questioning of persons present at a criminal offense scene, and the investigation has not centered upon the individual as a suspect in the case.
  3. Ordinary City Ordinance violations.
  4. Class C misdemeanors.
  5. Ordinary traffic violations.

**Dallas Police Department General Order**  
**313.00 Arrest Policies - Adults**

Revised 3/21/2023

- D. Arresting officers should refrain from questioning arrested persons in offense incidents where immediate follow-up will be conducted by a detective. In these circumstances, the detective will warn the arrested person of his/her rights at the appropriate time.

**313.11 Field Release of Handcuffed Subjects**

- A. Handcuffed subjects will be field released in the following instances when sworn police personnel determine that:
1. An arrest made (on or off-duty) is erroneous, improper, or otherwise inappropriate prior to book-in at the Jail or Public Inebriate Detention Center (PIDC).
  2. A subject who has been handcuffed for officer safety is not going to be arrested and charged with an offense.
  3. A subject who has been handcuffed and charged with a Class C Misdemeanor (traffic or non-traffic), but meets the guidelines as described in General Order 313.03, Misdemeanor Citations.
- B. The releasing officer will:
1. Field release the subject at the original arrest location or contact site.
  2. Document the facts and circumstances necessitating and justifying the release in an M.I.R or related offense report. (MDC-generated or handwritten).
  3. List the subject as the complainant on the M.I.R. and include the subject's telephone number and address.
  4. Notify a supervisor and document the notification in the M.I.R.
  5. Forward a copy of the M.I.R. through the chain-of-command to his/her Organizational Commander.
- C. In situations where more than one individual is detained and released only one M.I.R. needs to be generated. The releasing officer will document the name, address, and telephone number of the additional subjects on the witness pages of the M.I.R. and the facts and circumstances of the incident in the narrative.

**313.12 Searching of Prisoners**

- A. All prisoners will be searched at the time of arrest, or as soon as possible after the arrest, and before being transported.
- B. Officers will not perform any strip or body cavity searches of any prisoner. These searches will be conducted at Lew Sterrett Justice Center by a Dallas County deputy or detention officer.
- C. Purses, luggage, belt packs, hats, gloves, and coat pockets of female prisoners will be searched by the arresting officer at the time of arrest.
- D. Bodily searches of female prisoners will be conducted only by female Dallas Police officers. If a female officer is not available in the arresting officer's division, the arresting officer will contact Communications to request a female officer from another division or law enforcement agency.
- E. Officers transporting prisoners for other officers will search all prisoners before accepting custody. Transporting officers will be present during the search of a female prisoner by a female officer before accepting custody.
- F. The transporting officer will be held accountable for any prisoner arriving at any jail, detention or police facility with a weapon or contraband.

**313.13 Transportation and Handling of Prisoners**

- A. General Guidelines for Transporting Prisoners
1. The following definitions apply to this section:
    - a. Police vehicle: Refers to any city owned vehicle used to transport prisoners.
    - b. Officer: Refers to any sworn member of the Department.
  2. Officers will search their issued police vehicles before beginning their tour of duty. This will include prior to and after transporting prisoners to ensure that the vehicles are free of any weapons and contraband.
  3. Motorcycles will not be used for transporting prisoners.
  4. Unless otherwise approved by a supervisor, all prisoners will be handcuffed behind their back, palms facing out, and the handcuffs double locked.
  5. Prisoners will be secured in their seat with a seat belt.
  6. Once the prisoner is secured the officer will immediately disable the vehicle's door locks and windows by utilizing the lockout buttons on the driver's door control panel. Officers will engage the child safety locks on the back doors of the patrol vehicle by using the end of the ignition key and move the plastic key/lock device to engage the child safety locks.
  7. The feet of violent or potentially violent prisoners should be secured with flex-cuffs or leg restraints or both if their actions indicate they may pose a threat to the transporting officer or to the police vehicle or equipment.
  8. The *hog-tie* method of maximum restraint will not be used. This method of restraint, which positions the prisoner stomach-side down with hands and feet joined in the back, places the prisoner in a physical position that restricts breathing capability and places the subject at risk for positional asphyxia.
  9. Persons arrested by DPD officers or placed in their custody will not be left unsupervised at any time.
  10. If an arrested person experiences a medical emergency the officers will immediately request a Dallas Fire Rescue ambulance be called to the scene to evaluate the prisoner prior to being transported to a jail facility. (*Emergency* means any circumstance that calls for immediate action and in which the element of time in transporting the sick, wounded, or injured for medical treatment is essential to the health or life of the person.)
  11. Any prisoner exhibiting symptoms of excited delirium, drug-induced psychosis, or a psychotic episode, whether drug-induced or not, is to be transported to a medical facility by Dallas Fire Rescue personnel via ambulance. The officer remains responsible for prisoner safety and will accompany DFR and the subject in the rear of the ambulance. See General Order Section 905.00 for additional symptoms.
  12. Placement of Prisoners in Police Vehicles
    - a. One Officer Transport - One officer can only transport one prisoner. In police vehicles that are not

**Dallas Police Department General Order**  
**313.00 Arrest Policies - Adults**

Revised 3/21/2023

- equipped with a prisoner partition the prisoner will be placed in the front passenger seat. At no time will a prisoner ride alone in the back seat of a police vehicle that does not have a prisoner partition system. In police vehicles equipped with a prisoner partition the prisoner will be positioned in the back right seat. The access panel of the partition between the front and rear seats, if equipped, will be secured and locked.
- b. Two Officer Transport - Two officers can transport a maximum of three prisoners. In police vehicles that are not equipped with a prisoner partition the second officer will be seated behind the driver with the prisoner(s) seated according to the following configuration:
    - i. Prisoner #1 - rear passenger seat.
    - ii. Prisoner #2 - front passenger seat.
    - iii. Prisoner #3 - rear passenger seat.In police vehicles equipped with a prisoner partition up to three prisoners may be transported in the rear seat if all three rear seat belts are accessible. Both officers will ride in the front seats of the police vehicle. The access panel of the partition between the front and rear seats, if equipped, will be secured and locked.
  - c. If more than three persons are arrested or if there is insufficient room in a police vehicle, an additional police vehicle or a paddy wagon will be used.
13. At the time of departure, transporting officers will:
- a. Activate the in-car camera system.
  - b. Mark out to the destination via the in-car computer system.
  - c. Furnish the dispatcher with the destination location, number of persons being transported, and the odometer reading.
- Upon arrival at their destination, transporting officers will:
- a. Confirm their arrival via the in-car computer system and may turn off the in-car camera system.
  - b. Furnish the dispatcher with the arrival location and odometer reading.
  - c. Ensure the in-car video has been properly categorized and tagged with the corresponding incident/case number in accordance with Department policy.
14. Transporting officers may be instructed to pick up additional prisoners while en route to the jail. If any of the following are applicable, the officer(s) will notify the dispatcher and will not pick up additional prisoners in the following situations:
- a. If the transporting officer is alone.
  - b. If they are already transporting the maximum allowable prisoners, a female or juvenile, or an unruly prisoner.
15. Officers will not handle another police incident while transporting a prisoner unless it is of such magnitude as to place life or property in jeopardy.
- B. Transporting Female Prisoners - In addition to the general guidelines regarding prisoner transport, the following provisions apply for female prisoners:
1. If it can be done safely and if all standard safety measures are observed, a lone female officer may transport one female prisoner. The seating configuration outlined in 313.13, A12 must be used.
  2. A lone male officer may transport a lone female prisoner if the following measures are observed.
    - a. The police vehicle used must be equipped with a prisoner partition, and the in-car camera system in the rear passenger area must be activated.
    - b. The officer must be wearing a functional body worn camera.
    - c. The female prisoner must be seat belted into the rear passenger seat.
    - d. The entire transport must be captured on the in-car camera and tagged for retention.
    - e. If the officer must stop and exit the vehicle before arriving at their destination for any reason, their body worn camera must be activated and the video tagged for retention.
  3. Two officers (regardless of their gender) may transport one to three female prisoners. In police vehicles equipped with a prisoner partition both officers will ride in the front seats. The seating configuration outlined in 313.13, A12 must be used.
  4. Incidents Involving the Arrests of Both Female and Male Prisoners or Multiple Female Prisoners
    - a. Female prisoners may be transported with male prisoners only when their arrests result from the same incident. Refer to the seating configuration outlined in 313.13, A12.
    - b. Use of Paddy Wagon
      - i. If the paddy wagon is equipped with a solid rear partition, female prisoners may be transported in the rear of the paddy wagon. At no time will female and male prisoners be transported sharing the same partitioned section.
      - ii. If the paddy wagon is not equipped with a solid rear partition but is driven by a female, one female prisoner may be transported in the front seat. If the driver is a male or if there are multiple female prisoners, an additional paddy wagon or police vehicle will be used.
- C. Transporting Juvenile Prisoners - Additional restrictions apply for juvenile prisoner transport. (Refer to General Order Section 314.16)
- D. Procedure for Handling Escape of Detainee/Prisoner during Transportation
1. Notify the dispatcher of current location.
  2. Broadcast a description of the escapee (race, sex, height, weight, clothing description, any other identifying features).
  3. Broadcast reason for detention or arrest.
  4. Immediately notify a supervisor.
  5. Set up a perimeter utilizing additional elements.
  6. Notify helicopter unit and K-9.
  7. If the escapee is captured, the arresting officer will document and prepare the proper offense and arrest reports

**Dallas Police Department General Order**  
**313.00 Arrest Policies - Adults**

Revised 3/21/2023

- detailing the facts surrounding the incident.
8. If the escapee is not captured, the transporting officer will prepare an offense report titled "Escape" and document the facts surrounding the incident in this report. Additionally, the officer will prepare a "Lost Equipment Report" as outlined in G.O. 805.00 with the loss of any city property during the incident.
  9. If the escape occurs while traveling through another jurisdiction, the transporting officer will notify the appropriate jurisdiction providing all relevant information to that jurisdiction.

**313.14 Disposition of Vehicles**

- A. Authority and Service Numbers
  1. Officers have the authority to impound vehicles under the following circumstances:
    - a. Vehicle involved in an accident and is immobile - Use the Accident Report service number.
    - b. Stolen vehicle - Use the original Dallas PD service number or make a service number if the vehicle was reported by another agency.
    - c. Vehicle is evidence of a crime - Use service number assigned the crime.
    - d. Protective custody (e.g. death of the driver and no one available to take custody) - Use service number assigned the death offense report.
    - e. When a driver is arrested and no alternative to impoundment exists - Use Arrest Report service number.
    - f. Parking violations (Service number not required for parking ban).
    - g. Street blockage.
    - h. Abandoned vehicle .
    - i. Vehicle so mechanically defective as to be dangerous.
    - j. Driver or owner gives consent.
  2. All impounded vehicles must have a service number entered on the wrecker book. Officers must obtain a service number, and complete an appropriate report, if no number is assigned.
    - a. In all cases where a vehicle is impounded, an inventory search of the vehicle will be conducted. The search will be made by the impounding officer, at the scene of the impoundment whenever possible. It is the impounding officer's responsibility to maintain any evidence found and to maintain the chain of evidence. Money (\$5.00 or over), firearms, and valuables will not be left in a vehicle to be impounded. The impounding officer will remove the items from the vehicle and place them in the property room in accordance with the Property/Auto Pound Standard Operating Procedures.
    - b. When inventorying a vehicle, the vehicle and its container are to be inspected and inventoried. A locked container may be inspected only if the officer can do so without damaging the container or breaking a lock. Container shall mean any object capable of holding other objects, including but not limited to: vehicle trunk, glove compartments, consoles, luggage, briefcases, boxes, bags, purses or clothing. If the container cannot be opened and inspected, it should be so noted on the wrecker book.
  3. Officers will call in a *Found Property Vehicle* report for the following impounded vehicles. This report would serve to alert an investigative unit to a potential stolen or suspect vehicle:
    - a. An unattended vehicle that appears to be stolen but not reported (broken ignition, etc.).
    - b. A vehicle is evidence of a crime.
    - c. When a driver is arrested and the vehicle appears to be stolen but not reported (broken ignition, etc.).
  4. The Auto Pound is located at 1955 Vilbig.
- B. An officer will release a prisoner's vehicle, regardless of the offense committed, to a passenger or third party under the following circumstances:
  1. The vehicle is mechanically safe, not stolen or evidence in a crime, and has proof of financial responsibility.
  2. The prisoner wishes to release the vehicle to a passenger or third party that is at the scene who is not under arrest, has a valid driver's license, and is not intoxicated.
- C. An officer may, at his/her discretion, give an arrested person the option of leaving the arrestee's vehicle at the scene of the arrest or other location.
  1. The option will be given only to prisoners being charged with Class C Misdemeanors.
  2. Before offering a prisoner the option, the officer should consider the security of the vehicle, parking regulations in that area, and the possibility of complaints from citizens concerning the vehicle being left there.
  3. A vehicle cannot be inventoried if it is not taken to the pound.
  4. When a vehicle is left at the scene, the arresting officer will ensure that the vehicle is legally parked and secured.
  5. A *Release and Hold Harmless Agreement* form will be completed in duplicate. It will contain the service number and arrest number, and will be signed by both the officer and prisoner.  
The original *Release* form will be routed to the Records Section for permanent retention. A copy of the *Release* form will be given to the arrested person.
- D. This order will not prohibit officers from releasing a vehicle to a third party upon receiving a verbal request from the arrested person. Officers will use the *Release and Hold Harmless Agreement* form only when the vehicle is not released to another person.
- E. Disposition of Vehicles when an Arrest is Made
  1. The vehicle may be released at the scene in accordance with the above listed guidelines.
  2. If not released as described above, the vehicle will be transported to the appropriate pound facility.
- F. Status of Juvenile Passengers in Prisoner's Vehicle
  1. When juveniles are passengers in a prisoner's vehicle and are under the immediate control of the prisoner, the arresting officer will ask the prisoner if he/she wishes to release the juvenile into the custody of another responsible person. If the responsible person is at the scene of arrest or the juvenile can reasonably be taken to the location of the responsible person, the arresting officer will arrange this and specifically document the incident. Under no circumstances will a juvenile be left either at the arrest scene or at another location without

**Dallas Police Department General Order**  
**313.00 Arrest Policies - Adults**

Revised 3/21/2023

- responsible supervision.
- 2. If the above conditions cannot be met, officers who have a *Protective Custody* child (newborn through age 16) will call Child Welfare investigators to determine what should be done with the child.
- G. Status of Adult Passengers in Prisoner's Vehicle - Adult passengers stranded at the arrest scene will be offered transportation to a nearby public facility where a telephone is available and their reasonable safety can be assured.

**313.15 Writ of Habeas Corpus**

- A. Investigating Officer - In order that a judge may set an appropriate amount of bond for a Writ of Habeas Corpus When a high bond is requested, the investigating officer will be prepared to justify the requested bond if required by a judge.
- B. Investigating Division or Section
  - 1. The investigating division or section commander will maintain a file of *Writ of Habeas Corpus* information so that it can be determined when, how, or if the writ was met.
  - 2. The assigned investigating officer will be responsible for response to and follow-up on writs.
  - 3. When a writ for the release of a prisoner is served, the prisoner will be immediately released. If an investigating officer desires an extension, the officer will immediately contact the judge who issued the writ, make such request, and then abide by the judge's order.
  - 4. When a writ calls for a prisoner in custody to be brought before a court for a hearing at a specific time and date, the investigating officer will produce the prisoner at the proper time and place for the hearing.
  - 5. If the prisoner is filed on or released prior to the return date on the writ, the court will be notified by the investigating officer.

**313.16 Magistrate Procedures for Adults**

- A. Magistrating Responsibilities
  - 1. Any police officer, detective, or supervisory officer may take a prisoner immediately before the first available magistrate in any case where such action would be in the best interest of the departmental investigation of a criminal case.
  - 2. The Dallas County Sheriff's Office has agreed to ensure that all prisoners incarcerated in the Lew Sterrett facility are magistrated without unnecessary delay.
  - 3. The investigating officer having responsibility for the prisoner, however, will assure the magistrate process is accomplished.
- B. Persons arrested on charges over which the Municipal Courts have jurisdiction will be processed in accordance with the Detention Services Section SOP, which will be available for reference.
- C. Prisoners eligible for immediate release need not be taken before a magistrate.



## Dallas Police Department General Order

### 314.00 Arrest Policies - Juveniles

Revised 10/04/2019

#### 314.00 ARREST POLICIES (JUVENILES)

##### 314.01 Authority to Take Juveniles into Custody

- A. Officers may take juveniles into custody pursuant to an order of the Juvenile Court, pursuant to the laws of arrest, or when there is probable cause to believe the child has engaged in delinquent conduct or Conduct Indicating a Need for Supervision (CINS).
- B. Generally, a juvenile will be taken into custody when he/she has committed a felony or a Class A or Class B misdemeanor (delinquent conduct). The juvenile will be transported to the Youth Operations Unit for processing. In accordance with the Family Code, a juvenile may not be detained in a Juvenile Processing Office for longer than six hours.
- C. On rare occasions involving exceptional circumstances, juvenile delinquent conduct offenders may be released in the field when the release is in the best interest of the Department, the child, and/or the State, but only when approved by a Youth Operations Unit supervisor. Before granting approval to release a juvenile, the Youth Operations Unit supervisor will determine if the juvenile has any outstanding warrants. If an outstanding warrant exists, the juvenile will be taken into custody and handled as an arrest.
- D. When an officer has detained a juvenile Class C misdemeanor offender, the officer will check with the Youth Operations Unit to determine if a warrant exists. If no warrant exists, the juvenile will be field released as described in General Order Section 314.02, except:
  1. In cases of Day Time Curfew violation and runaway, the juvenile will not be field released.
  2. In the case of public intoxication, the juvenile will be released to a parent or guardian. If no parent or guardian can be found the juvenile will be taken to Parkland Memorial Hospital to obtain a medical release and then transported to Letot at 10505 Denton Drive.

##### 314.02 Field Release

- A. Once an officer has detained a juvenile Class C misdemeanor offender for an offense other than Day Time Curfew violation, runaway, or public intoxication, the officer will determine whether to issue:
  1. A non-traffic citation, or
  2. A Field Interrogation Report (FIR)
- B. Non-traffic Citation
  1. Juveniles who are 10-16 years of age may be issued a non-traffic citation. (Issuing traffic citations to juveniles is described in General Order Section 302.08.)
  2. Depending on the offense, an offense report may be required.
- C. Field Interrogation Report (FIR)
  1. An FIR is used in lieu of, not in addition to, a non-traffic citation, with the exception of a curfew citation where both will be used.
  2. It effectively serves as a "warning citation" to a juvenile for a Class C misdemeanor, and allows appropriate authorities to track the individual's conduct within the Techshare System.
  3. Juveniles who are 7-9 years of age may only be issued an FIR since they are below the age in which a non-traffic citation can be issued.
  4. An FIR will not be issued for a contact in which the juvenile did not commit a criminal act. If the officer did not have the initial authority to issue a non-traffic citation, he/she will not issue a FIR as an alternative. In those instances wherein an officer wishes to document non-custodial juvenile contacts under unusual or suspicious circumstances not amounting to criminal conduct, he/she may use a Miscellaneous Incident Report.
- D. Completion and Distribution of the FIR
  1. The Juvenile Field Interrogation Report (DPD-04579 Rev 6/94) is a form prepared in triplicate by the issuing officer. The three pages are printed on blue, pink, and yellow paper.
  2. The issuing officer will make every reasonable effort to secure proper identification prior to completing the FIR. If a child lives in an apartment, the officer will include the apartment number on the address line. All applicable blocks will be completed.
  3. When the juvenile is released to a parent, guardian, other responsible adult relative, or a Youth Action Center officer, the FIR will be distributed as follows:
    - a. Blue and yellow copies – Forwarded to the Youth Operations Unit.
    - b. Pink copy – Given to the adult to whom the child is released.

##### 314.03 Day Time Curfew

- A. Day Time Curfew is that conduct which violates Section 31.33 of the Dallas City Code – Day Time Curfew.
- B. Officers will take into custody those juveniles who are absent from school during the hours of 9:00 am until 2:30 pm while school is in session without the knowledge or consent of their parents/guardian.
- C. The officers will transport such juveniles to the school the juvenile is enrolled in or to any specifically designated Center during special Day Time Curfew enforcement initiatives, and either:
  1. Release the juvenile to the officer in charge at the school, or
  2. When a school officer is unavailable, take the juvenile to the principal's office.
- D. The officers will complete a FIR, leaving the pink copy with the school officer or principal's office.
- E. Day Time Curfew Violations from Other Cities
  1. If an officer takes into custody a juvenile who is in violation of the Day Time Curfew and is from another city, he or she will contact the police department of that city and arrange for a location where the juvenile can be transferred to that department's custody. The officer will also complete an FIR.

# Dallas Police Department General Order

## 314.00 Arrest Policies - Juveniles

Revised 10/04/2019

2. If the officer is unable to make arrangements with the other police department for transfer of custody, the officer will call the parents of the child to arrange for the release of the child into the parents' custody. The officer will also complete an FIR.
3. If the officer is unable to release the juvenile to either the suburban police department or the parents, the juvenile will be transported to Child Protective Services and an FIR will be completed.

### 314.04 Critical Missing Child

- A. A critical missing child is an individual below the age of 10, or a child who is determined to have a diminished mental capacity or a medical condition, who requires continual supervision by another, and whose whereabouts are unknown.
- B. A critical missing child may be one who has been kidnapped or abducted, or who has runaway, or who has wandered off from a location where he/she was supervised by a legal custodian or person designated *in loco parentis*.
- C. An offense/incident report will be generated for a critical missing child. If a criminal offense is believed to be the cause of the child's missing status, the offense will be titled according to the penal code. If the child's status is unexplained, or believed to be caused by the child wandering off, the incident will be titled "Critical Missing Child."
- D. In addition to supplementing the offense report when the child is found and taken into custody, an arrest report will also be made for those children aged 7-9. The report must be reviewed and approved by a Youth Operations Unit detective. No arrest report will be made for those below the age of 7.
- E. The child will be delivered without unnecessary delay to the parent, managing conservator, guardian, caretaker, or custodian who is entitled to take possession of the child. If this is not possible, the child will be taken to the Child Protective Services.
- F. No FIR will be issued for a Critical Missing Child (ages 7-9) since the arrest report serves the purpose of entering the child into the Techshare System. Children below the age of 7 will not be issued an FIR since the information cannot be entered into the Techshare System.
- G. Procedures for locating a Critical Missing Child are contained in General Order 304.08, the Patrol SOP, and the Youth Operations Unit SOP.

### 314.05 Runaway Child

- A. A runaway child is an individual at least 10 and below the age of 17, whose conduct involves the voluntary absence from his/her home, without the consent of the parent or guardian, for a substantial length of time or without intent to return.
- B. An offense report is generated for any runaway child, 10-16 years of age. In addition to supplementing the offense report when the child is taken into custody and transported to the Letot Center, an arrest report is also required. The arrest report must be reviewed and approved by a Youth Operations Unit detective. The officer will supplement the original Runaway report.
- C. When an officer receives credible information regarding the location of a runaway, he/she will respond to the location and will take custody of the child.
- D. The child will be delivered without unnecessary delay to the parent, managing conservator, guardian, caretaker, or custodian who is entitled to take possession of the child. If this is not possible, the child will be taken to the Letot Center.
- E. No FIR will be issued for a Runaway Child (ages 10-16) since the arrest report serves the purpose of entering the child into the Techshare System. Children below the age of 7 will not be issued an FIR since the information cannot be entered into the Techshare System.

### 314.06 Missing Child

- A. A "missing child" (as differentiated here from a "runaway") is an individual who is 17 years of age whose whereabouts are unknown to the child's legal custodian. The circumstances of the absence indicate that the child has voluntarily left the care and control of the legal custodian without the custodian's consent and with no intent to return.
- B. An officer receiving a report of a 17 year old "missing child" will make a "Want to Locate" incident report. The individual will be listed on NCIC as a "missing child."
- C. Upon locating a 17 year old "missing child," the officer will first contact the Youth Operations Unit to confirm the "Want to Locate" report. Upon confirmation, the officer will notify the legal custodian regarding the child's whereabouts and will make every effort to reunite the child and the legal custodian. The officer will supplement the original "Want to Locate" report.
- D. If the legal custodian cannot be contacted, the officer will take the child to Child Protective Services (CPS). The Youth Operations Unit will advise the officer of the proper facility to which the child should be taken. The officer will supplement the original "Want to Locate" report.

### 314.07. Custodial Arrest

- A. Except certain DWI and Runaway offenders, any juvenile taken into custody and not field-released will be taken immediately to the Youth Operations Unit without unnecessary delay and without being taken elsewhere, unless directed otherwise by Youth personnel. Officers will take:
  1. Injured DWI offenders (Ages 10 through 16) requiring medical attention to Parkland Memorial Hospital for treatment. Refer to G.O. 314.08 for additional information.
  2. Juveniles arrested for Runaway and Class C offenses directly to Letot at 10505 Denton Drive. Officers will complete a standardized arrest report in the Techshare system; notifying Youth Operations for approval when completed. Facility representatives may be contacted at (214) 352-8135.

# Dallas Police Department General Order

## 314.00 Arrest Policies - Juveniles

Revised 10/04/2019

- B. After a juvenile is processed at the Youth Operations Unit, the arresting officer will transport the juvenile to the Henry Wade Justice Center, 2600 Lone Star Drive. This facility houses both the juvenile courts and the juvenile detention center. Facility representatives may be contacted at (214) 698-2200.

### 314.08 Searching of Juvenile Prisoners

- A. All juvenile prisoners will be searched at the time of arrest, or as soon as possible after the arrest, and before being transported.
- B. Officers will not perform any strip or body cavity searches of any juvenile prisoner. If officers feel a strip or body cavity search is needed, officers should contact the Youth Operations Unit.
- C. Purses, luggage, belt packs, hats, gloves, and coat pockets of female prisoners will be searched by the arresting officer at the time of the arrest.
- D. Bodily searches of female prisoners will be conducted only by female Dallas Police officers. If a female officer is not available in the arresting officer's division, the arresting officer will contact Communications to request a female officer from another division or law enforcement agency.
- E. Officers transporting prisoners for other officers will search all prisoners before accepting custody. Transporting officers will be present during the search of a female prisoner by a female officer before accepting custody.
- F. The transporting officer will be held accountable for any prisoner arriving at any school, detention or police facility with a weapon or contraband.

### 314.09 Charges

- A. 0-6 Years of Age
  - 1. If a child has committed an offense, the offense report will be generated as required per G.O. 210.00. The reporting officer will describe in the narrative that the child was below the age of criminal responsibility, give the child's age and date of birth, and state the disposition of the child. The child will be released to a parent or guardian. If this is not possible, the child will be taken to Child Welfare.
  - 2. If circumstances dictate that a child be taken into Protective Custody, a Miscellaneous Incident Report will document the reason as well as the disposition of the child. If appropriate, the child will be released to a parent or guardian, otherwise the child will be taken to Child Welfare.
  - 3. If a child has not committed an offense but is in the company of arrested adults, the child will be released to a parent or guardian. If this is not possible, the child will be taken to Child Welfare. The incident will be documented in a Miscellaneous Incident Report.
- B. 7-9 Years of Age
  - 1. If a child has committed an offense, the offense report will be generated as required per G.O. 210.00. The reporting officer will describe in the narrative that the child was below the age of criminal responsibility, give the child's age and date of birth, and state the disposition of the child. The child will be released to a parent or guardian. If this is not possible, the child will be taken to Child Welfare.
  - 2. If circumstances dictate that a child be taken into Protective Custody, a Miscellaneous Incident Report will document the reason as well as the disposition of the child. If appropriate, the child will be released to a parent or guardian, otherwise the child will be taken to Child Welfare.
  - 3. If a child has not committed an offense but is in the company of arrested adults, the child will be released to a parent or guardian. If this is not possible, the child will be taken to Child Welfare. The incident will be documented in a Miscellaneous Incident Report.
- C. 10-16 Years of Age
  - 1. If a child has committed an offense, the offense report will be generated as required per G.O. 210.00.
  - 2. Investigative Offenses
    - a. If a child commits an offense that is a violation of state penal law, which is punishable by imprisonment or confinement in jail, the child upon being taken into custody, will be charged with – [a specific offense]" and an arrest report will be made.
    - b. Juveniles taken into custody for Juvenile Delinquency offenses will be transported to the Youth Operations Unit for processing.
  - 3. Class C Misdemeanor Offenses and Status Offenses
    - a. Status offenses are those offenses committed by juveniles which are unique to them based upon their age. The same acts, if committed by an adult, would not be considered a crime. Status offenses include runaway and curfew violations.
    - b. If a child commits a Class C misdemeanor offense or is involved in one of the CINS incidents categorized below, the child will be entered into the Techshare System.
      - i. The voluntary absence of a juvenile from his/her home, without the consent of the parent or guardian, for a substantial length of time or without intent to return (i.e., runaway). An arrest report is required when the child is taken into custody.
      - ii. Conduct that is a violation of the City's Curfew Ordinance.
      - iii. Inhalation offenses.
      - iv. An act that violates a school district's communicated written standards of conduct for which the child has been expelled under Sec. 21.3011, Texas Education Code.
    - c. If the officer coming into contact with the child writes the child a non-traffic citation, the non-custodial arrest information will be entered into the Techshare System by Court Services personnel. No FIR will be issued.
    - d. If the officer coming into contact with the child for a Class C Misdemeanor or status offense elects not to issue a non-traffic citation, he or she will record that contact on an FIR which will be forwarded to the Youth Operations Unit for entry into the Techshare System.

### 314.10 Oral Statements and Confessions

# Dallas Police Department General Order

## 314.00 Arrest Policies - Juveniles

Revised 10/04/2019

- A. *Res Gestae* Statements
  - 1. *Res gestae* statements of delinquent conduct or of Conduct Indicating a Need for Supervision (CINS) are admissible in any subsequent adjudication proceedings and do not require that the juvenile be informed of his/her rights. Before initiating a prosecution report based solely or partly on a *res gestae* statement, the respective investigating unit detective will determine if the statement was an actual *res gestae* statement in that it was a spontaneous utterance arising directly out of the crime or arrest.
  - 2. *Res gestae* statements and the circumstances involved must be included in any report submitted by the arresting or investigating officer.
- B. Oral Statements and Confessions
  - 1. When under arrest, for a statement to be admissible in court, the juvenile must be informed of his/her rights by a Magistrate.
  - 2. The Magistrate will advise the juvenile that the juvenile court may waive its jurisdiction and he/she may be tried as an adult if the juvenile is:
    - a. At least 14 years of age and is alleged to have committed a capital felony, an aggravated controlled substance felony, or a first-degree felony.
    - b. At least 15 years of age and is alleged to have committed a second or third degree felony or a state jail felony.
  - 3. Oral confessions may be admissible in court provided the juvenile makes a statement of facts or circumstances that are found to be true and that tend to establish guilt. This must be corroborated and may include statements leading to the finding of secreted or stolen property or the instrument the juvenile states was used to commit the offense.
  - 4. Officers taking oral statements must quote the statement in all proper reports. This is necessary since the officer taking the statement may not be subpoenaed to Juvenile Court.
  - 5. Before submitting follow-up reports to the Dallas County Juvenile Department, the respective investigating unit supervisor will ascertain that all oral statements are corroborated by the necessary evidence.
- C. IN-CUSTODY Written Statements - Written statements may be taken from juveniles between the ages of 10 and 16. The statement or confession may be submitted as evidence in adjudication proceeding when the following requirements are met:
  - 1. The juvenile must have been taken into custody in accordance with the law and transported to the Dallas PD Juvenile Processing Office (JPO).
  - 2. When a juvenile wants to make a written statement that may implicate him/her in the commission of the stated offense, the assigned detective will request an arraignment and warning for the juvenile before a magistrate. Appropriate warning and arraignment forms are available in the Youth Operations Unit.
  - 3. The respective investigating unit supervisor must have reviewed and approved the reports of the incident prior to filing the case.
- D. OUT OF CUSTODY Written Statements – Out of custody written statements are admissible in adjudication proceedings when the following requirements are met:
  - 1. The juvenile must NOT be under arrest.
  - 2. Juvenile must be advised and fully understand that he/she is able to leave at any time during the interview/interrogation.
  - 3. Upon receipt of out of custody written statement, the juvenile cannot be arrested for 24 hours.
- E. Custodial Interview and Interrogation
  - 1. Custodial interview and interrogation of juveniles will be conducted at the Dallas PD Juvenile Processing Office (JPO), which is located at Youth Operations, 1400 S. Lamar.
  - 2. The number of officers to be present during the custodial interview and interrogation will be determined by a JPO supervisor.

### 314.11 Fingerprints and Photographs

- A. Youth Operations Unit personnel will be responsible for ensuring that all juveniles (10 years of age or older) referred to the Dallas Police Department First Offender Program or arrested on other than Dallas County holds be photographed and fingerprinted.
- B. The fingerprint files of juveniles will be kept separate from the fingerprint files of adult offenders.
- C. The Youth Operations Unit will coordinate the destruction of juvenile records to comply with state law.
- D. Officers may request that:
  - 1. A juvenile's fingerprints be taken for immediate comparison with latent prints found at the scene of an offense if the juvenile is a suspect and is in custody. The Youth Operations Unit will coordinate the request.
  - 2. A juvenile's fingerprints be taken for comparison with latent prints found at the scene of an offense where the juvenile is a suspect but not in custody. The Youth Operations Unit will coordinate the request.
  - 3. A juvenile suspected of an offense, but who is not in custody, be photographed for identification or line-up purposes. The Youth Operations Unit will coordinate the request.

### 314.12 Driving While Intoxicated

- A. If a juvenile (ages 10-16) is operating a motor vehicle and the officer believes him/her to be intoxicated, the officer will:

# Dallas Police Department General Order

## 314.00 Arrest Policies - Juveniles

Revised 10/04/2019

1. Perform a Field Sobriety Test (Horizontal Gaze Nystagmus, Walk & Turn Test, One Leg Stand, etc...). **No breath / blood test will be offered.**
  2. If the officer determines the juvenile is intoxicated, arrest the juvenile for *Driving While Intoxicated* and transport him/her to Parkland Memorial Hospital for a medical release. When the juvenile is released from Parkland Memorial Hospital, he/she will be transported to the Youth Operations Unit.
  3. Upon arrival to the Youth Operations Unit, arresting officers will complete the necessary reports and ALR forms (DIC 23 and 25). Arresting officers will have the Youth Operations Unit booking detective approve the arrest report on all juveniles arrested for *Driving While Intoxicated*.
- B. If an intoxicated juvenile (ages 10-16) is operating a motor vehicle and is involved in a fatality accident; an accident that the officer believes will result in a fatality; or, an accident in which the juvenile will be charged with *Intoxication Assault*, he/she will be transported to Parkland Memorial Hospital.
1. A mandatory blood specimen will be taken. Officers requesting a mandatory blood specimen will complete a *Statutory Authorization Mandatory Blood Specimen* form. When the juvenile is released from Parkland Memorial Hospital, he/she will be transported to the Youth Operations Unit.
  2. Upon arrival to the Youth Operations Unit, arresting officers will complete the necessary reports and ALR forms (DIC 23 and 25). Arresting officers will have the Youth Operations Unit booking detective approve the arrest report on all juveniles arrested for *Intoxication Assault* and *Intoxication*.

### 314.13 Drugs and Controlled Substances Arrests

Juveniles arrested for narcotics and dangerous drugs violations will be taken to the Youth Operations Unit. Any related drug evidence will be deposited at the Lew Sterrett Criminal Justice Center or the Property Section in accordance with General Order Section 321.04.

### 314.14 Arrests at School During School Hours (SCHOOLS WITHOUT THEIR OWN POLICE DEPARTMENT)

- A. Offenses Occurring in Officer's Presence - Officers will:
1. Make appropriate arrests for major misdemeanors and felonies occurring in their presence.
  2. Allow school officials to handle minor violations and disruptions without official police action unless otherwise requested by school officials.
- B. Arrests Made at School -Officers will:
1. Coordinate police activities with the respective investigating unit.
  2. Contact the principal or designated school representative before an arrest, when practical, and in all cases before leaving the school premises with the prisoner.
  3. Notify the arrested juvenile's parent or guardian before leaving the school.
  4. If a parent or guardian cannot be contacted, advise the desk officer when the juvenile is booked.

### 314.15 Child Abuse and Neglect

- A. Child Abuse
1. A police element receiving a call regarding child abuse will:
    - a. Determine if Child Welfare has been notified. If not, the officer will do so.
    - b. Call the Child Abuse Squad and advise that office of the offense.
    - c. Complete an offense report with the offense listed as being the actual offense committed followed with (Child Abuse).
    - d. Order a Physical Evidence Squad element to take photographs or to gather any other type of physical evidence that needs to be taken or preserved.
  2. Officers will contact a Child Abuse detective or supervisor if there is any question as to whether child abuse has occurred.
- B. Child Neglect
1. An officer receiving a call regarding child neglect will follow the same procedure as in abuse cases.
  2. Officers who have a *Protective Custody* child (newborn through age 16) will call Child Welfare investigators at metro (817) 640-6200 or metro (817) 640-4041 to determine what should be done with the child. Officers not having access to a telephone will contact the Child Abuse Squad Youth Operations Unit on Channel 11 for assistance.

### 314.16 Transporting of Juveniles

- A. Juveniles will only be transported in police vehicles, patrol wagons or Youth Operations Unit wagons.
- B. The only adult who may be transported with a juvenile is a parent or someone arrested in connection with the same offense.
- C. Juveniles over the age of 12 will be transported according to the above guidelines and those contained in General Order Section 313.13 (Transportation and Handling of Prisoners).
- D. In order to ensure prevention of front-seat air bag deployment related injuries or deaths, juveniles age 12 and under will be transported in the back seat of police vehicles, whenever possible, using an age appropriate safety restraint. As an additional safety measure, the vehicle windows will also be closed and the doors locked.
1. Juveniles younger than five years of age will be transported using a child passenger safety seat system.
  2. Juveniles five years of age or older will be transported using a safety belt.



## Dallas Police Department General Order

### 315.00 Arrests Requiring Special Handling

Revised 10/31/2017

#### 315.00 ARRESTS REQUIRING SPECIAL HANDLING

##### 315.01 Arrests Made by Off-Duty Officers

- A. Officers making an arrest will call for an on-duty field element to handle any prisoners when the officers are:
  - 1. Off-duty and not working an off-duty job.
  - 2. Working at an off-duty job providing traffic or crowd control.
  - 3. Working an off-duty security job that is one-day duration or less and is not a recurring job.
- B. Officers working a regular off-duty job where the primary responsibility is to provide security and make arrests will:
  - 1. Carry a supply of Offense/Incident Reports, Juvenile Field Interrogation Reports, and citations to the location of the off-duty job.
  - 2. Call in any necessary Arrest Reports and complete any required Offense/Incident Reports.
  - 3. Call the Communications Section to obtain a service number and request an element to transport prisoners.
  - 4. Release prisoners and all required reports to the transporting officers.
  - 5. When a non-traffic citation is issued:
    - a. Call the Communications Section to obtain a service number and complete an Offense/Incident Report if an offense has been committed.
    - b. On completion of off-duty employment, request an element to pick up the reports on a mark-out.

##### 315.02 Arrests Made on NCIC, TCIC, and NCTCIC Checks

- A. Arrests made on NCIC, TCIC, and NCTCIC (Regional) Hits will be in accordance with Communications Section, Detention Services Section, General Investigations Section, and Records Section Standard Operating Procedures.
- B. No arrest or confiscation of property without a warrant will be made solely on an NCIC, TCIC, or NCTCIC hit on a computer or radio check. In all cases, the name of the confirming individual from the originating agency must be included in the report.
- C. An NCIC or TCIC hit alone is not probable cause to arrest. A hit indicates a warrant has been issued and the date of the warrant. A hit is only one fact that an officer must add to other facts in arriving at sufficient legal grounds for probable cause to arrest. It is imperative that officers compare sufficient identifiers to verify that the person in custody is the same person named in the warrant.
  - 1. To verify a person's identity, consider the following possible identifiers:
    - a. Name.
    - b. Race.
    - c. Sex.
    - d. Date of birth (DOB).
    - e. Place of birth.
    - f. Driver's License number (DL).
    - g. Social Security number (SSN).
    - h. Address.
    - i. Complete physical description to include height, weight, hair, eye color, scars, marks, and tattoos.
  - 2. Every effort must be made to verify an arrested person's identity prior to incarceration. When there is a doubt that an individual is the wanted subject, he/she will be fingerprinted prior to incarceration.
  - 3. In instances where there is less than substantial evidence to identify the person in custody, a field supervisor must be contacted to make the final determination. An arrest will not be made if the field supervisor determines there are not enough significant identifiers to connect the individual to the warrant.
  - 4. If a field release is made, comply with General Order 313.08 (Release of Erroneously Arrested Persons in the Field).

##### 315.03 Foreign Nationals

- A. Definition
  - 1. A person from another country who has been granted permission to legally enter the United States for a specific reason or period of time, with some form of written authorization such as a passport, visa, work authorization permit, or resident alien permit.
  - 2. A person from another country (usually from Canada or Mexico) who, while bearing no written authorization, has been granted permission to legally enter the United States for a short period of time for tourist or business purposes.
- B. Due to U.S. obligations under international law, it is imperative that arresting officers understand that the Department may be required to notify a diplomatic or consular officer of the arrestee's country if the arrestee is a foreign national.
- C. Officers making an arrest of a foreign national will consult with the Detention Services Section booking supervisor who will refer to Annex A of the State Department letter dated March 12, 1996 (or any subsequent superseding letter). Annex A lists all countries for which notification is mandatory. Annex B of the same letter lists contact telephone numbers for foreign embassies and consulates in the U.S.

# Dallas Police Department General Order

## 315.00 Arrests Requiring Special Handling

Revised 10/31/2017

1. If the arrestee is from a country for which notification is mandatory, the booking supervisor will make the notification to the diplomatic or consular officer, listing the date, time, and person contacted in the supervisor's comment area of the arrest report. The arrestee will be informed when the notification has been made.
2. If the arrestee is a national of any other foreign country, the Vienna Convention on Consular Relations and/or customary international law require that the arrestee be informed without delay of the right to have his/her government notified.
  - a. If the arrestee requests that notification be made, it must be made without delay. The booking supervisor will list the date, time, and person contacted in the supervisor's comment area of the arrest report. The arrestee will be informed when the notification has been made.
  - b. If the arrestee does not request notification to his/her government, that fact will be noted in the arrest report and no notification will be made.
- D. Subject to local law and regulations regarding access to detained persons, foreign consular officers have the right to visit their nationals, to converse and correspond with them, and to arrange for their legal representation.
- E. Information and guidance may be obtained from the local Special Agent of the U.S. Department of State at (214) 767-0702.

### 315.04 Immigration

- A. Officers will not stop or contact any person for the sole purpose of determining immigration status.
- B. Officers may not consider race, color, religion, language, or national origin as the basis to make inquiries as to immigration status.
- C. Officers are permitted, but not required, to ask about the immigration status only of those persons who are lawfully detained or arrested. However, officers may not arrest an individual because he or she is undocumented.
- D. Individuals presenting a valid Texas driver's license or similar government-issued identification will be presumed to have lawful presence in the United States.
- E. Officers may not ask the immigration status of those who are victims, witnesses, or those who are reporting a crime, unless necessary to investigate the offense, or to provide information regarding federal visas designed for the protection of persons assisting law enforcement, or if the officer has probable cause that the victim or witness has engaged in specific conduct constituting a separate criminal offense.
- F. Officers may not prolong the detention of an individual in order to further investigate the individual's immigration status or to hold them for federal authorities. Rather, at the expiration of the time reasonably required to carry out the purposes of the initial stop, the officer is required to release the individual, regardless of whether the officer suspects or even knows that the individual is undocumented or the individual has answered dishonestly or refuses to answer questions about immigration status.
- G. Officers may, but are not required, to volunteer information about a lawfully detained or arrested person's immigration status with ICE or other law enforcement agencies either after releasing the individual or during the seizure, provided that this communication does not prolong the seizure.
- H. Any arrested person who is transported to Lew Sterrett Justice Center may be evaluated by the Dallas County Sheriff's Office to determine if the person is subject to an immigration detainer request issued by U.S. Immigration and Customs Enforcement (U.S. ICE).

### 315.05 Military Personnel

- A. Military personnel will be treated the same as non-military personnel in most instances.
- B. Arrests of military personnel will be handled in accordance with the Detention Services Section S.O.P., which will be available for reference.

### 315.06 Theft

- A. The Records Section will respond to requests from officers for checks on persons arrested.
- B. In most instances, when an offender is arrested for Class C misdemeanor theft and can properly identify himself/herself, has no outstanding warrants, and a record check reveals no previous convictions for theft, the arresting officer may issue a non-traffic citation in lieu of taking the offender to jail. This does not prohibit an officer from placing a Class C misdemeanor theft suspect in jail if the officer feels circumstances warrant such action. Offenders will not be issued non-traffic citations for thefts that are Class B or above.
- C. Officers enhancing the charge of theft will obtain previous conviction information from the Criminal Documents Team or county records and include the following information on the Arrest Report:
  1. Date of offense.
  2. Offense type.
  3. Date of previous conviction.
  4. Court case number and court name.
  5. Sentence and fine.

### 315.07 Prostitution

- A. The arresting officer will contact the Records Section to determine if the suspect has any prior convictions for prostitution.
- B. If the records in the Records Section reveal that the suspect has no previous convictions for prostitution, the charge will be *Prostitution (43.02) Class B Misdemeanor*.
- C. If the records in the Records Section reveal that the suspect has a previous conviction for a Class B Misdemeanor, Prostitution charge, the suspect will be charged with *Prostitution (43.02) Class A Misdemeanor*.

# Dallas Police Department General Order

## 315.00 Arrests Requiring Special Handling

Revised 10/31/2017

- D. If the records in the Records Section reveal that the suspect has prior convictions for a Class A misdemeanor Prostitution charge, the suspect will be charged with *Prostitution (43.02) Class A Misdemeanor - Enhanced*.
- E. Officers enhancing the charge of prostitution will obtain previous conviction information from the Criminal Documents Team or county records and include the following information on the Arrest Report:
  - 1. Date of offense.
  - 2. Type of offense.
  - 3. Date previously convicted.
  - 4. Court case number.
  - 5. Time served and fine amount.
  - 6. Criminal court number.

### 315.08 Controlled Substance or Dangerous Drug Violators

- A. Adults arrested for these violations will be taken to the Lew Sterrett Criminal Justice Center to be interviewed, booked, and placed in jail.
- B. Juveniles arrested for these violations will be taken to the Youth Operations Unit.
- C. Any related drug evidence will be deposited at the Lew Sterrett Criminal Justice Center or the Property Section in accordance with Section 321.04.
- D. Officers will not disturb any illegal drug laboratories they discover. Officers will:
  - 1. Secure the area.
  - 2. Notify the Narcotics Division.
  - 3. Call the Fire Department to the scene if the laboratory is in operation.

### 315.09 Intoxication

- A. Intoxication that does not go beyond loud language may or may not result in arrest. The officer may release the person to an adult capable of and willing to assume responsibility for the subject's custody.
- B. If the offender is arrested, the officer will complete an Arrest Report.
- C. A copy of all reports involving a liquor license holder or incidents on premises licensed by the Texas Alcoholic Beverage Commission will be forwarded to the Vice Section. These Arrest Reports will include:
  - 1. The name of the person in charge of the Texas Alcoholic Beverage Commission licensed premises.
  - 2. Whether the arrest was on view or on call.
  - 3. The number of the liquor or beer license.
- D. All persons arrested for public intoxication that have no other charges will be taken to the City Detention Center (CDC), Public Inebriate Program, 1600 Chestnut Street for processing. The only exception to this policy will be when they are seriously injured, seriously ill, or intoxicated to the degree that the condition is life threatening. The CDC intake supervisor will request that the arresting officer call a Dallas Fire Department (DFD) ambulance, and DFD personnel will determine if the person needs to be transported to Parkland Hospital for treatment. If persons arrested for public intoxication are transported to the hospital for treatment, they will be booked for record and the charge released by the CDC supervisor. Persons arrested for public intoxication with no additional charge(s) will **NOT** be transported to the Lew Sterrett Justice Center. A hold will not be placed on an intoxicated person transported to the hospital unless they were booked in jail prior to the need for hospitalization or have charge(s) other than public intoxication. Any questions regarding these procedures will be directed to a Dallas Police Department supervisor at Lew Sterrett.
- E. Certain illnesses and injuries have the same symptoms as intoxication. Officers handling a person suspected of being intoxicated should look for or be mindful of:
  - 1. A lack of alcohol odor.
  - 2. A sweetish acid breath associated with diabetics.
  - 3. Unequal size of the pupils of the eyes associated with a stroke or head injury.
  - 4. Irrational behavior.
  - 5. Any identification card that might indicate the person is suffering from a chronic illness or injury.
  - 6. Information received from any person indicating the possibility of illness or injury not associated with intoxication.

### 315.10 Hospitalized and Medically Treated Prisoners

- A. Any time an arrested person is injured during the offense or arrest process or becomes ill, medical attention will be sought in the field if the condition is a medical emergency, or the prisoner will be immediately brought to the attention of the on-duty medical attendant at the county jail or sent to Parkland Memorial Hospital (PMH) for non-emergencies. Information concerning the injury or illness will be included in the arrest report.
- B. The Youth Operations Unit will be notified in cases involving injured juveniles who are in custody.
- C. Felony Cases
  - 1. When a prisoner arrested for a felony offense is taken to the hospital for treatment or admittance, a guard from the Patrol Operations Division where the arrest was made will be placed over the prisoner until one of the following occurs:
    - a. The individual is placed in the custody of another law enforcement agency.
    - b. The individual is released by the hospital for return to the county jail.
    - c. The individual is released from any pending charges.
  - 2. However, in instances where the felony is a Property crime and the prisoner is so seriously physically incapacitated by injury to the degree that there is no likelihood of escape, the Watch Commander will retain the discretion whether to post a guard.

# Dallas Police Department General Order

## 315.00 Arrests Requiring Special Handling

Revised 10/31/2017

- D. Class A and B Misdemeanor Cases - It may be necessary to assign a guard for a prisoner arrested for Class A or B misdemeanor offenses. This determination will be made by the on-duty Watch Commander of the Patrol Operations Division that made the arrest. Consideration should be given to whether any of the following apply:
  - 1. The prisoner is also under investigation for a possible felony offense.
  - 2. The prisoner was arrested for a crime of violence and further violence is likely to ensue.
  - 3. The prisoner's mental state and the offense for which arrested (intoxication, under the influence of drugs, DWI, family violence, etc.) are such that they may indicate the likelihood of escape, violence, or public endangerment either at the facility or to the public at large if the arrestee should escape.
- E. Class C Misdemeanor Cases
  - 1. Normally, a person committing a Class C misdemeanor, city ordinance violation, or traffic violation can be issued a citation as outlined in Section 313.03.
  - 2. Persons who are injured, however, during a police incident involving a Class C offense, city ordinance violation, or traffic violation may be written a citation or taken into custody.
    - a. If taken into custody, the prisoner will be examined either by the on-duty nurse at the county jail or taken to Parkland Memorial Hospital. The injury will be noted in the arrest or offense report.
    - b. If the injury is of a minor nature and the officer intends to only write a citation, the injury will be documented in either an offense report or a Miscellaneous Incident Report. Any declination of treatment or statement that the detainee intends to seek treatment from his/her own physician will also be included.
  - 3. If an injured Class C misdemeanor offender is taken into custody, a guard is ordinarily not required, but Watch Commanders may deem it an appropriate option based on the individual's mental state (intoxication, under the influence of drugs, prone to violence) or the offense committed (e.g., family violence).
- F. Responsibilities of Officer Assigned as Guard
  - 1. An officer assigned to guard a prisoner admitted for hospitalization will notify a supervisor in the unit responsible for follow-up investigation if that unit is on-duty. If the unit is not on duty or the case is a direct-file case with no investigative follow-up, the officer will notify his/her immediate supervisor.
  - 2. The officer will notify a Detention Services Section supervisor as soon as a room number is assigned to a prisoner who is admitted.
  - 3. An officer will remain with the prisoner until the arrest warrant and associated paperwork is received by the Dallas County Sheriff's Office, which will then assign a guard to relieve the police officer.
- G. Detectives assigned to investigate cases involving hospitalized prisoners will give these cases their first consideration. A case will be filed or the charges against the prisoner released by a supervisor as soon as possible.
- H. In those misdemeanor cases where no guard is posted, the officer transporting the prisoner to the hospital will notify the Dallas police officer assigned to Parkland Memorial Hospital (if on-duty) of the prisoner's status. The PMH officer will notify the Communications Section for prisoner transport following the individual's medical release. If the PMH officer is not on duty, the transporting officer will provide the telephone number of the Communications Section or the Detention Services Section to the attending nurse and request the nurse call the Police Department upon medical release.

### **315.11 Mentally Ill Persons**

- A. Mentally ill persons will be handled in accordance with Texas Health and Safety Code Title 7 Mental Health and Mental Retardation Chapter 573 Emergency Detention. Officers will make arrests in accordance with section 573.001 Apprehension by Police Officer Without Warrant.
- B. Mentally ill persons taken into custody will be processed according to Patrol Operations S.O.P. 1401, which will be available for reference.
- C. Recognition Training
  - 1. Sworn personnel at the entry level will receive a documented 24 hour training block on recognizing mental illness and crisis intervention training.
  - 2. In-Service sworn personnel will receive documented training at least every three years. Personnel can receive the training through specialized schools, bi-annual core training, roll call training, or as mandated by TCOLE.

### **315.12 Hospital Outpatients**

Arrested individuals found with identification indicating they are a patient in a local hospital will be handled in accordance with the Detention Services Section S.O.P. that will be available for reference.

### **315.13 Identification Disk for Retarded Children**

- A. The Dallas Council for Retarded Children will provide a metal disk for identification purposes.
- B. Identification information is available from the Exceptional Persons File by accessing any computer terminal by using a wanted person's inquiry of name, race, sex, and date of birth.

### **315.14 Interview and Arrest Procedure for Deaf and Hearing-Impaired Persons**

- A. A deaf/hearing-impaired person may be arrested on the basis of probable cause in the same manner as a person who is not deaf/hearing impaired. There is no need to supply an interpreter prior to making an arrest based upon probable cause. Once the arrestee has arrived at the Lew Sterrett Justice Center and if the officer has doubt as to whether the arrestee understood the nature of the criminal charges, the officer will advise a Dallas Police jail supervisor. The supervisor will coordinate this information with a Dallas County Sheriff's Office supervisor, who will in turn contact a certified interpreter.

# Dallas Police Department General Order

## 315.00 Arrests Requiring Special Handling

Revised 10/31/2017

- B. If a police officer needs to interview a suspect who is deaf/hearing impaired to determine whether there is probable cause to make an arrest, a qualified interpreter must be provided.
- C. When an interpreter is needed prior to arriving at the jail/detention facility, the request will be made by contacting the Communications Section.
- D. The officer must secure the services of a qualified interpreter in order to communicate accurately the warnings to the arrestee prior to any interrogation per Article 38.22, Code of Criminal Procedure.
- E. In order for an oral (sign language-interpreted) statement to be admissible as evidence in any criminal proceeding when no written statement is obtained, an electronic visual recording of the warnings and the orally-interpreted statement must be made in accordance with Article 38.22 of the C.C.P. The recording must be treated as evidence and handled accordingly.
- F. If at any time an arrestee requests an interpreter, one will be made available.
- G. If an individual who is not deaf/hearing impaired would have been issued a citation without being questioned by the investigating officer, then a suspect who is deaf/hearing impaired in the same situation does not need to be provided with a qualified interpreter.
- H. If an investigating officer is unable to communicate effectively with a victim or critical witness by using a note pad or some other means of communication other than a qualified interpreter, then the investigating officer must provide the victim or critical witness with a qualified interpreter.
- I. All identifying information on the interpreter must be included in the report. All written questions and responses between and among police officers and persons who are deaf/hearing impaired must be treated as evidence and handled accordingly.

### 315.15 Arrests for Failure to Identify

- A. Supervisors who approve arrest reports will review those instances wherein the arrestee is charged at the time of arrest with both *Failure to Identify* and *Hold for the Texas Department of Criminal Justice (Institutional Division)* or a hold for another agency on a felony warrant.
- B. If there is a felony warrant hold on the arrestee, the supervisor will determine if the warrant is from an agency within Dallas County or outside of Dallas County.
  - 1. If the agency is from within Dallas County, the arrestee will be booked and held on both the *Failure to Identify* and the felony warrant charges.
  - 2. If the agency is from outside of Dallas County, the arrestee will be held on the felony warrant charge but will be booked for record only on the *Failure to Identify* charge and that charge immediately released.
- C. If there is a misdemeanor warrant from any Texas county, the arrestee will be booked and held on both the *Failure to Identify* and the misdemeanor warrant charges.
- D. If the arrestee is wanted on a *Hold for TDC*, the person will be booked on both the hold and the *Failure to Identify* charges but the *Failure to Identify* charge will be for record only and that charge will be immediately released.
- E. No legally detained person will be transported against his or her will to a police or detention facility for investigative purposes, whether for interrogation or for fingerprinting, based on a "Terry Stop."

### 315.16 Arrests by Out-of-Town Peace Officers

- A. When called to a location where an off-duty Texas peace officer from another agency with jurisdiction in the Dallas city limits has made an arrest in the city, DPD officers will take the prisoner into custody and transport him/her to the proper jail facility.
- B. When called to a location where an off-duty Texas peace officer who is outside of his/her home jurisdiction has made an arrest within the Dallas city limits, DPD officers will take custody of the prisoner and transport him/her to the proper jail facility if the peace officer is one of the following:
  - 1. Sheriff or a Sheriff's Deputy.
  - 2. Constable or a Deputy Constable.
  - 3. Marshall or Police Officer of an incorporated city, town, or village.
  - 4. Ranger or Officer commissioned by the Public Safety Commission and the Director of DPS.
- C. When outside their jurisdiction, only officers who are Rangers or commissioned by the Public Safety Commission and the Director of DPS may make arrests for a violation of the Uniform Act Regulating Traffic on Highways (Art 6701d, VTCS).
- D. When completing the offense or arrest report for situations outlined in Subsections A, B, or C above, the reporting DPD officer will code the arresting officer as 9999 and identify the out-of-town officer in the narrative portion. The DPD officer will be listed as the transporting officer.
- E. When called to a location where any other off-duty Texas peace officer (not included in Subsections A, B, or C above) has made an arrest for a felony, theft, or breach of the peace within the Dallas city limits, DPD officers will take the prisoner into custody and transport him/her to the proper jail facility. When completing the offense or arrest report, the reporting DPD officer will be listed as the arresting and transporting officer and the out-of-town officer identified in the narrative as a witness to the offense.

### 315.17 Handgun License Violations

- A. The Texas License to Carry Handgun Law gives officers the authority to disarm a license holder at any time when they reasonably believe it is necessary for the protection of any person. Officers will return a license holder's gun at the scene when they determine all of the following about the license holder:
  - 1. Is not a threat to anyone (including the officer, the license holder, or other individuals).
  - 2. Has not violated any provisions of the Texas License to Carry Handgun Law.
  - 3. Is not under arrest for any other violation.

# Dallas Police Department General Order

## 315.00 Arrests Requiring Special Handling

Revised 10/31/2017

- B. Suspended, Revoked, or Expired Handgun Licenses
1. When a Wanted Person check on an arrested person reveals the subject is licensed to carry a handgun but the license is suspended, revoked, or expired, the officer will:
    - a. Determine if the subject has a weapon on or about his/her person and if the handgun is carried in a manner that requires a valid handgun license.
    - b. Charge the subject with Unlawful Carrying Weapons (46.02 PC), if the subject is carrying the handgun in a manner that requires a valid handgun license, and place the handgun in the Property Room.
  2. When a subject presents a handgun license as identification, the officer will determine if the person has a weapon on or about their person and perform a Wanted Person check. If the Wanted Person check reveals the license is suspended, revoked, or expired, and
    - a. The subject is not carrying the handgun in a manner requiring a license and is not arrested for any other violation, the officer will release the weapon and license to the license holder.
    - b. The subject is carrying a handgun in a manner that requires a license, the officer will charge the subject with Unlawful Carrying Weapons (46.02), seize the handgun license, and place the weapon in the Property Room.
  3. Disposition of Seized Handgun Licenses (Revoked, Suspended, or Expired)
    - a. The seizing officer will ensure a letter is prepared for the signature of the Unit/Watch, Section or Division Commander advising the Department of Public Safety of the reason for the license seizure.
    - b. The officer's immediate supervisor will ensure that the letter and license are sent to:

Texas Department of Public Safety  
Handgun Licensing Unit  
P.O. Box 4143  
Austin, Texas 78765-4143.

- C. When a handgun licensee is carrying a handgun on or about their person and fails or refuses to display their handgun license upon demand for identification, the officer will do the following:
1. The subject may be arrested for violation of Chapter 46 of the Texas Penal Code in certain circumstances. The subject may only be charged with failure to display a handgun license under V.T.C.A. Government Code 3411.205 Class B Misdemeanor if they are actually carrying a handgun, fails or refuses to display their handgun license, and has had their license suspended for failure to display their license under V.T.C.A. Government Code 3411.205.
  2. Seize the handgun license and weapon and place the weapon in the Property Room regardless of whether the suspect is arrested.
  3. Submit the proper affidavit for the revocation/suspension of the handgun license. (Refer to 327.00 – Affidavits for Suspension or Revocation of License to Carry Handgun.)
- D. Arrest Report Requirements
1. In their arrest reports, officers will include the handgun license number, expiration date, action type for which the license was issued (SA - Semi-Automatic or Revolver, NSA - Revolver only), and any specific statements or gestures of the subject that revealed a weapon was carried and its location.
  2. Officers will deliver the TCIC Handgun File printout to the Jail supervisor at the time the arrest report is reviewed when a valid handgun license for the action type or category carried is a defense to prosecution. The printout should indicate if the license was suspended, revoked, or expired and the valid action type or category.

### 315.18 Underage Alcohol Consumption Laws

- A. Driving Under the Influence of Alcohol by a Minor - A minor (under 21 years of age) commits an offense if he/she operates a motor vehicle in a public place while having any detectable amount of alcohol in his/her system.
1. Minors (ages of 17 - 20)
    - a. If the officer determines the minor is intoxicated, the minor will be transported to Lew Sterrett and offered a breath/blood test. If the minor refuses, the officer will follow the normal process for a DWI arrest refusal.
    - b. If the minor agrees to take the breath/blood test and the result is below .08, the minor will be arrested for *Driving Under the Influence of Alcohol* (Class C) and taken to Detox for processing. If the officer determines the minor is a danger to himself/herself or others, the charge of *Public Intoxication* will be added so the minor can be required to remain in Detox for a minimum of four hours before release.
    - c. On all arrests for *Driving Under the Influence of Alcohol by a Minor* (Class C), the officer will:
      - i. Complete ALR forms (DIC 23 and 25).
      - ii. Obtain a photocopy of the breath test record and the criminal complaint.
      - iii. Obtain a driver's license check to determine if prior convictions exist for this offense.
        - (1) Two or more prior convictions for this offense will cause the charge to be enhanced to a Class B misdemeanor and the subject will be taken to Lew Sterrett for processing.
        - (2) If the information is unavailable due to computer down time, this will be noted in the arrest report.
    - d. If the officer detects any amount of alcohol on the minor's breath and through observation determines the minor is not intoxicated and not a danger to himself/herself or others, the officer will do one of the following:
      - i. Issue a citation for *Driving Under the Influence of Alcohol by a Minor* and release the subject to a responsible adult or parent who has no detectable amount of alcohol in their system. The officer will complete ALR forms (23 and 25) and submit them, along with the citation, to Court Services. (Note: ALR form #23 must be notarized before submission to Court Services.) The officer will also complete

# Dallas Police Department General Order

## 315.00 Arrests Requiring Special Handling

Revised 10/31/2017

- an MIR that contains the name, address, and phone number of the responsible person to whom the minor was field released.
- ii. If the officer is unable to locate a parent or responsible adult as specified in 1.d.(1), the officer will arrest the minor for *Driving Under the Influence of Alcohol by a Minor* and transport the subject to Detox. The officer will complete and submit all ALR forms while at Detox. Instead of calling in the arrest report, the officer will complete a handwritten *DUI* arrest report at Detox. The completed ALR forms will remain at Detox.
2. Juveniles (10 - 16 Years of Age)
    - a. If the officer detects any alcohol on the juvenile's breath and determines the subject is intoxicated by performing a Field Sobriety Test, the minor will be processed according to General Order 314.08.
    - b. If the officer detects any amount of alcohol on the minor's breath and through observation determines the minor is not intoxicated and not a danger to himself/herself or others, the officer will:
      - i. Issue a citation to the juvenile for *Driving Under the Influence of Alcohol by a Minor*.
      - ii. Complete ALR forms (DIC 23 and 25).
      - iii. Attach the citation and ALR forms together and submit them to Court Services.
      - iv. Release the juvenile to a parent or a responsible adult.
      - v. If this release cannot be accomplished, contact the Youth Operations Unit by telephone for additional release instructions. Officers will make every effort to contact a parent or responsible adult before calling the Youth Operations Unit.
- B. Non-Driving Related Offenses
1. Non-Driving alcohol related offenses include the following and do not require the completion of the ALR forms:
    - a. Minor in Possession of Alcohol.
    - b. Consumption of Alcohol by a Minor.
    - c. Attempt to Purchase Alcohol by a Minor.
    - d. Actual Purchase of Alcohol by a Minor.
    - e. Misrepresentation of Age by a Minor.
  2. Minors (17 - 20 Years of Age) - Officers may issue a citation or arrest a minor for any of the listed non-driving offenses.
  3. Juveniles (10 - 16 Years of Age) - Officers must follow the listed procedure when charging a juvenile:
    - a. Issue a citation to the juvenile for violation of any of the listed offenses.
    - b. Release the juvenile to a parent or a responsible adult.
    - c. If the release cannot be accomplished, contact the Youth Operations Unit by telephone for additional release instructions.
    - d. Send the citation to Court Services.

### 315.19 Unusual Security Risks

- A. Definition
1. Any person that has directly threatened to injure or kill a law enforcement or correctional officer.
  2. Any person that has injured or caused the death of a law enforcement or correctional officer.
  3. Any person that has attempted or threatened to escape police custody.
  4. Any prisoner arrested for a hate crime or who has demonstrated or espoused violence toward any person based on their race, gender, ethnicity or sexual orientation.
  5. A prisoner that an officer has reason to believe through intelligence, tattoos, statements, etc., is a member of a dangerous, high profile or subversive organization that may react violently to the arrest of one of its members.
  6. Any other statement or actions by a prisoner which cause the arresting officer to believe the prisoner could create or incite a dangerous disruption at a detention facility.
- B. Officers that come in contact with a prisoner that fits the definition for an unusual security risk will do the following:
1. Make sure that the prisoner is transported according to General Order 313.11.
  2. Officers will verbally notify the detention facility accepting custody of the prisoner of their status as an unusual security risk. Officers will describe the facts and circumstances that cause the prisoner to be an unusual security risk.
  3. After officers have secured the prisoner in the proper detention facility they will complete necessary reports and will include documentation of the facts and circumstances that made the prisoner an unusual security risk in their report.
  4. Officers will also document in their report that the receiving detention facility was verbally notified of the prisoner's unusual security risk.



## Dallas Police Department General Order

### 316.00 Arrests Involving Controlled Substances

Revised 01/30/07

#### 316.00 Arrests Involving Controlled Substances or Dangerous Drugs

##### 316.01 Definitions:

- A. "Presumptive Field Test" means the preliminary identification of a substance as a controlled substance or a dangerous drug by means of a reagent test or by visual/physical comparison for the purpose of determining if a criminal offense has been committed.
- B. "Controlled Substance" means a substance, including a drug or an immediate precursor, listed in Schedules I through V or Penalty Groups 1 through 4 of Title 6, Subtitle C, Chapter 481, Subchapter B and D, of the Texas Health and Safety Code.
- C. "Dangerous Drug" means a device or drug that is unsafe for self-medication and is not included in Schedule I through V or Penalty Groups 1 through 4 of Title 6, Subtitle C, Chapter 481, Subchapter B and D, of the Texas Health and Safety Code.
- D. "Field Test Kit" means a reagent test kit designed to detect for the presence of a controlled substance.
- E. "Inconclusive" means the results of a presumptive field test that indicates no definitive result that the sample contains the presence of a controlled substance or dangerous drug for which the sample was tested.
- F. "Trained Member," as used in this procedure, means an employee of the Dallas Police Department who has successfully completed a course of instruction in the identification of controlled substances and dangerous drugs by means of a reagent test.
- G. "Visual/Physical Comparison," as used in this procedure, means the preliminary identification of a controlled substance or dangerous drug using an officer's best judgment based on their training and experience. In the case of a suspected controlled substance or dangerous drug that is in pill, capsule or tablet form, officers may use the Physician's Desk Reference (PDR), consult with a pharmacist, or contact the North Texas Poison Center at Parkland Memorial Hospital Poison Center Hotline at 1-800-222-1222.

#### 316.02 Arrests Involving Suspected Violations of the Texas Health and Safety Code

- A. All arrests involving suspected violations of the Texas Health and Safety Code will be based upon articulated probable cause.
- B. There are basically two different arrest situations for individuals suspected of violating the Texas Health and Safety Code who are in possession of either a controlled substance or dangerous drugs.
  1. "Narcotics Only" where no other charges are to be filed or where no other probable cause exists except for the possession of a suspected controlled substance or dangerous drugs.
  2. "Narcotics Add Charge" in which an individual is arrested based upon probable cause other than the possession of a suspected controlled substance or dangerous drugs and the Narcotics Charge arises incident to the person's arrest for charges based on other pre-existing probable cause.
- C. "Narcotics Only" Arrests  
An individual may be detained based upon reasonable belief that he may have violated the law or be detained in the course of an ongoing investigation.
  1. Officers will keep all current applicable laws and policies regarding arrest, search and seizure in the forefront of any "Narcotics Only" arrest. If there are any questions or concerns regarding current case law on search and seizure, officers will contact a supervisor for guidance.
  2. Arresting officers will always request a supervisor to the location where testing of a suspected controlled substance or dangerous drug will result in a "Narcotics Only" possession charge. A trained supervisor will conduct the presumptive field test. If the only supervisor available is not trained, he/she will witness the test conducted by another trained member who will be called to the scene.
  3. In the event that a patrol officer comes in contact with a suspect possessing a large quantity of a controlled substance or dangerous drugs an on-duty field supervisor should be contacted. The on-duty field supervisor will then contact an on-call Narcotics Division supervisor for further instruction or to determine if a Narcotics Division response is required at the scene.
  4. A trained member of the department will conduct the "Presumptive Field Test" according to standards established in departmental Standard Operating Procedures.
  5. Positive Presumptive Field Test
    - a. If the results of a Presumptive Field Test indicate the presence of a controlled substance, adult suspects will be arrested and transported to the Lew Sterrett Justice Center.
    - b. If the individual is a juvenile, he/she will be transported to the Youth Operations Unit.
    - c. All related evidence, including the Presumptive Field Test checklist, will be processed at either the Lew Sterrett Justice Center, where it will be placed into the Drug Evidence lock box, or will be transported to the Property Section for disposition.
    - d. The appropriate criminal charges will be filed against the arrestee.
  6. Inconclusive Presumptive Field Test
    - a. If the results of a Presumptive Field Test are **inconclusive**, the substance in question will be seized and will be placed into evidence at either the Lew Sterrett Justice Center or the Property Section.
    - b. The Presumptive Field Test checklist will be included with the evidence.
    - c. Officers will complete a "Found Property" offense report and will list all information concerning the suspect, the circumstances where the incident occurred, and the property tag information.
    - d. Officers will indicate in the "Comments" section of the Drug Evidence Tag whether the substance should be sent to the lab for further testing.

# Dallas Police Department General Order

## 316.00 Arrests Involving Controlled Substances

Revised 01/30/07

7. Officers will make a visual/physical comparison as a means of identifying a suspected controlled dangerous drug.
  8. In order to accurately identify a dangerous drug or controlled substance that is in pill, tablet or capsule form, officers may use the Physician's Desk Reference (PDR) located in the report writing area of the Lew Sterrett Justice Center, consult with a pharmacist, or contact the North Texas Poison Center at Parkland Memorial Hospital Poison Center Hotline at 1-800-222-1222.
  9. Officers should note in the officer's comment section of the arrest report the method used to make an identification.
- D. "Narcotics Add Charge" Arrests
1. When an individual is arrested on other charges and a controlled substance or dangerous drugs are found incident to the arrest, officers will arrest the individual and may add violations of the Texas Health and Safety Code as additional charges.
  2. Adult individuals who are being arrested for charges **other than** narcotics will be transported to the Lew Sterrett Justice Center for booking and evidence processing.
  3. Juveniles who are being arrested for charges **other than** narcotics will be transported to the Youth Operations Unit for booking.
  4. In the case of an adult prisoner, officers will book the individual according to the standing policies in effect at the Lew Sterrett Justice Center.
  5. In the case of a juvenile prisoner, officers will book the individual according to the standing policies in effect at the Youth Operations Unit.
  6. After booking, arresting officers will take suspected controlled substances or dangerous drugs to the Field Testing area of the jail or Youth Operations, where a trained member of the department will conduct the "Presumptive Field Test" according to standards established in the Narcotics Division Standard Operating Procedures.
  7. Positive Presumptive Field Test.
    - a. If the results of a Presumptive Field Test are positive to indicate the presence of a controlled substance, the appropriate criminal charge will be filed.
    - b. All related evidence, including the Presumptive Field Test checklist will be processed at either the Lew Sterrett Justice Center, where it will be placed into the Drug Evidence lock box, or transported to the Property Section. No evidence will be left at the Youth Operations Unit.
    - c. Officers will note in the arrest report the results of all Presumptive Field Tests.
  8. Inconclusive Presumptive Field Test
    - a. If the results of the Presumptive Field Test are **inconclusive**, the arresting officer will complete a "Found Property" Offense Report.
    - b. The Presumptive Field Test checklist and the substance will be placed into the Drug Evidence lock box, or transported to the Property Section for disposition. No evidence will be left at the Youth Operations Unit.
    - c. Officers will note in the arrest report the results of all Presumptive Field Tests, and in the case of an inconclusive test, will reference the "Found Property" Offense Service Number and detail the circumstances surrounding the seizure of the substance from the arrestee.
    - d. Officers will indicate in the "Comments" section of the Drug Evidence Tag whether the substance should be sent to the lab for further testing.

### 316.03 Stocking of Reagent Field Test Kits

- A. The Narcotics Division will be responsible for maintaining an adequate supply of field testing kits and for the distribution of these supplies to all other departmental units.
- B. The Quartermaster Unit of the Equipment and Procurement Section will maintain a Price Agreement for the purchase of approved field testing supplies and will acquire them upon request by the Commander of the Narcotics Division.
- C. Other departmental units can obtain a supply of kits by routing a request directly to the Commander of the Narcotics Division.



## Dallas Police Department General Order

# 317.00 Officer Involved Shootings or Other Critical Incidents Resulting in Serious Injury or Death

Revised 08/24/2021

### 317.00 INVESTIGATIONS OF OFFICER INVOLVED SHOOTINGS OR OTHER CRITICAL INCIDENTS RESULTING IN SERIOUS INJURY OR DEATH

- A. **Purpose:** When a City of Dallas employee becomes involved in an incident in which either the officer or another person is seriously injured or killed, or where a death or serious injury occurs to a person in police custody, two different investigations will be conducted. A criminal investigation will be conducted by the investigative unit having responsibility for the offense and an administrative investigation will be conducted by the Internal Affairs Division. Investigations will be conducted as outlined in the sections that follow.
- B. **Definitions:**
1. **Involved Employee:** A sworn or non-sworn member of the Dallas Police Department, Dallas Security Officer, Dallas City Marshal, Dallas Arson Investigator, or any other City of Dallas employee that uses force while acting within the scope of employment that results in serious injury or death.
  2. **Serious injury:** Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.
  3. **Companion officer:** An officer chosen by the involved employee to offer a supportive role, who is not involved in the incident.
  4. **Assigned Investigative Unit:** depending on the incident, the unit that assumes full investigative responsibility for the criminal investigation.
  5. **DPD Critical Incident:** A shooting or use of force incident involving a sworn member of the Dallas Police Department that results in serious bodily injury (as defined in Chapter 37 of the Dallas City Code), or death.

#### 317.01 Assigned Investigative Unit

- A. The Special Investigations Unit (SIU) of the Investigations Group will be the assigned investigative unit any time an officer discharges their firearm (except during firearms qualifications and training).
1. The Special Investigations Unit will conduct a criminal investigation and produce a shooting summary when, in the City of Dallas, an involved employee is:
    - a. Seriously injured or killed in the performance of police-related duties.
    - b. Is fired upon but not injured.
    - c. Any other person is seriously injured or killed as a result of a firearms discharge or use of any physical force by an involved employee acting in the performance of police-related duties or within the scope of employment while on or off duty.
    - d. A person is seriously injured or dies while in the custody of Dallas police officers and city marshals except as outlined below in Section B.
    - e. An investigation will be done when a person is seriously injured or killed as a result of a firearms discharge or use of physical force by any local, state or federal law enforcement agent when working with Dallas Police Officers, except those incidents occurring within jail facilities.
  2. The Special Investigations Unit will not assume primary investigative responsibility for incidents occurring outside the jurisdiction limits of the City of Dallas. The Special Investigations Unit will offer assistance when requested by the agency having jurisdiction and with approval of the Investigations Group Commander. In all cases, primary responsibility for filing criminal charges and making presentations to the Grand Jury will remain with the agency having jurisdiction.
  3. The Special Investigations Unit of the Investigations Group will respond to all firearm discharges. If there is no criminal culpability determined, the incident does not result in physical injury or property damage, the investigation will be referred to the Internal Affairs Division for follow-up.
- B. The Traffic Section will be the assigned investigative unit when, in the City of Dallas, any person is seriously injured or killed as a result of a motor vehicle accident with an involved employee acting within the scope of employment while on or off duty.

#### 317.02 Initial Response

- A. Involved Employee and Witness Officer responsibilities:
1. Immediately notify the dispatcher if involved in any of the above incidents or upon becoming aware of an incident involving another law enforcement agency within the City of Dallas.
  2. Immediately care for any injured persons.
  3. Request necessary assistance.
  4. Secure the scene
  5. Separate witnesses.
  6. Do not discuss the incident beyond that necessary to secure the scene prior to the arrival of the first patrol supervisor.
  7. Relate an account of the incident only to the first arriving supervisor to ensure public safety and scene containment.
  8. If not injured, and extenuating circumstances do not exist, stay at the scene until discharged by the assigned investigative unit.
  9. Participate in walk-through.
  10. Respond to the investigative offices for a debriefing interview and statement.

**Dallas Police Department General Order**  
**317.00 Officer Involved Shootings or Other Critical Incidents Resulting in Serious Injury  
or Death**

Revised 08/24/2021

- B. Companion Officer responsibilities:
  - 1. Respond to the scene; the investigation may begin before arrival.
  - 2. Serve in a supportive role during the subsequent events.
  - 3. Provide as much support and concern for the officer as possible.
  - 4. Refrain from discussing the details of the incident.
  - 5. Assist involved officer make transportation or other arrangements.
  - 6. May later be called to testify.
- C. Dispatcher responsibilities:
  - 1. Immediately send a patrol supervisor to the scene and begin notification of the appropriate divisions and personnel according to the Communications Section S.O.P.
  - 2. Fulfill involved employee's requests for necessary assistance.
- D. The first Patrol Supervisor at the scene (not involved in the incident) shall be responsible for the following responsibilities:
  - 1. Immediately respond to the scene.
  - 2. Ensure the scene is secured to include assuring necessary assistance is enroute and restricting access to the incident scene using tape or other methods.
  - 3. Remove and restrict unauthorized personnel from scene.
  - 4. Separate involved officers and witnesses and instruct them not to discuss the incident prior to arrival of detectives.
  - 5. Attempt to obtain an account of the incident from involved officers and provide the investigative supervisor the notes taken at the scene and subsequently remove the involved officer a short distance from the scene.
  - 6. Telephone the communications Division and provide a brief account of the incident.
  - 7. Ensure the following division personnel are advised of the incident and request the following resources to respond to the scene immediately:
    - a. Special Investigations Unit (who will be responsible for the notification of the Dallas County District Attorney's Office)
    - b. Crime Scene Response Unit
    - c. Internal Affairs Division
    - d. Media Relations Unit
    - e. Body worn camera / DVR review team
  - 8. Assign an officer to record the names of all officers at the scene including all additional officers arriving to assist in securing the scene, investigate the incident, or provide support for involved officers. A single-entry point into the restricted area should be established, if possible, and notes will be made of those officers who entered the restricted areas.
  - 9. Stay at the scene until the scene is secured, all physical evidence is collected, and all personnel are removed, or until relieved by assigned investigative unit.
  - 10. Refer all media inquiries to the assigned investigative unit.
  - 11. Upon the arrival of the assigned investigative unit, the patrol supervisor shall respond to the needs of the investigating officer or supervisor by continuing to secure the incident scene and keeping unauthorized persons out.
  - 12. Respond to the assigned investigative unit offices for a debriefing interview and statement.
- E. Cover Officer responsibilities
  - 1. Do not go to the scene of the incident without the approval of the dispatcher or supervisor who is assigned. Only personnel necessary to the criminal or administrative investigation, securing of the scene, and the involved officer's chain-of-command should respond to the scene.
  - 2. Check en route and Code-6 with the dispatcher of the patrol channel involved.
  - 3. Do not leave the scene without notifying the assigned supervisor of their name and badge number.
  - 4. Make notes on significant observations at the scene for later personal reference.
  - 5. Do not make evaluative or judgmental comments about the officer's actions or justification to members of the media.
- F. Crime Scene Response Section responsibilities
  - 1. Upon arrival, assume control and responsibility of the crime scene area.
  - 2. Coordinate all functions or requests related to the crime scene area.
  - 3. Ensure that only Crime Scene Response Section personnel and essential investigative personnel are admitted to the restricted area until the Crime Scene Response Section investigation is deemed complete.
  - 4. Perform crime scene investigation.
  - 5. Participate in the walk-through when appropriate.
- G. Assigned Investigative Unit responsibilities
  - 1. The ranking supervisor from the investigating division will be in command of the criminal investigation.
  - 2. Upon arrival at the scene, be briefed by the field supervisor.
  - 3. Coordinate media inquiries between the first patrol supervisor and the media relations unit.
  - 4. Perform walk-through.
  - 5. Perform Interview at investigative office
- H. Media Relations responsibilities
  - 1. Send a representative who will be responsible for coordinating media inquiries.
  - 2. Coordinate with the assigned investigative unit and prepare a summary of the facts of the case for issuance to the news media.
  - 3. Issue a summary to the media when the results of the departmental investigation are completed.
- I. Other Responding Personnel
  - 1. A member of the involved employee's chain-of-command should respond to the scene to offer support and assistance but shall not discuss the details of the incident.

**Dallas Police Department General Order**  
**317.00 Officer Involved Shootings or Other Critical Incidents Resulting in Serious Injury or Death**

Revised 08/24/2021

2. The involved employee's supervisor or other personnel shall not enter restricted areas or discuss the incident with involved officers prior to completion of the debriefing interview and taking of statements in the investigating offices.
3. A member of the involved employee's chain of command shall initiate a request for control number.

**317.03 Walk-Through**

- A. After the completion of the Crime Scene Response Section investigation or when approved by the Crime Scene Response Section supervisor, the assigned investigative unit detective and Internal Affairs detective will conduct a walk-through of the incident with involved employee and witness officer(s). To prevent possible contamination of the crime scene, the walk-through should be led by Crime Scene Response Section personnel. The portion of the walk-through that is conducted in the restricted areas of the scene shall be limited to:
  1. The assigned investigative unit.
  2. The involved employee (1).
  3. The involved employee's attorney (1).
  4. The Internal Affairs detective (1).
  5. The Crime Scene Response Section personnel (1).
  6. Any other personnel deemed necessary to the investigation by the assigned investigative unit.
- B. Prior to providing a statement to the assigned investigative unit, a walkthrough will be conducted with the above personnel to obtain preliminary information. Immediately after the walk-through the involved officer(s), witness officer(s), and the first responding patrol supervisor will report to the assigned investigative unit office where an interview will be conducted.
- C. A separate, additional walk-through will be conducted with the District Attorney's Office that does not include any involved employees or witnesses.

**317.04 Interview and Investigative Procedures**

- A. Immediately following the walk through and upon arriving at the assigned investigative unit office, involved officer(s), witness officer(s) and the first responding patrol supervisor will be requested to provide a written statement.
  1. All body worn camera or video evidence will be made available to the involved officer(s) and legal counsel prior to the submission of any written statement.
  2. Witness officer(s) will also be afforded the opportunity to review video, however they are not afforded legal counsel.
- B. After the conclusion of the preliminary investigation at the investigative office, the involved officer(s) and witness officer(s) will be afforded a Critical Incident Recovery Period of a minimum of five (5) administrative days. Additional Administrative Leave may be granted by recognized authority. During the Critical Incident Recovery period, the involved officer(s) or witness officer(s) may contact the lead detective to provide supplemental information to the original statement. Likewise, the lead detective could also develop additional questions thereby requiring a supplemental statement from the involved or witness officers. Legal counsel may be present during the subsequent interview of involved officer(s). The investigating supervisor will provide involved and witness officer(s) with a private place to prepare all written statements.
- C. The investigating detective shall request officers to submit a voluntary blood specimen in a police shooting in which an individual is killed or injured.
- D. The assigned investigative unit commander is responsible for preparing a preliminary executive summary to the command staff before the end of their tour of duty. Additional summaries will be created for distribution to the rank and file of the police department and the public thru the Media Relations Unit.
- E. The assigned investigative unit is responsible for keeping the involved officer's Bureau, Division, or Section Commander informed on the condition of critically injured victims and the status of the Grand Jury hearing. The assigned investigative unit will assure that the involved officer is fully informed on the status of the case.

**317.05 Post Incident Management**

- A. Prior to leaving the scene or before being relieved from the current shift, involved officers will be given peer support contact information as well as Medical Officer On Call contact information.
- B. Within Seven days following a critical incident, involved employees will attend a mandatory screening by Psychological Services. This screening will provide officers with basic education and coping skills, which may include available treatment options. This contact will take place prior to the officer's participation in reality-based training.C. After completion of the screening, officers will report to the quartermaster for weapon reissue and to the firearms training center for requalification (if applicable).
- D. Reality-based training  
Psychological Services will meet with involved employees prior to attending reality-based training.
- E. Return to full duty
  1. Until an employee is cleared to return to full duty, the Chief of Police (or designee) will assign additional administrative leave or a restricted duty work assignment appropriate to the involved employee's capabilities.
  2. An involved employee's return to full duty will be determined by the Chief of Police after an administrative review and consultation with involved employee's Assistant Chief.

**Dallas Police Department General Order**  
**317.00 Officer Involved Shootings or Other Critical Incidents Resulting in Serious Injury or Death**

Revised 08/24/2021

**317.06 Administrative Investigation**

- A. The Internal Affairs Division will be called to the scene of any discharge of a firearm by a Dallas police officer. At the point when the assigned investigative unit determines that existing evidence presently indicates a likelihood of no criminal culpability by the involved employee who did, or may have caused, serious injury or death of another person, such employee will be instructed to report to the Internal Affairs Division at a time to be determined by the Internal Affairs detective.
- B. In the case where the Special Investigations Unit of the Investigations Division does not assume responsibility for the investigation, the Internal Affairs Division will conduct an administrative investigation and produce a shooting summary. Internal Affairs must receive a Request for Control Number signed by an involved employee's assistant chief. The Internal Affairs Division will conduct an administrative investigation in any of the cases listed in Section 317.01A.1.a, c, and e, which occur inside or outside the Dallas city limits.
- C. Officers accidentally discharging a firearm that does not result in physical injury, or property damage, will be placed on Restricted Duty and given a modified work assignment at the direction of their Assistant Chief. Officers will then be required to attend and pass an 8-hour remedial firearms training class provided by the Firearms Training Center before performing any armed police related duty. The Firearms Training Center will make it a priority to provide this training to the officer in a timely manner. The Firearms Training Center will provide a memorandum to the respective Assistant Chief of Police stating the officer has successfully completed the training.
- D. In cases where only an administrative investigation is conducted, the ranking Internal Affairs Division detective will be in charge of the overall investigation.
- E. In addition to the involved officer being placed on Restricted Duty, witness officers to a death-in-custody incident or a shooting that leads to death or any incident that results in serious physical injury of an individual may be placed by his or her Division Commander on administrative hours of 8:00 a.m. - 5:00 p.m., Monday through Friday. If placed on those hours, they will work that schedule until the conclusion of the internal investigation or until released by Internal Affairs to return to regular duty hours. The purpose of the administrative hours schedule is to facilitate the completion of the internal investigation.
- F. While on Restricted Duty or administrative hours, all leave time previously approved for involved or witness officers must be coordinated with the Internal Affairs Division detective and his or her supervisor.
- G. When the involved officer and any witness officers subsequently report to the Internal Affairs Division, the investigating detective will issue an Administrative Warning and separate interviews will be conducted. These interviews may be audio recorded, and if so, two tapes will be made with one being provided to the officer at the conclusion of the interview. A transcript of the interview will serve as the officer's Internal Statement. In such cases, the officer will be required to report at a later date to review and sign a copy of the transcript. The officer will be provided a copy of the transcript. The officer may also be subsequently required to submit a detailed written Internal Statement of the event.
- H. The Internal Affairs Division will determine if the use of force was justified by the orders of this Department. The findings of the investigation will be summarized in a Special Report to the Chief of Police.
- I. Upon completion of the Internal Affairs investigation, the report will be forwarded to the officer's Organizational Commander for chain-of-command review. A copy will also be forwarded to the Firearms Discharge Review Chairman.

**317.07 Firearms Discharge Review Team (FDRT)**

- A. The Firearms Discharge Review Team is established to review and provide an initial evaluation, based on facts known at the time, of incidents of intentional and accidental firearm discharge by any member of the Dallas Police Department. They will also review other incidents as requested by the Chief of Police. The main purpose will be to prevent similar situations from occurring in the future. Incidents occurring while members are acting within the scope of their employment with the City of Dallas, either on or off duty will be subject to review.
- B. The objective of the Firearms Discharge Review is to brief the Chief of Police and the Director of the Office of Community Police Oversight (OCPO) concerning firearms discharge or other incidents as ordered by the Chief of Police based on the following:
  - 1. Adequacy of policy.
  - 2. Adequacy of training.
  - 3. Adequacy of equipment.
  - 4. Adequacy of supervision.
- C. The Firearms Discharge Review Team
  - 1. Will be comprised of the following members:
    - a. A major designated by the Chief of Police to serve as the FDRT chairperson.
    - b. A lieutenant from the Special Investigations Unit.
    - c. A lieutenant from the Internal Affairs Division.
    - d. A lieutenant from the In-Service Training staff, and the Departmental Range Master.
    - e. If the above members are not available, substitutions will be made by the respective Division Commanders.
  - 2. Will meet to discuss the incident when called by the FDRT chairperson.
  - 3. Will only be concerned with adequacy of issues listed in 371.06 (B) and not procedural violations.
  - 4. Will be prepared to brief the Chief of Police and the Director of the Office of Community Police Oversight within 72-hours of the incident.
  - 5. Will provide a final review after all criminal and administrative investigations of the incident are completed.

**Dallas Police Department General Order**  
**317.00 Officer Involved Shootings or Other Critical Incidents Resulting in Serious Injury**  
**or Death**

Revised 08/24/2021

**317.08 DPD Critical Incident Monitoring by Director of Office of Community Police Oversight**

- A. The Chief of Police shall provide the Community Police Oversight Board and the Director of the Office of Community Police Oversight timely notification of all DPD critical incidents.
- B. The Director of the Office of Community Police Oversight may monitor the criminal investigation of any DPD Critical Incident.
  - 1. The Director may attend or observe any portion of the on-scene investigation.
  - 2. The Director may participate in preliminary briefings relating to the DPD critical incident.
  - 3. The Director may observe witness interviews (from a separate room).
  - 4. The Director may review documentary and physical evidence, including relevant police data, of any criminal investigation of a DPD Critical Incident.
  - 5. The Director may meet with the Chief of Police throughout the criminal investigation to ask questions and discuss any areas of concern identified while monitoring the investigation.
  - 6. Before the conclusion of a criminal investigation of a DPD Critical Incident, the Director may meet with the Chief of Police to hear preliminary findings and provide feedback about the investigatory process. The Director may provide the Chief of Police with a recommendation on the outcome of the criminal investigation.
  - 7. The Media Relations Unit will provide the Director with a copy of any publicly released video recording related to a DPD Critical Incident.



## Dallas Police Department General Order

### 318.00 Booking Procedures

Revised 02/17/2017

#### 318.00 BOOKING PROCEDURES

##### 318.01 Booking Procedures for Adults

- A. All prisoners, with the exception of juveniles, seriously injured persons, and arrests where Public Intoxication and/or Class C warrants issued out of Dallas or other jurisdictions is/are the only charge(s), will be taken to the Lew Sterrett Justice Center for processing. Booking procedures for the three exceptional categories are:
  - 1. Juveniles will be taken to the Youth Operations Unit.
  - 2. Attending paramedics of the Dallas Fire Department's Emergency Medical Services Division will determine to which medical facility a *critical care* (i.e. seriously injured or ill) prisoner should be transported.
  - 3. Arrests where Public Intoxication and/or Class C warrants issued out of Dallas or other jurisdictions must be processed through the Public Inebriate Detention Center.
- B. All other adult charges, including *Holds* for Dallas Sheriff's officer, will be processed at the Lew Sterrett Justice Center.
- C. All reports and paperwork involving an arrested person taken to the Lew Sterrett Justice Center or the City Detention Center must be approved by a supervisor and completed before the officer(s) can leave the facility.

##### 318.02 Establishing Age as an Adult or Juvenile

- A. When a person who appears to be a juvenile is taken into custody but has no identification and claims to be seventeen or older, the officer will:
  - 1. Take the person to the Youth Operations Unit or contact them by telephone.
  - 2. Request a record check to ascertain the person's age.
    - a. If the arrestee has a Techshare picture, the arresting officer will view this picture and state in the officer comments section of the arrest report that the person pictured is the arrestee.
    - b. If the arrestee has Techshare fingerprints, the arresting officer will have the arrestee LiveScan'd and state in the officer comments section of the arrest report that the fingerprints are the arrestee's.
    - c. If Youth Operations Unit records do not establish age, the Youth Operations Unit will assist the arresting officer in using other available sources to ascertain age. List any source that establishes age in the officer comments section of the arrest report.
  - 3. If age is not verified:
    - a. Inform the reviewing supervisor that the arrestee claims adulthood but does not have identification and Youth Operations files cannot establish age nor has LiveScan or another source established age.
    - b. Include the above information in the arrest report along with the name and badge number of the Youth Operations Unit detective who performed the record check and the arrestee's Techshare number if one exists.
- B. The reviewing supervisor will ensure that the required information is included in the arrest report before it is approved.

##### 318.03 Citizen Information Regarding Juvenile Booked as an Adult

- A. When a citizen informs departmental personnel that a juvenile has been booked as an adult, the citizen will be directed to a Detention Services supervisor.
- B. The supervisor will verify the subject in question is being held in the jail. The supervisor will attempt to ascertain the correct age from any means available within the youth criminal justice system. If the supervisor is able to establish the fact the subject is a juvenile, he/she will notify the Youth Operations Unit along with the arresting officers (if available) or the division the juvenile was arrested. The division will be responsible for transporting and completion of the juvenile arrest report in Techshare.
- C. When the status of the subject is questionable, processing will be handled in accordance with the Detention Services Section S.O.P. that will be available for reference.
- D. The Detention Services supervisor will request that the on-duty magistrate at the Lew Sterrett Criminal Justice Center conduct a hearing and rule as to whether the prisoner is an adult or a juvenile. If the judge rules the suspect is a juvenile, the supervisor will contact the Youth Operations Unit along with the arresting officers (if available) or the division the juvenile was arrested. The division will be responsible for transporting and completion of the juvenile arrest report in Techshare. If the magistrate rules the subject is an adult, the subject will be returned to jail.
- E. When it is determined that a juvenile has been placed in the Dallas County Jail as an adult, a Detention Services supervisor will be notified and will be responsible for correcting the juvenile's Arrest Report according to the Detention Services Section S.O.P.
- F. All legal forms and documents necessary for the court hearing will be handled in accordance with the Detention Services Section S.O.P.

##### 318.04 Booking Procedures for Juveniles

- A. Procedures for charging juveniles with offenses and routine booking procedures are contained in Section 314.00.
- B. All reports and paperwork involving an arrested juvenile taken to any detention center must be approved by a Youth Operations Unit detective and completed before the officer(s) can leave the facility.



## Dallas Police Department General Order

### 319.00 Voluntary Surrender of Wanted Persons

Revised 01/30/07

#### 319.00 VOLUNTARY SURRENDER OF WANTED PERSONS

- A. When a criminal suspect in either a misdemeanor or felony case voluntarily surrenders himself or herself to the Dallas Police Department, a warrant of arrest is not necessary.
- B. Prior to booking the suspect into a jail facility, the officer will obtain the service number of the incident or verify the need to hold the suspect for another agency.
- C. The suspect will be booked into jail for the charge for which the individual is wanted and a reference made on the Arrest Report to the verification of the need to hold the suspect.
- D. The agency where the offense occurred (other than Dallas) should be advised to send a teletype to the Dallas County Sheriff's Office - Lew Sterrett Criminal Justice Center, verifying the need to hold the suspect.



## Dallas Police Department General Order

### 320 .00 Criminal Case Filing Procedures

Revised 03/27/2019

#### 320.00 CRIMINAL CASE FILING PROCEDURES

##### 320.01 General Provisions

- A. All officers processing (filing) criminal cases and/or obtaining arrest warrants will adhere to the guidelines set forth in the Legal Services Unit RMS Investigative SOP and the Legal Services Unit RMS Procedure Manual.
- B. Any officer of the Department, upon approval by a supervisor, may obtain an arrest warrant.
- C. All arrest warrants will be obtained by following the procedures established in the Criminal Case Filing Manual distributed by the Legal Services Section.
- D. The officer originating a probable cause affidavit for an arrest warrant (either personally processing the documents or preparing the documents for another officer to process) will be responsible for checking all departmental records which might reflect a change in status of the case and/or the suspect for whom a warrant is being sought.
- E. This procedure does not apply to lunacy warrants.

##### 320.02 Reduction of Cases Filed in Misdemeanor County Courts

Officers will not file the following:

- A. Carrying a Prohibited Weapon if Armed Robbery is filed from the same incident.
- B. Resisting Arrest when Assault on a Police Officer is filed.

##### 320.03 Criminal Trespass Offenses

- A. These cases will be filed in County Criminal Courts only.
- B. Misdemeanor citations may be issued in appropriate cases in lieu of custodial arrest. If a citation is issued, the complainant's name and the facts of the offense must be detailed on the back of the citation.
- C. This offense will be filed as a Class B except in either of the following situations when it will be filed as Class A:
  1. The offense is committed in a habitation or a shelter center.
  2. The actor carries a deadly weapon during the commission of this offense.

##### 320.04 Cases Filed With the Municipal Court

- A. Only Class C misdemeanors (as defined in the Penal Code) and Class C "type" misdemeanors (i.e., traffic and City Ordinance violations) will be filed with the Municipal Court. Any exception must be documented and is subject to acceptance by the Municipal Court.
- B. Cases may be filed with the Municipal Court:
  1. When the full (first and last) name of the suspect is known.
  2. When the address of the suspect is unknown, but only if enough information is provided (name, race, sex, date of birth) so that the suspect can be entered on the NCTCIC computer system. An exception is that a name and address are necessary to file assault cases.
  3. When they involve a juvenile (Ages 10-16) charged with a traffic violation other than DWI. All non-traffic and DWI offenses involving juveniles will be filed with the Dallas County Juvenile Court through the Youth Operations Unit.

##### 320.05 Referring Complainants to the City Prosecutor's Office

- A. A complainant will be instructed to file his/her own Class C misdemeanor with the City Prosecutor's office when any of the following apply:
  1. The complainant is intoxicated to the degree that he/she is not in control of his/her faculties.
  2. The complainant is obviously mentally deranged.
  3. The officer has reason to believe that the offense did not actually occur.
- B. When referring citizens to the City Prosecutor's office to file their own case, officers will advise citizens of the City Prosecutor's office location (Room 206, 2014 Main Street, hours - 8:30 a.m. - 4:30 p.m.).
- C. Under no circumstance will an officer inform the complainant as to the Municipal Court's anticipated action. The officer should only inform the citizen that any questions will be referred to the City Prosecutor's office.

##### 320.06 Cases Filed with the County Prosecutor's Office via Citation

- A. When a citation is issued for M/B offenses allowed in G.O. 313.03, the responsibility of filing the initial paperwork resides with the Patrol Investigative Unit where the citation was turned in.
- B. The Investigative Unit will complete the following steps prior to forwarding the paperwork to Legal Services Unit.
  1. Ensure that a copy of the offense report is attached to the original citation and that the citation is completely filled out.
  2. Attach an unsigned warrant to the affidavit.
  3. Prepare a prosecution report.
  4. Obtain estimates for any damage incurred by the complainant.
  5. Forward the above information with a filing cover sheet that is stamped "CITATION ISSUED" to Legal Services Unit within 10 calendar days of the issue date on the citation.

**Dallas Police Department General Order**  
**320.00 Criminal Case Filing Procedures**

Revised 03/27/2019

- C. If the offense is direct file, then the Investigative Unit will only complete steps 1 and 5 of the above procedures and forward the packet to the Legal Services Unit for filing. The Legal Services Unit will be responsible for completing steps 2 and 3.
- D. If the assigned investigator determines that a citation should not have been issued, then the citation should be voided according to current Patrol SOP and both the complainant and arrestee notified of the actions taken. The original offense report should be supplemented with the final disposition.



## Dallas Police Department General Order

### 321.00 Evidence and Property

Revised 09/27/2022

#### 321.00 EVIDENCE AND PROPERTY

##### 321.01 Processing Procedures

- A. The processing of property/evidence collected, recovered, found, seized, or entrusted will be governed as delineated below.
- B. All property and evidence will be packaged and labeled in accordance with Department policies and procedures. The proper packaging and labeling method is outlined in the Property Unit Packaging Manual. A copy of the manual will be maintained at each Patrol Division, Lew Sterrett Justice Center, under the Resources tab on the Dallas Police Department Intranet page, the Crime Scene Response Section, and the Property Unit. The Property Unit is responsible for updating packaging requirements with the concurrence of the Crime Scene Response Section.
- C. The general policy of the Department is to release property/evidence at the scene of an incident to the complainant/owner whenever practical, except as provided below. The intent of this policy is to avoid unnecessary waste of patrol time by trips to and from property storage facilities; reduce unnecessary inventorying, storage, and disposal of property; provide for adequate control and accountability for property and evidence; and to be more responsive to crime victims by expedient return of their property. In all cases, property/evidence must be properly disposed of, as delineated in this section, by the end of an employee's tour of duty.
- D. In general, the following categories of property/evidence will be released to the owner/complainant in the field upon reasonable identification.
  1. Property/evidence related to burglary and theft offenses that belong to the complainant.
  2. Recovered motor vehicles will be released to the owner in the field (after fingerprinting, etc., when appropriate). If a vehicle is impounded, the Auto Pound Unit S.O.P., which will be posted at applicable facilities, will be followed.
  3. Property/evidence related to Municipal Court offenses (all *City* cases) will be released to the complainant whenever possible.
  4. Property/evidence related to Criminal Mischief or Reckless Damage offenses will be released to the complainant or simply left at the scene.
- E. Found property items that meet all of the following criteria, may be left at the scene for the finder to dispose of unless the item is creating a specific hazard and no alternative to impoundment exists:
  1. Property has no apparent evidentiary value,
  2. Has low or no monetary value,
  3. Appears to have been discarded, and
  4. There is a low likelihood the item could be returned to an owner.
  5. Public Works, Street Operations, or Sanitation Services may be called to make disposal when appropriate.
  6. Found property that is drugs, guns, money, contraband, official identification or financial instruments, such as checkbooks and credit cards, will not be left at the scene.
- F. When no alternative exists to the general field release policy (i.e. owner/complainant cannot be immediately located) items may be deposited at a storage facility in accordance with this General Order.
- G. Documentation of Field Release - When property/evidence is released to an owner/complainant in the field or left at the scene, the action will be fully documented in the applicable Offense Report or Arrest Report if no Offense Report is made.
- H. Exceptions to the General Release Policy - The following items are exceptions to the general policy of releasing property/evidence at the scene. These items will be impounded pending court order or released by the assigned detective or field officer, when applicable:
  1. Illegal weapons.
  2. Narcotics/Drugs.
  3. Instruments used in a crime of violence.
  4. Items requiring a forensic report.
  5. Contraband - anything illegal in itself to possess.
  6. Forged or counterfeit instruments.
  7. Stolen credit cards and bank debit cards.
  8. Firearms.
- I. Detective Responsibilities - It is the responsibility of the detective assigned to the Offense or Arrest Report related to the impounded property to make a speedy disposition of the item.
  1. *Holds* will be placed on property/evidence within 30 days of the assignment of the Offense or Arrest Report.
  2. On evidentiary items other than narcotics/drugs, any *hold* must be reviewed and renewed by the assigned detective every six months.
  3. When practical, the assigned detective will notify the owner/complainant to reclaim any property within ten days. If contact is made with the owner/complainant, the detective will tactfully emphasize that the property will not be retained due to storage limitations.
  4. Field officers will not place *holds* on property/evidence - this is an investigative responsibility as defined in above section "H." Field officers perceiving a need to hold property should make a notation to that affect in the applicable Offense or Arrest Report for the assigned detective's consideration. Exceptions to this policy are property found in pawn shops (as outlined in General Order Section 321.02 C), FLID and FSRA vehicles, direct file UCW/CPW, and VHSC (Marijuana only) evidence.
- J. Property Unit Ongoing Disposal Procedures

# Dallas Police Department General Order

## 321.00 Evidence and Property

Revised 09/27/2022

1. The Property Unit manager is authorized to cause ongoing disposal (destruction, auction, etc.) of all items stored in the Property Unit as allowed by time limits and requirements established by State law, City Ordinance and the Property Unit SOP.
  2. Property Unit supervisors are authorized to initiate ongoing, immediate disposal of articles where common sense and good judgment indicate no legitimate reason to retain certain items (i.e. rocks, beer cans, old clothes, sticks, broken toys, etc.). Such disposals will be documented.
  3. Only units with investigative follow-up responsibility can authorize evidence for final disposition. Arresting officers are responsible for authorizing evidence for final disposition if there is no investigative follow-up for the associated offense.
  4. Officers will complete a *Property & Evidence Disposition Request Card* (POL-00864) for property placed at the Property Unit that is:
    - a. Protective Custody or Prisoner Personal Property.
    - b. For Found Property that is illegal to possess, officers will mark the box "Dispose of as Authorized by City Ordinance & State Law."
- K. Found Property is defined as:
1. Any Property where the owner is unknown and there is no reasonable expectation of finding an owner and;
  2. There is no link to a criminal offense or expectation of developing intelligence from the item.
- L. Protective Custody is defined as:
1. Any item where the owner is known and has not been arrested for a criminal offense or;
  2. The owner is known and has been arrested for a criminal offense, but the property does not qualify as a personal article such as clothing, backpack, hygiene items, money or other personal articles and;
    - a. The item is not evidence in a criminal offense and;
    - b. The circumstances were beyond the owner's control where the property cannot be released to or secured by the owner such as golf clubs in an arrestee's impounded vehicle.
- M. The marking of and depositing of property/evidence will be accomplished in accordance with the Property Unit and Crime Scene Response Section SOP's.

### 321.02 Property and Evidence Requiring Special Procedures

- A. Large Items - The Communications Group will be contacted to arrange for transportation of property/evidence too large or heavy for the officer to transport.
- B. Firearms
1. Firearms will be handled with extreme care and caution at all times. Firearms should be cleared prior to submission to the Property Unit. If the weapon cannot be safely cleared, the recovering officer will take the weapon to the Firearms Training Center. Firearms Training Center staff will clear the weapon and the recovering officer will then transport the weapon to the Property Unit for processing. If the Firearms Training Center is closed, the recovering officer will transport the weapon to the Property Unit. The officer will notify Property Unit intake personnel the weapon could not be made safe and is loaded. Property Unit personnel will arrange with the Firearms Training Center to unload the weapon.
  2. All recovered firearms, except for those recovered by the Crime Scene Response Section, will be delivered directly to the Property Unit Main Storage Facility located at 1725 Baylor Street. Firearms will not be placed at Lew Sterrett Temporary Property/Evidence Storage Locker. Crime Scene Response Section personnel will process, transport, store and submit for testing firearms in accordance with the Crime Scene Response Section SOP.
  3. All firearms placed into the Property Unit will be accompanied by an ATF Firearm Tracking Report Form which will be completed by the officer submitting the weapon.
  4. The recovering officer is responsible for checking firearms for stolen prior to submitting to the Property Unit. The recovering officer will document the stolen check was conducted on the property tag.
  5. If the firearm is reported stolen by another agency, the recovering officer must make an Out of Town Recovered Stolen Firearm report. If the firearm is reported stolen on a Dallas Police Department offense, then a supplement to the original offense report will be completed by the recovering officer.
    - a. These reports are in addition to any other required offense or arrest report.
    - b. All case numbers should be listed on the property tag.
- C. Property Found in Pawn Shops
1. Property found in pawnshops will be handled by the Property Recovery Squad.
  2. If stolen property is located in a pawn shop by any officer other than a Property Recovery Squad detective, that officer will place a written *hold* on the item, using form POL-00391A, S/N 753-027-750. The officer will give the second copy of the *hold* order to the pawnbroker and route the original to the Property Recovery Squad.
- D. Film Processing Procedures for Convenience Store Cameras
1. When an officer answers a robbery call at a convenience store, the officer will determine if photographic evidence has been obtained by the store cameras.
  2. If photographic evidence has been obtained:
    - a. It is the responsibility of the store management to remove the video evidence from the camera system and to give the film to the officer.
    - b. It is the responsibility of the officer to place the video into evidence if the Crime Scene Response Section is not called to the scene. The video will be placed in evidence according to the Patrol Operations S.O.P. The Crime Scene Response Section will not be called to the scene for the sole purpose of picking up the video evidence.
    - c. The reporting officer will state in the Offense Report if photographic evidence was or was not collected. If the video evidence was located on computer equipment and it was not immediately available, this will also be documented in the report.

# Dallas Police Department General Order

## 321.00 Evidence and Property

Revised 09/27/2022

- d. If called to the robbery scene to process other evidence, the Crime Scene Response Section will collect the video evidence.
- e. In all cases, the video evidence will be processed by the Crime Scene Response Section and made immediately available for investigative use.
- E. Receipt for Evidence Seized as a Result of a Search Warrant - Evidence confiscated as a result of a search warrant will be itemized on a *Receipt of Property Form* (POL-00391A S/N 753-027-750) and the owner provided a copy. The original will be forwarded to the Records Section for filing.
- F. Currency
  - 1. All money will be taken to the Property Unit. Money is defined as U.S. Currency, Foreign Currency and U.S. Currency believed to be counterfeit.
  - 2. Money, regardless of value, collected by the Crime Scene Response Section with forensic evidentiary value will be processed in accordance with the Crime Scene Response Section S.O.P.
  - 3. Money will not be released in the field, unless the following conditions exist:
    - a. If the money was taken by theft or robbery, it should be released (if possible) to the owner or complainant when either of the following applies:
      - i. The money is recovered at or near the scene of the offense and the amount recovered corresponds to the amount reported stolen.
      - ii. There is other evidence reasonably establishing the identification of the recovered money as that belonging to a specific owner or complainant (e.g. serial numbers on bills, marked money, money was recovered in an identifiable money bag or bank bag taken in the theft, etc.).
    - b. Before the money is released, the reporting officer should count the money and list denominations and serial numbers of all bills wherever possible in the Offense or Arrest Report. As an alternative, bills may be photocopied, and the photocopies submitted on a Property Tag.
    - c. If an officer who recovers money has any reservations as to the ownership of the money, he/she may place the money in the Property Unit Main Storage Facility and forward a *Property & Evidence Disposition Request* card to the Detention Services Section with the requirement that the owner execute a *Release and Hold Harmless Agreement* prepared by an attorney before the money is returned to the claimant. This procedure will protect both the officer and the Department.
  - 4. Found money turned in to the Police Department by a citizen as abandoned or found will be deposited in the treasury of the municipality in accordance with Texas Code of Criminal Procedures, Chapter 18, Art.17; Dallas City Code Section 2-37.2, Authority to sell; Deposit of cash; Dallas Police General Orders, 321.02 Property and Evidence Requiring Special Procedures, and; the Property Unit's Standard Operating Procedures (SOP), 500.00 Guidelines for Processing Money, 900.00 Guidelines for Investigating Found Property.
    - a. Unclaimed abandoned and/or found money will be disposed in accordance with Texas Code of Criminal Procedures, Chapter 18, Art.17; Dallas City Code Section 2-37.2, Authority to sell; Deposit of cash; Dallas Police General Orders, 321.02 Property and Evidence Requiring Special Procedures, and; the Property Unit's Standard Operating Procedures (SOP), 500.00 Guidelines for Processing Money, 900.00 Guidelines for Investigating Found Property.
    - b. Unclaimed abandoned and/or found money will remain in an unclaimed status for a period of 60 days and then will be delivered for disposition. The 60-day period begins when the Property Unit receives the abandoned and/or found money.
    - c. The alleged owner of abandoned and/or found money may request from the City the return of the abandoned and/or found money if they can demonstrate ownership as specified in the statute. An investigation is conducted to determine ownership of the money or to preclude any link to criminal activity.
    - d. Upon identifying ownership, a notice is sent by certified mail to the last known address. Money not claimed after a 90 period will be disposed of in accordance with Texas Code of Criminal Procedures, Chapter 18, Art.17; Dallas City Code Section 2-37.2, Authority to sell; Deposit of cash; Dallas Police General Orders, 321.02 Property and Evidence Requiring Special Procedures, and; the Property Unit's Standard Operating Procedures (SOP), 500.00 Guidelines for Processing Money, 900.00 Guidelines for Investigating Found Property.
    - e. If owner is unknown, and money is more than \$500, then a notice shall be published in a paper of general circulation. Money not claimed after a 90 period will be disposed of in accordance with Texas Code of Criminal Procedures, Chapter 18, Art.17; Dallas City Code Section 2-37.2, Authority to sell; Deposit of cash; Dallas Police General Orders, 321.02 Property and Evidence Requiring Special Procedures, and; the Property Unit's Standard Operating Procedures (SOP), 500.00 Guidelines for Processing Money, 900.00 Guidelines for Investigating Found Property.
    - f. If owner is unknown, and money is under \$500, then advertisement in general circulation is not required. Money will remain unclaimed for a period of 60 days and then will be delivered for disposition. The 60-day period begins when the Property Unit receives the abandoned and/or found money.
    - g. Upon determination of disposition of the abandoned and/or found money, a memorandum will be submitted by the Property Unit for either the return of the funds to the owner or transfer of funds to the City's General Fund.
  - 5. Recovered stolen money delivered to the Property Unit will be deposited in the treasury of the municipality in accordance with Texas Code of Criminal Procedures, Chapter 18, Art.17; Dallas City Code Section 2-37.2, Authority to sell; Deposit of cash; Dallas Police General Orders, 321.02 Property and Evidence Requiring Special Procedures, and; the Property Unit's Standard Operating Procedures (SOP), 500.00 Guidelines for Processing Money, 900.00 Guidelines for Investigating Found Property, in the next scheduled deposit if time between the delivery to the Property Unit and the bank deposit allows. The money, however, may be held for a longer period of time if
    - a. There is a *Hold* for evidence,
    - b. The money is subject to civil seizure if linked to illegal narcotics activity,

# Dallas Police Department General Order

## 321.00 Evidence and Property

Revised 09/27/2022

- c. The unit with investigative follow-up requests the money be held to allow speedy return to an identified owner, or
      - d. The unit with investigative follow-up determines the physical money has evidentiary value that would be destroyed if deposited.
    6. Money placed in the Property Unit as evidence will be held pending court order or release of the detective's *Hold*.
    7. The money that is of collector quality will not be deposited. Once all legal holding requirements are met, it shall be delivered to the Director of Purchasing for sale as other personal property.
  - G. Alcoholic Beverage Containers
    1. When an officer arrests or issues a citation to a person for public intoxication, or for any other alcohol-related Class C misdemeanor or city ordinance violation, he/she will seize any alcoholic beverage in the possession of the person at the time of the arrest or citation.
    2. Alcoholic beverage containers seized in accordance with the preceding paragraph will be disposed of as follows:
      - a. If the person arrested or cited is under 21 years of age, each container, whether opened or unopened, will be poured out and the container properly discarded.
      - b. If the person arrested or cited is 21 years of age or older, any open container will be poured out and the container properly discarded.
      - c. If the person is arrested and is 21 years of age or older, any unopened container will be released, with the consent of the person taken into custody, to a third party who is 21 years of age or older; or stored by the police department as *prisoner's personal property* pending the release of the person in custody.
    3. If 24 or more unopened containers of alcoholic beverages are seized from any person who is arrested or cited for any alcohol-related Class C misdemeanor or city ordinance violation, each unopened container will be stored at the Property Unit Main Storage Facility by the Police Department pending a hearing to be held by the municipal court following disposition of the charge for which the person was arrested. The court may order one of the following:
      - a. The return of the containers of alcoholic beverages to the person from whom they were seized, if the person is 21 years of age or older.
      - b. The destruction of the alcoholic beverages by the Police Department.
      - c. Such other disposition as the court deems necessary.
    4. DWI Arrests
      - a. Unless a DWI arrest is related to a felony grade assault/homicide case, no alcoholic beverage containers (with or without contents) will be placed in the Property Room.
      - b. Items left in the suspect's vehicle will be listed in the Arrest Report and on the impound ticket. Personal property found in vehicles will be processed according to the Auto Pound Unit Standard Operating Procedure.
    5. Large quantities of alcoholic beverages possessed or transported in violation of the Alcoholic Beverage Code and seized as evidence will be placed in the Property Unit Main Storage Facility and disposed of according to the instructions of the court having jurisdiction.
    6. Disposition of all opened and unopened containers must be documented in an offense report, arrest report, book-in sheet, or reverse side of an original citation.
  - H. Prisoner's Personal Property - The handling of prisoner's personal property will be in accordance with the Detention Services S.O.P., which will be posted at applicable locations.
  - I. Perishable Property
    1. Officers who arrest individuals with small amounts of perishable items in their personal possession, which is not evidence, will dispose of the perishable item in one of the following manners:
      - a. Permit the arrested person to release the perishable property (not evidence) to a responsible third party at the scene.
      - b. Leave the perishable item in the arrested person's vehicle if applicable.
      - c. If no other alternatives exist, the perishable item should be properly discarded in the field.
    2. Items of this nature should not be submitted to the Property Unit or taken to Lew Sterrett. Examples of perishable items include but are not limited to the following: sandwiches, chips, and open beverage containers.
  - J. Return of Driver License and Other Identification - Drivers licenses, other identification and insurance cards unintentionally retained by an officer as the result of a traffic stop, auto accident, or arrest will be returned to the owner as soon as possible.
    1. If the owner of the item resides within the city limits of Dallas, the item will be hand-carried to the owner.
    2. If the owner resides outside the city of Dallas, the item will be sent to the individual through registered mail by the officer who unintentionally retained the item.
  - K. Handling Out-of-Town Found or Recovered Stolen Property
    1. The Property Unit will notify the unit with investigative follow-up responsibility when property is determined to be stolen property after it has been submitted to the Property Unit Storage Facility.
    2. The Property Unit will coordinate the return of stolen recovered firearms. Once the firearm is received, the Property Unit will notify the unit with investigative follow-up responsibility. That unit will have responsibility for supplementing the original offense report and authorizing the final disposition when appropriate.
    3. The Property Unit will coordinate the return of found firearms determined to be stolen out of other jurisdictions to the agency with investigative responsibility. Out of town stolen firearms used in a Dallas offense will only be returned to another agency after authorization has been received from the unit with follow-up investigative responsibility.
  - L. Wet Items Contaminated with Biological Material
    1. Wet items contaminated with biological material pose a potential health risk when improperly handled. All precautions outlined in General Order 438 should be taken when handling potentially contaminated items and disposing of equipment used during the collection.

# Dallas Police Department General Order

## 321.00 Evidence and Property

Revised 09/27/2022

2. Wet biologically contaminated evidence and property will be delivered to the Crime Scene Response Section by the seizing officer or Crime Scene Response Section personnel so that it can be properly dried.
3. Wet biologically contaminated property or evidence will not be placed at the Lew Sterrett Criminal Justice Center or Property Unit.
4. Clothing collected from sexual assault victims who are examined at Parkland Memorial Hospital (PMH) may be deposited in the temporary evidence drop box located at PMH once properly packaged.

### 321.03 Impounding Vehicles as Evidence

- A. The authority of placing a HOLD on vehicles resides with the investigative unit responsible for the follow-up investigation of the offense related to the vehicle. A HOLD should be placed on a vehicle only when being held as evidence in a criminal case.
- B. Field Officer Responsibilities
  1. Before placing a HOLD on an impounded vehicle, officers will consult with a member of the appropriate investigative unit.
  2. Officers must obtain express permission to place a HOLD on the vehicle from the member of the investigative unit with whom they speak.
  3. Officers will fill out an IVR/Wrecker Sheet completely and correctly with special emphasis on the following:
    - a. The approving sergeant's or detective's badge number and unit must be placed in the HOLD/DIV box
    - b. A Case Number for the related offense must be placed in the designated box
    - c. Information that explains the need for the HOLD must be written in the designated box, located directly under the damage diagram
- C. Investigative Unit Responsibilities
  1. When a HOLD is authorized, the sergeant or detective that authorizes that HOLD will call the Auto Pound booth, 214-670-7761, provide the case number, their badge number, and specific information on why the HOLD is being authorized. Auto Pound personnel will then enter this information in Impound Manager when the vehicle arrives.
  2. Sergeants of investigative units shall review the Auto Pound Holds list for their unit regularly and provide detectives with a list of vehicles on HOLD under that detective's badge.
  3. Detectives shall regularly review the Auto Pound Holds list and release any HOLDS for which they are responsible that are not essential.
  4. Detectives shall document the necessity for any HOLDS for which they are responsible every month, by adding comments detailing the status of the related case in Impound Manager.
  5. If a case has not resulted in the filing of charges with the District Attorney, HOLDS on vehicles must be released by the assigned detective after:
    - a. 30 days when the offense is a misdemeanor and a property related crime
    - b. 45 days when the offense is a felony and a property related crime
    - c. 45 days when the offense is a misdemeanor and a crime against a person
    - d. 90 days when the offense is a felony and a crime against a person, unless the offense is a homicide
    - e. 120 days when the offense is a homicide
  6. Sergeants of investigative units will submit a monthly report detailing the number of HOLDS their unit has placed on vehicles and number of HOLDS they released. The same report will detail the need for all HOLDS over 30 days, including the status of the related case.

### 321.04 Transporting Property/Evidence to Court

- A. Property Unit personnel will be responsible for releasing evidence to officers when requested by court.
- B. *Dallas Police Department Property Unit Receipt* will be given to officers when evidence is checked out for court.
- C. If the evidence is retained by the court, the appropriate section of the *Dallas Police Department Property Unit Receipt* must be completed by the proper court officer. The form must be returned to the Property Unit the same day the evidence was checked out.
- D. If the evidence is not retained by the court, it will be returned to the Property Unit with the *Dallas Police Department Property Unit Receipt* the same day it was checked out.
- E. In all cases, the *Police Department Property Unit Receipt* must be returned to the Property Unit on the same day in which evidence is checked out for court.
- F. If multiple items are requested by the court and only some of the items are retained. The *Police Department Property Unit Receipt* should indicate which items were retained. All *Police Department Property Unit Receipts* and any items not retained by the court will be returned on the same day the items were checked out.

### 321.05 Processing of Narcotics/Drug Evidence and Narcotics/Drug Found Property

- A. Deposit Procedure
  1. Drug evidence may be deposited at the Lew Sterrett Criminal Justice Center drug lock box or the Property Unit only.
  2. Drug evidence too bulky to be placed in a heat-sealed plastic bag will be delivered to the Property Unit.
  3. All items of drug evidence will be logged on the drug evidence log sheet.
  4. A complete description of all items contained in the drug evidence bag will be listed on the drug evidence tag.
  5. Officers will place the evidence in a heat-sealed plastic bag and place in the drug lock box.
- B. Release of Drug Evidence for Court
  1. A Drug Evidence Team clerk will be responsible for releasing drug evidence for court and weighing the drugs before release. The weighing will be done in the presence of the officer and the total weight (including container

# Dallas Police Department General Order

## 321.00 Evidence and Property

Revised 09/27/2022

- or evidence bag) will be recorded on the bottom of form. The officer and the clerk will initial to confirm the weight entered on the *Dallas Police Department Property Unit Receipt*.
2. *Dallas Police Department Property Unit Receipt* will be given to officers when drug evidence is checked out for court.
  3. If drug evidence is retained by the court, the appropriate section of the *Dallas Police Department Property Unit Receipt* must be completed by the proper court officer. The form must be returned to the Property Unit the same day the items were checked out.
  4. Drug evidence not retained by the court must be returned to the Property Unit the same day it was checked out with the *Dallas Police Department Property Unit Receipt*.
  5. Evidence returned to the Property Unit from court must be weighed by the officer, and the total weight of the evidence (including container or drug evidence bag) recorded on the bottom of the *Dallas Police Department Property Unit Receipt*. The officer and the clerk will initial to confirm the weight entered on the *Dallas Police Department Property Unit Receipt*.
  6. Evidence will be returned to the Drug Evidence Team or placed in the lock box at the Property Unit when the Drug Evidence Team is not available.
  7. In all cases, the *Police Department Property Unit Receipt* must be returned to the Property Unit on the same day in which evidence is checked out for court.
  8. Officers will not accept drug evidence from any court if the package has been opened and not resealed.
    - a. Officers will request the court employee seal the evidence package, then initial and date across the seal.
    - b. Upon arrival at the Property Unit, officers will notify a Property Unit clerk that the evidence has been opened and resealed by the Court prior to acceptance.
    - c. Property Unit clerks will make a note and notify the Drug Team Supervisor.
    - d. Officers should contact a Property Unit Supervisor immediately if the court employee refuses to seal the evidence package.

### 321.06 Property and Evidence Placed at the Lew Sterrett Property/Evidence Temporary Storage Locker

- A. The following property/evidence will not be placed in the temporary property storage locker at the Lew Sterrett Criminal Justice Center and should be delivered to the Property Unit Main Storage Facility:
  1. Firearms and other weapons.
  2. Jewelry.
  3. Property/evidence contaminated with a biohazard or other substance making it dangerous to handle.
  4. Liquids not in its original container with an unbroken seal.
  5. Bicycles.
  6. Money.
  7. Gas powered equipment – Officers may be required to transport gas powered equipment to the Auto Pound after it has been logged in and evaluated by Property Unit personnel.
- B. Evidence stored at and removed from the Lew Sterrett Criminal Justice Center (DWI blood samples, general evidence that will fit in a #7 envelope, and narcotics/drugs in sealed plastic bags) will be accomplished in accordance with the Detention Services S.O.P., the Property Unit S.O.P.s, and current procedures. These procedures are posted at the deposit sites and in the various logbooks at the Lew Sterrett Criminal Justice Center.
- C. Items placed at Lew Sterrett temporary storage locker must be properly packaged as outlined by the Property/Evidence Packaging Manual. A manual will be maintained at the temporary storage locker.

### 321.07 Conversion of Property

Texas State Law allows a municipality to use unclaimed property which has come into its possession after certain requirements have been met. This process is known as conversion and is utilized by the Police Department to convert unclaimed property to Departmental use. The following are the procedures for property conversion:

- A. An organization unit requesting the conversion of property will submit a memo, signed by deputy chief or higher, to the Property Unit Commander. The memo should include the following information:
  1. A brief description of the item(s) needed. The description does not have to be specific but should be descriptive enough to help Property Unit staff to identify items for potential conversion.
  2. The Departmental purpose for which the item(s) will be used. If multiple unrelated items are requested, a separate justification is needed for each unrelated item.
- B. The Property Unit will keep a list of requests and will notify the requesting unit once an item becomes available. If similar property is requested by multiple units, then a waiting list will be maintained based on the date the request memo is received. However, if an overriding Departmental need exist; the order of requests may be disregarded.
- C. The Property Unit will be responsible for forwarding all requests and a list of the requested items to the City Purchasing Agent for final approval. Once the Department receives approval, the requesting Division will be notified by the Property Unit. This notification is a requirement of City Ordinance Section 2-37.3.
- D. Once property has been converted, the requesting unit will be allowed to take possession. The Property Unit will forward a memo to the Quartermaster Unit notifying them of the item's conversion to Department use and which organizational unit took possession.
- E. Once property has been converted, it should not be returned to the Property Unit once it is no longer needed. It is the responsibility of organizational unit with possession of the item to dispose of it in accordance with current Department and City policy.



# Dallas Police Department General Order

## 322.00 Citizens Riding Observation

Revised 01/01/2016

### 322.00 CITIZENS RIDING OBSERVATION

#### 322.01 Authorization for Riding

- A. Watch Commanders may authorize the following persons to ride observation:
  - 1. Citizens.
  - 2. Other law enforcement officers.
  - 3. City of Dallas employees who are riding as part of their training (e.g., Police Dispatchers and P.T.O.s).
  - 4. Cadets, Explorers, and Interns.
  - 5. Assistant City Attorneys.
  - 6. Members of the Citizens Review Board.
- B. Conditions, Qualifications, and Exceptions
  - 1. Observers may be assigned to ride with either a one-officer or two-officer element.
  - 2. Citizens will generally be permitted to ride observation only once in a twelve-month period. Citizens will be required to submit their request to ride at least seven days in advance of the desired date.
  - 3. Watch Commanders may restrict the number of civilian observers riding during a given shift.
  - 4. Special consideration should be given to those persons currently being processed as police applicants and those interested in a law enforcement career.
  - 5. Civilians under the age of 18 will not be authorized to ride observation unless participating in a recognized program such as the Cadets, Explorers, or Interns. In addition to approval by a Captain or above, the participant's parent or legal guardian must also sign a waiver indicating their approval.
  - 6. With Watch Commander approval, other law enforcement officers, City of Dallas employees, Cadets, Explorers, interns, Assistant City Attorneys, members of the Citizens Review Board, and members of the Dallas Citizen Police Academy Alumni Association may ride more than once in a twelve-month period.
  - 7. No officer will be required to have an observer unless directed by a commander (rank of Captain or above).
- C. Special Circumstances
  - 1. Observers conducting a survey or study must be authorized by a Captain or above.
  - 2. A citizen who wishes to ride more than once in a twelve-month period must be authorized by a Captain or above.
  - 3. Requests from political office incumbents and candidates will be referred to the respective Assistant Chief/Executive Assistant Director for approval and coordination.
  - 4. Members of the News Media
    - a. The limitation on the number of times a citizen can ride observation will not apply to members of the news media.
    - b. Requests from the news media to ride observation must be approved by a Captain or above. Prior to authorization being granted, the approving authority will cause the Media Relations Unit to be consulted. If the request is made outside of normal business hours, the duty officer of the Media Relations Unit will be contacted. If the Media Relations Unit duty officer is unavailable, the Bureau Commander will be contacted.
  - 5. Captains and above have the discretion to authorize exceptions to the requirements of this policy when special circumstances indicate the approval would be in the best interests of the Dallas Police Department.

#### 322.02 Procedures

- A. If deemed appropriate by the approving authority, the following checks may be conducted on individuals wishing to ride observation prior to approval being granted:
  - 1. A criminal history check coordinated with the Records Section.
  - 2. An NCIC/TCIC/Regional check to determine if any warrants are outstanding.
  - 3. A driver's license check.
- B. Waiver of Liability
  - 1. A *Waiver of Liability* (Form 70-43R) must be completed by any person authorized to ride observation each time such a ride occurs. The date, watch, name of the officer with whom the person rides, and approving commander's signature will be noted on the form. The form will be maintained at the division in accordance with the Records Retention and Disposition Schedule.
  - 2. Participants in continuing department-sponsored programs will not be required to prepare a new *Waiver of Liability* form except when the status of data required on the form changes, such as reaching the majority age of 18 years. A *Waiver of Liability* form will be completed annually at the beginning of the year for participants in such continuing programs.
- C. A copy of all *Waiver of Liability* forms will be routed to the Patrol Bureau. A centralized log or database will be maintained to track the number and location of observation rides throughout the Department. The person acting as the approving authority on citizen observer requests may coordinate with the Patrol Bureau prior to granting approval.
- D. Any commander (rank of Captain or above) may prohibit an individual from riding observation. Such prohibition will be documented by memorandum and routed to the Patrol Bureau for log entry and subsequent distribution to divisions within the Patrol Bureau.
- E. Each division within the Patrol Bureau will maintain a log of observers previously approved to ride within that division. The log will also contain any memos distributed by the Patrol Bureau, prohibiting specific individuals from riding. This log may be consulted before approval is granted to a request.

# Dallas Police Department General Order

## 322.00 Citizens Riding Observation

Revised 01/01/2016

### 322.03 Responsibility of Citizens and Authority of Supervisors

- A. Persons riding observation in police vehicles:
  - 1. Will not enter any house, building or other property, public or private, from which the general public would be excluded because of a police incident (e.g., a crime scene), or when the owner of the premises indicates that they cannot enter.
  - 2. Will not enter into any investigation or converse with any witness or prisoner concerning a police incident or investigation.
  - 3. Will not operate or use any police equipment or vehicle or anything in police custody, except in a case of emergency an officer may ask assistance as authorized by law.
- B. Will abide by the following dress code:
  - 1. Attire will be business casual or business formal.
  - 2. Persons riding observation will not wear any item of clothing that represents them to be Dallas Police Officers.
  - 3. Law enforcement officers from other jurisdictions may wear their Department approved uniform if they are riding on behalf of their Department while on-duty. Off-duty law enforcement officers from other jurisdictions may wear a generic police jacket or shirt.
  - 4. Persons riding observation will not carry any type of weapon or firearm. This includes persons with a License to Carry Handgun. Officers from other law enforcement agencies may carry a weapon if they are in uniform or a weapon if it is completely concealed from view. If a law enforcement officer from another jurisdiction is armed, they must wear an article of clothing identifying themselves as a police officer.
- C. Any interference with police duties or willful noncompliance with instructions, rules, or regulations on the part of observers will terminate the riding observation privilege.
- D. Any supervisor, at their discretion, may cause or permit termination of the privilege to ride observation regardless of the origin of the assignment authority when the effectiveness of police operations is deterred.
- E. No officer or supervisor's spouse will be allowed to ride observation with him/her. An officer's spouse must ride with a supervisor when riding observation and will be subject to the guidelines of this order.

### 322.04 Conduct While Riding Observation

- A. The assigned officer(s) to the observer will have the responsibility to ensure that the observer obeys all rules and regulations pertaining to their observation.
- B. If at any time the observer fails to safely conduct themselves or refuses to abide by the set regulations, the observer will be taken back to the Patrol Station and a supervisor informed.
- C. Observers must remain in the police vehicle until the scene is secure on the following type calls:
  - 1. Any felony in the act call.
  - 2. Accident scene until the appropriate lane closures have been made or cones and flares have been placed.
  - 3. Shooting calls.
  - 4. Cutting calls.
  - 5. Assist officer calls.
  - 6. When the comments on the call sheet indicate the use of a deadly weapon or the possibility of the presence of a deadly weapon.
- D. Officers will not allow an observer to enter any active crime scene.
- E. Observers will not conduct interviews or ask questions of the complainants, witness, or suspects on calls.



## Dallas Police Department General Order

### 323.00 Press Relations

Revised 01/30/07

#### 323.00 PRESS RELATIONS

##### 323.01 News Media Requirements and Privileges

- A. Members of the media must display appropriate press credentials prior to being admitted to restricted areas.
- B. Members of the media may not resist, obstruct, or oppose an officer in the lawful execution of his/her duty. However, the mere presence of a newsperson, the taking of pictures, or the asking of questions does not constitute unlawful interference. Officers will refrain from making judgments on the relevancy of reporters' questions.
- C. Officers will not restrict movement of newspersons, unless their actions clearly and directly interfere with police operations or investigations.
- D. Members of the media are not exempt from any federal, state, or local law. They will be dealt with in the same manner as any other violator, if arrested.
  - 1. No member of the media shall have any property confiscated or threatened with confiscation without due process of law. This includes cameras, film, notes, etc.
  - 2. Officers who experience extreme difficulties in dealing with individual members of the media at the scenes of incidents should report such circumstances through their chain-of-command to the Media Relations Unit.

##### 323.02 Major Incidents

- A. Media representatives who possess employer issued identification, a Department of Public Safety press pass, or other form of valid media identification will be allowed immediate access to the area adjacent to the Department's Command Post. The ranking officer will determine further access, making every effort to accommodate the media's need to be as close as possible to the incident. The commanding officer will be especially aware of photographer's needs in proximity to the incident. On more routine incidents where no Command Post is established, the ranking officer will not unduly restrict the movement of members of the media.
- B. In no case will members of the media be denied access to areas where the public is allowed to be present.
- C. At the scene of an incident in which the Dallas Fire Department has the primary responsibility, the ranking police officer at the scene will allow media representatives' access to the Fire Department Command Post unless otherwise notified by the Fire Department. The Fire Department will determine further media access.
- D. The ranking officer at the scene of a police incident will provide timely *situation briefings* to members of the media. This responsibility may be delegated to a knowledgeable member of the ranking officer's staff. In extreme cases, personnel from the Media Relations Unit may be summoned to the scene to conduct the media briefings. If a member of the Media Relations Unit is summoned to the scene, he/she will assume the role of media coordinator and brief the media when requested by the officer in charge.

##### 323.03 Crime Scenes

Media members will be given guided access to crime scenes as soon as determined practical by the ranking investigative officer, except in the following situations:

- A. When the crime scene is on private property and the person responsible for the property requests the media to leave.
- B. When the presence of media members might adversely affect the preservation of the crime scene or interfere with an investigation.
- C. When the presence of the media members would interfere with an operation.

##### 323.04 Release of Information

- A. Upon request, the ranking officer at the scene of an incident will, as soon as possible, provide media members with factual information pertaining to any of the following:
  - 1. The facts and circumstances of arrest, including the time and place of arrest, resistance, pursuit, and any use of weapons. The race, sex, age, and occupation of the suspect also may be released but the name and address of the suspect must remain confidential until the suspect has been booked in a jail or formal charges have been filed. For the purposes of this order, the filing of charges is defined as that point when prosecution reports and other necessary paperwork have been forwarded to the Legal Services Section.
  - 2. The identity of the investigating and arresting officer, if such disclosure does not compromise an undercover operation, or unless conditions arising from the incident would expose the officer involved to a higher than normal risk of retaliation.
  - 3. A general description of the evidence seized. Officers will avoid providing specific descriptions of evidence that would tend to hinder or prejudice the investigation.
  - 4. The nature, substance or text of a charge, including a brief description of the offense or incident.
- B. Information will not be released pertaining to any of the following:
  - 1. The contents of a statement or even the mere existence of an admission or confession.
  - 2. Personal opinions about the suspect or evidence.
  - 3. Statements concerning anticipated testimony or the truthfulness of witnesses.
  - 4. The results of fingerprint, polygraph, ballistics, or laboratory tests.
  - 5. The names of victims until next of kin have been notified. This applies to both citizens and to Police Officers killed or injured.
  - 6. The fact that a member of the Department possesses, was wearing, or may be wearing a ballistic vest.

# Dallas Police Department General Order

## 323.00 Press Relations

Revised 01/30/07

- C. Requests for information not released at the scene of an investigation will be directed to the supervisor of the officer assigned follow-up investigative responsibility.
- D. Only supervisors are authorized to release information not covered by this order.
- E. Media access to the working spaces of investigative sections must occasionally be limited during unusual circumstances where security and progress of major cases might be compromised by the presence of the media. This limitation of media access will be the prerogative of the Section Commander or acting commander and will be only for the duration necessary to achieve the specific work objective. During such circumstances, the Section Commander or representative will periodically brief media representatives at another convenient location. During such periods, the commanders of the sections involved will also keep the Media Relations Unit apprised of case progress. That unit can also be used as an information source by media personnel.

### 323.05 Information from Police Files

- A. Departmental employees will not give information from Police Department files to media members except the following:
  - 1. Accident Reports.
  - 2. Page One of Offense Reports.
  - 3. Page One of Arrest Reports.
  - 4. Mug shots where records reflect previous convictions or where defendants have recently been charged.
  - 5. Previous convictions.
- B. Media members requesting reports should contact the Records Section for applicable policy.
- C. Departmental employees will not give information from Police Department personnel files to media members except the following:
  - 1. Dates of employment of former officers and non-sworn employees.
  - 2. Date of employment, current assignment (unless assigned to the Special Services or Investigations Bureau and an undercover assignment could be jeopardized) and all previous assignments of current employees.
  - 3. All significant biographical information on officers killed or seriously wounded in the line of duty. The determination of such needed information will be made by the Commander of the Personnel and Development Division.
- D. Departmental employees will not release to any person the name, home address, or telephone number, or business address or telephone number of any Crime Watch Chairperson.

### 323.06 Photographs and Interviews

- A. Pictures may be taken in or from any area to which media members have been granted access. However, officers may restrict the use of flash, strobes and other high-intensity lighting when such use might hinder a police operation.
- B. Officers will not interfere with a photographer taking a picture of a prisoner.
- C. Visual reproductions of suspects or witnesses will not be permitted in the working areas of the Dallas Police Department's facilities. Photographs may be taken in the hallways and other areas that are open to the public.
- D. Officers will not deny media interviews with hostages who have been released or other crime or disaster victims when the victims have expressed no reluctance to being interviewed. Exceptions may be made by officers when victims are injured, emotionally out of control, or otherwise not capable of making sound decisions.

### 323.07 Internal Matters

- A. Internal personnel investigations involving criminal offenses are classified as *Secret* and requests for this information will be directed to the Internal Affairs Division or to the Media Relations Unit. The commander of the unit, section, or division in which the investigated personnel are assigned may not, under any circumstances, release this type of information.
- B. Requests for information regarding internal personnel investigations that are classified *Confidential* may be directed to the Internal Affairs Division or to the Media Relations Unit. If a representative of these offices is not available, the commander of the unit, section or division to which the personnel are assigned may release the nature of the allegations, names of officers, complainants involved, and the extent of departmental action taken, if any.
- C. In completed personnel investigations, regardless of classification, information may be released regarding the nature of the allegations, names of officers involved, and the extent of departmental action taken, if any.

### 323.08 News Information Service

- A. Reports concerning major crimes, fires (three-alarm or greater), major accidents, serious traffic tie-ups, and other newsworthy events will be transmitted on the News Information Service as soon as possible.
- B. The Communications Section Watch Commander will be responsible for transmitting basic facts.

### 323.09 Routine Newsworthy Matters

Routine newsworthy information should be released directly to the media by the departmental personnel involved.



## Dallas Police Department General Order

### 324.00 Security for Police Facilities

Revised 01/30/07

#### 324.00 SECURITY FOR POLICE FACILITIES

##### 324.01 General Policy

The Texas Penal Code, Section 30.05, Criminal Trespass, will apply to restricted areas in Police Department facilities. The Penal Code provides that "a person commits an offense if he enters or remains in a building without effective consent and he had notice that entry was forbidden or had received notice to depart but failed to do so. Notice includes (1) oral communication by someone with apparent authority to act for the owner of the building or (2) a sign or signs reasonably likely to come to the attention of intruders indicating that entry is forbidden."

##### 324.02 Restricted Areas

- A. A *RESTRICTED AREA* is a portion of a police facility that is marked by appropriate signs which state that access to the area is limited to employees and/or specified individuals.
- B. Any area, including restrooms (except those specifically designated for public use), in a police facility can be marked for use by employees only. Persons other than employees who enter these areas and refuse to leave after being requested to do so can be prosecuted for criminal trespass.
- C. Access to hallways and offices in all facilities may be limited by signs that restrict entry to persons conducting official business. Persons who are not present to conduct business in these areas and who refuse to leave after being requested to do so may be prosecuted for criminal trespass.
- D. The following persons have access to restricted areas:
  1. Any employee of the City engaged in the performance of official duties who complies with procedures set forth in administrative directives and other regulations regarding security.
  2. Persons who need to enter the restricted area to conduct business (repairmen, news media, etc.) may be granted temporary access to a specific office or location by the on-duty commander of that area.
  3. Persons on authorized visits or tours with departmental escort.
- E. Designation of Restricted Areas - The ranking supervisor in control of a departmental facility is responsible for designating restricted areas in that facility. Signs will be posted in areas deemed restricted.

##### 324.03 Procedures

- A. All personnel should be constantly alert for suspicious persons and activities in and around departmental facilities and take appropriate action when necessary to maintain security and safety. Appropriate action will depend on the circumstances of each situation. Some individuals, by their actions, indicate they probably do not have legitimate business to conduct at a police facility. If observed in a restricted area, these individuals should be identified and questioned regarding their purpose for being in the area. Individuals should be arrested when they refuse to leave after being instructed to do so or when they are in possession of illegal weapons or contraband.
- B. At buildings where police facilities are physically separate from other city facilities, Commanders will take appropriate actions to secure access to their areas. All combinations and codes regulating access to these areas will be changed annually or more frequently, if necessary, in order to maintain security.
- C. Non-sworn employees will advise security personnel or sworn personnel when they observe anything that places security in jeopardy.
- D. Dallas Security Officers have primary responsibility for security in the Police and Courts Building and Municipal Building Complex, but they have some limitations on their enforcement powers. All employees should cooperate with them in their efforts. Sworn personnel should, when necessary and proper, make arrests for Dallas Security Officers and either transport or arrange transportation of all prisoners.
- E. While in restricted areas, all non-sworn employees will wear their departmental or city identification card in a visible location on an outer garment.
- F. When not in uniform, all sworn employees may wear either their badge or city identification card on an outer garment. The badge or identification card must be visible while in restricted areas.
- G. Visitors will not be required to wear visitor passes while conducting business in multiple use buildings with common access to police and non-police facilities. At police facilities that are physically separate and when deemed necessary for security, Commanders may require visitors to wear passes.
- H. The provisions of this order are in effect twenty-four hours a day.



## Dallas Police Department General Order

### 325.00 Open Records Information

Revised 01/08/2019

#### 325.00 OPEN RECORDS INFORMATION

##### 325.01 Release of Criminal History Information

- A. Criminal history information will not be released to any person or agency except those involved in criminal justice activities, except as provided below and in Section 323.04.
- B. Individuals desiring to review their own criminal records involving felony or misdemeanor charges filed in the county courts will be directed to the Records Division of the Dallas County Sheriff's Office.
- C. Individuals desiring to review their own arrest records involving city arrests only will be directed to the Records Section of the Dallas Police Department. There will be a \$10 fee for this review.
- D. Field officers will, if requested, provide to apartment managers or landlords a *Request for Information - Open Records* form. This form will assist managers and landlords in obtaining the data listed below regarding the arrest of an individual on the property controlled by the manager or landlord. Note restrictions to the release of information in paragraph E.
  1. Arrestee's name, race, sex and age.
  2. Location, date and time of arrest.
  3. Charge.
  4. Arrest number.
  5. The apartment number involved (if any).
- E. Special attention should be paid to situations involving sexual assault offenses and juvenile suspects. The name and address of the victims of sexual assault offenses are not considered Open Records and will not be released. Juvenile arrest data is not considered Open Records and will not be released.

##### 325.02 Release of Information on Offense/Incident Reports

- A. The Offense/Incident Report will be released as follows:
  1. Page 1 to any person upon request and payment of any required fees (except sexual offenses).
  2. Page 1 to the media via established distribution procedures (except sexual offenses). Additional copies or requests for offenses over 72 hours old will be handled in accordance with paragraph A.1 above.
  3. Upon subpoena, any document requested by the subpoena through the Legal Services Section (including sexual offenses).
  4. Sexual offenses are restricted to page 1 to the following:
    - a. The complainant.
    - b. The suspect.
    - c. The suspect's attorney.
  5. Other police agencies may obtain, without a fee, any Offense Report and its supplements. Other agencies have restricted access to sex offenses on a need to know basis. This will be determined by the on-duty supervisor in the Records Section at the time of the request.
- B. Copies of witness statements, confessions, lists of evidence, or laboratory reports will not be released in any case except with the approval of a Division Commander or higher.
- C. Release of Offense/Incident Reports will be made by the Records Section. Fees charged will be consistent with the Public Information Act.

##### 325.03 Release of Other Written Records

- A. It is the responsibility of the Division Commander or their designee maintaining records other than criminal history to respond to open record requests.
- B. In any case where a Division Commander or their designee has any doubt concerning an open records request, he/she should contact a Supervisor in the Open Records Unit or an attorney in the Criminal Law and Police Unit for advice.
- C. The Division Commander receiving a request for open records information from the Open Records Unit is responsible for ensuring that responsive information is uploaded into the GovQa Record Management or immediately (hand delivered) to the Open Records Unit if an exemption applies. This immediate processing requirement is due to the 10-day response time mandated by law for an exemption. However, the responsive documents are due to the Open Records Unit within three (3) business days for processing.
- D. The Open Records Unit will maintain an Open Records Control Log for all Departmental open records requests. Division Commander or their designee, who process open records requests, will maintain a similar log. The name of requestor, nature of the request, date received, and name of person responsible for processing will be logged in the Open Records Control Log. Upon completion of the open records request, all records will be processed as listed above.
- E. The Open Records Unit currently transitioned to a new open records request system (GovQa). When responding to open records requests, all responsive documents will be uploaded into the GovQa Open Records Request System.
  1. Exception: the following responsive documents will not be uploaded into the GovQA Records Management System due to the guidelines as outlined in the Public Information Act; however, they will be hand carried to the Open Records Unit: Sexual Assaults Offense Reports and Supplements, Aggravated Sexual Assault Offense Reports, Child Abuse Offense Reports and Supplements, any offense reports containing Juvenile information, where the juvenile is the suspect, pending criminal investigation in which the detective is requesting an

# Dallas Police Department General Order

## 325.00 Open Records Information

Revised 01/08/2019

exemption, Police Shooting, Personnel Records, Internal Affairs Investigation and Public Integrity Investigation. If you have a question, please contact a Supervisor in the Open Records Unit.

2. Each unit, section or division will be responsible for redacting all responsive documents for open records request(s) that does not seek a ruling from the Texas Attorney General's Office.
3. All responsive documents or reports will be redacted prior to uploading into the GovQa Records Management System as established by the Public Information Act.
4. The Open Records Unit will then process the responsive documents and provide the requestor an invoice for the requested information. Once funds for the invoice have been received, the Open Records Unit will release the responsive documents to the requestor through the GovQa System or by mail.
5. The Open Records Unit will continue to redact all Dash Camera, Body Camera and 911 audio footage. However, each unit, section or division will be responsible for ensuring all camera and audio footage are delivered to the Open Records Unit within five business days.

### 325.04 Court Subpoenas

- A. It is the responsibility of the Division Commander maintaining records to respond to all lawful subpoenas for records maintained in their division.
- B. The Division Commander should contact the attorney in the Criminal Law and Police Unit office in any case where there is a legal question relative to a subpoena.

### 325.05 Expunction and Nondisclosure of Adult Criminal Records

- A. Expunctions
  1. A court-ordered expunction is usually a two-part process:
    - a. Petition for expunction: The responder copies all related records and delivers them to the Legal Services Unit within ten days. Do not destroy or remove records.
    - b. Order for expunction: The responder delivers all original and duplicate copies of related records to Legal Services or obliterates all electronically or photographically stored portions of records and expunges indexes within ninety days. Legal Services delivers all the gathered records to the District Court Clerk after reception.
  2. Any person may petition the court to expunge records of an arrest. The Criminal Law and Police Unit will challenge such petitions when appropriate and received before due date. Petitions cannot be challenged past due dates. An arrested person is entitled to have all records and files relating to the arrest expunged if they fall within the specific guidelines set forth in the Texas Code of Criminal Procedure, Section 55.01-55.06.
  3. Expunction orders include all records or files, or portions of records or files, (encompassing arrest, offense, and accident reports, PES supplements, IAD investigations, investigative notes, indexes, etc.) which document an arrest.
- B. Petitions for Expunction
  1. Legal Services receives petitions. Time is critical in responding to petitions.
  2. Legal Services will determine which organizational levels or other city departments are likely to maintain records subject to the petition and forward the petition with a cover memo.
  3. Organizational levels will thoroughly research their records and identify all records that are subject to petition before forwarding any copies to Legal Services. Additionally, Organizational Commanders desiring to challenge petitions will immediately submit a brief memo to the Criminal Law and Police Unit explaining why. Attach the memo to the forwarded documents and return by the requested due date.
  4. Organizational Commanders must submit a brief memo to Legal Services describing the content of any unprintable electronic information in lieu of submitting these records in printed form.
  5. Organizations possessing property/evidence belonging to petitioners will immediately notify Legal Services in writing of this fact, describing the property.
  6. Legal Services will compile the petitioned information and deliver it to the Criminal Law and Police Unit.
- C. Order for Expunction
  1. Legal Services receives orders.
  2. Legal Services will determine which organizational levels or other city departments are likely to maintain records subject to the order and forward the order with a cover memo.
  3. Organizational levels with records or files that are impractical to return to the court (printouts, computer files, etc.) will print or copy all records or files pertaining to the expunction to show their existence. Then, erase or obliterate from the record or file everything pertaining to the expunction, and, finally, copy the entire record or file showing the records or files pertaining to the expunction erased or obliterated. Forward the copies to Legal Services.
  4. The organizational level will keep the original record or file, with expunged portions erased or obliterated, as its new record or file. Expunged portions of original records or files must not still be legible.
  5. Place a notation of expunction at the location of removal or obliteration. The notation will include the name of the person performing the expunction and the removal date. No information that can identify the petitioner (name, date of birth, address, etc.) or the court cause number will be included. If it is impractical to insert a notation at the expungement location, maintain an associate expunction notation file.
  6. The person researching records subject to an order for expunction will complete a memo of expunction and forward it, along with any records found, to Legal Services.
- D. Order of Nondisclosure
  1. Legal Services receives orders of nondisclosure.
  2. They prohibit public disclosure of criminal history information.
  3. They do not affect the Department's ability to retain and use our criminal records or investigative files.

**Dallas Police Department General Order**  
**325.00 Open Records Information**

Revised 01/08/2019

4. They do not constitute an order to destroy or obliterate the named records or files.
  5. The Department may disclose criminal history record information subject to an order of nondisclosure to: 1) other criminal justice agencies, 2) non-criminal justice agencies authorized by federal or state statute or by executive order to receive criminal history record information, and 3) the person who is the subject of the criminal history record information.
- E. Other Compliance Actions Required for Expunction/Nondisclosure Orders
1. Legal Services will maintain a database on each expunction/nondisclosure order under process by referencing the cause number and date received. Legal Services will not maintain any expunction/nondisclosure order information after returning it to the District Court Clerk.
  2. Legal Services will destroy acquired records for dismissed or withdrawn expunction/nondisclosure petitions upon receiving a court order notifying Legal Services of such action. Legal Services will copy original court orders, file the copy for one year, and return the original to the issuing court.
  3. Organizations subject to expunction/nondisclosure orders will maintain Standard Operating Procedures describing their expunction/nondisclosure process.
  4. Any recommended process, record, file, or program designed to track crime information, or which includes reference to criminal suspects, will include a method for expunction/nondisclosure prior to its implementation.
  5. Historical, multi-generational, or associated electronic data that is subject to expunction/nondisclosure and overwritten according to accepted electronic information management practices will be due to Legal Services in ninety days. Current data subject to expungement/nondisclosure will be due in thirty days.
  6. Legal Services will compile all responses to an expunction/nondisclosure order and deliver them to the District Court Clerk along with a memo stating that the expunction/nondisclosure order is satisfied.
  7. Organizational levels will ensure compliance with expunction/ nondisclosure methods set forth in the Texas Code of Criminal Procedure and the Texas Government Code.
  8. Refer procedural questions regarding expunctions/nondisclosures to the Legal Services Unit. Refer Legal questions regarding expunctions/nondisclosures to the Criminal Law and Police Unit.
  9. Personnel will be mindful of the expungement/nondisclosure process and avoid creating and duplicating records not critical to the mission of the department.



## Dallas Police Department General Order

### 326.00 Interrogatories

Revised 01/30/07

#### 326.00 INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS, AND DISCOVERY ORDERS

- A. The Legal Services Section will provide coordination of Interrogatories, Requests for Production of Documents, and Discovery Orders.
  - 1. Personnel receiving Interrogatories, Requests for Production of Documents, or Discovery Orders from any source other than Legal Services Section will notify the Legal Services Section Commander as soon as possible during administrative hours.
  - 2. If time constraints will not allow coordination through the Legal Services Section during administrative hours, the duty legal officer will be called and all action taken will be documented in a memorandum to the Legal Services Section.
- B. The Legal Services Section will provide initial analysis, specific instructions, and distribution to ensure compliance with legal requirements. The requests will then be routed to the appropriate Division Commanders.
- C. Division Commanders will:
  - 1. Return the requested information or material promptly to the Legal Services Section.
  - 2. Ensure all material provided is labeled according to the corresponding question it answers.
  - 3. Ensure that the cover memorandum transmitting a requested document back to the Legal Services Section is initialed by all persons reviewing it, including the Division Commander.
- D. The Legal Services Section will:
  - 1. Review returned material for compliance.
  - 2. Schedule conferences when necessary to clarify answers.
  - 3. Keep files of cover memoranda on returned information.



## Dallas Police Department General Order

### 327.00 Affidavits for Suspension of License to Carry Handgun

Revised 4/19/2024

#### 327.00 AFFIDAVITS FOR SUSPENSION OF LICENSE TO CARRY HANDGUN

- A. The Texas License to Carry Handgun Law requires officers to prepare the state-supplied *Suspension Affidavit* (LTC-551) when they believe a reason exists for the suspension of a handgun license. Officers will complete the suspension affidavit when they:
1. Arrest a handgun licensee and believe a suspension factor is applicable.
  2. Are assigned investigative responsibility for a case they believe a suspension factor is applicable to the licensee/suspect, and the report does not indicate a suspension affidavit was submitted.
  3. Obtain any other information they believe could result in the suspension of a handgun license.
  4. If an officer arrests a licensed holder who is carrying a handgun, the officer shall seize the license holder's handgun and license as evidence and place them in the Baylor Street Property Room. If the license was not seized as evidence due to unavailability, the Department of Public Safety (DPS) shall notify the license holder to surrender the license no later than the 10<sup>th</sup> day after the license holder receives the notice of suspension from DPS.
- B. Suspension Affidavit (LTC-551)
1. A person's handgun license may be suspended if the license holder:
    - a. Is charged with a Class A or Class B misdemeanor
    - b. Is charged with an offense under Penal Code Section 42.01, Disorderly Conduct
    - c. Is charged with a felony under an information or indictment
    - d. Commits an act of family violence and is the subject an active protective order under Title 4, Family Code
    - e. Is arrested for an offense involving family violence
    - f. Is arrested for an offense under Penal Code Section 42.072, Stalking, and is the subject of an order for emergency protection issued under Code of Criminal Procedure Article 17.292
  2. If an officer believes there is cause under Section B.1 to suspend a handgun license, the officer shall prepare a Suspension Affidavit (LTC-551) stating the reason for the suspension of the license and provide all the information available to the officer at the time the form was prepared.
  3. Officers will complete a Suspension Affidavit (LTC-551) when they discover the licensee failed to notify DPS of a change of address, name, or status (marriage) no later than 30 days after the change as required by Government Code, Section 411.181.
  4. Detectives will also complete a *Suspension Affidavit* (LTC-551) when filing an at large case for those offenses listed in B.1. against a handgun licensee.
  5. If a license holder is carrying a handgun on or about the license holder's person when a police officer demands identification, the license holder shall display both the license holder's driver's license or identification card and the license holder's handgun license per Government Code, Section 411.205. Note: the penalty for this section was removed during a previous legislative session.
- C. Copies of the Suspension Affidavit form are maintained at the Detention Division. A PDF fillable for4m is available on the DPD Intranet, Departmental Units, Jail, and at the DPS website.
- D. When an officer believes a reason exists for the suspension of a handgun license, he/she will perform the following:
1. Complete the suspension affidavit form.
  2. Attach the officer's report (offense report, arrest report, a photocopy of the front of any citation), relating to the license holder to the suspension form and send the suspension affidavit and the attachments to the DPS at its Austin headquarters not later than the fifth working day after the date the form was prepared. Any sexual assault victim identifying information is redacted.
  3. Request a supervisor within their unit to review the affidavit and attachments prior to notarization of the affidavit.
- E. Officers will reference the handgun license number in any arrest report, offense report, or other document related to the licensee.
- F. If a case number is not normally generated for the incident, the officer submitting the affidavit will request a case number and prepare a Miscellaneous Incident Report (MIR). Officers will include the case number in the upper right-hand corner of the affidavit.
- G. Within five working days, the supervisor will:
1. Review the packet and ensure the submitting officer has the affidavit notarized.
  2. Send the original notarized affidavit, along with attachments, to:

Texas Department of Public Safety  
Regulatory Services Division, MSC 0245  
P.O. Box 4087  
Austin, Texas 78773-0245

3. Forward a copy of the notarized affidavit to the Records Section for retention. The Supervisor will ensure the case number is written in the upper right corner of the affidavit copy.



# Dallas Police Department General Order

## 328.00 Digital Video Recorder Program

Revised 10/18/2021

### 328.00 DIGITAL VIDEO RECORDER (DVR) PROGRAM

#### 328.01 Program Objectives

- A. It is the intention of the Dallas Police Department to utilize Digital Video Recorder systems in a manner that is fair and equitable toward employees and citizens.
- B. The Dallas Police Department has adopted the use of in-car video/audio recording systems in order to accomplish several objectives. These objectives include, but are not limited to:
  1. Enhancement of officer safety,
  2. Enhancement of officer reporting, evidence collection, and court testimony,
  3. Protection from false claims of impropriety,
  4. Officer evaluation and training, and
  5. Compliance with Texas State Laws.

#### 328.02 Definitions

- A. DVR – Digital Video Recorder system provided by the Dallas Police Department.
- B. L-3 – Digital Video Recorder solution with an on-premises solution for video storage.
- C. Axon Fleet 3 – Digital Video Recorder solution with a cloud base storage.
- D. Division DVR Administrator – The supervisor assigned primary responsibility for the DVR program at the Division level.
- E. DVR Coordinator – A supervisor on any watch trained to handle DVR responsibilities. Includes the Division DVR Administrator.
- F. DVR System Administrator – Individual with Department-wide responsibility for the DVR program.
- G. DVR Resource Manual – The Department's Standard Operating Procedure for the DVR program.
- H. Division – When used in this General Order includes any Division, Section, or Unit, operating DVR systems.
- I. Enforcement Activity – Law Enforcement activity including: issuing a citation or giving a warning, questioning, arresting, detaining, frisking, or searching a person or vehicle.
- J. DVR Review Team – Assigned to Operational Technology and conducts strategically selected reviews of in-car video.

#### 328.03 General Procedures for L-3

- A. The Dallas Police Department DVR Resource Manual will be used as the Standard Operating Procedure (SOP) by all Divisions/Sections/Units operating DVR systems. If a discrepancy exists between the DVR Resource Manual and the General Order, the General Order shall take precedence. The DVR Review Team, in cooperation with the Patrol Bureau, will update the DVR Resource Manual as needed.
- B. Division Responsibility:
  1. Each Division/Section/Unit utilizing DVRs will designate a Supervisor as the Division DVR Administrator. The Division DVR Administrator is responsible for the overall operation of the DVR program at their level. This Supervisor has primary responsibility for DVR security, operation, video handling, and training.
  2. Each Division will train supervisors on each watch who will serve as DVR Coordinators. DVR Coordinators will be responsible for maintaining DVR security, reporting malfunctioning equipment, transferring video to writeable compact disks, and providing training to DVR users.
  3. In-car video will be uploaded and retained on DVR servers located at each respective Divisional station; Central, Northeast, Southeast, Southwest, Northwest, North Central and South Central. Vehicles from the Central Business District and any Division/Section/Unit assigned to 1400 Botham Jean Blvd will upload video to the Central Substation server.
  4. All video will be maintained for a minimum of 90 days. If the video has not been identified as one which is to be retained it will automatically be deleted from the server after 90 days.
- C. Officer Responsibilities:
  1. Officers will obtain training on the use of DVR systems, and will request additional instruction from a supervisor if they are unsure of the proper operation of the DVR equipment.
  2. At the beginning of each shift, officers operating a DVR equipped vehicle will determine whether the DVR equipment is working properly. Officers will ensure:
    - a. The DVR is powered on and is positioned and adjusted to record events,
    - b. All previously recorded video has been uploaded,
    - c. The wireless microphone and receiver are working properly in order to provide audio recording, and
    - d. The wireless microphone is properly worn, and the power switch is turned on.
  3. At the beginning of each shift, officers will start the Record mode by turning on the vehicle's red lights and will leave them on to record an audio/video sample for one minute. After one minute, the "Time Remaining" display will show the remaining time in hours and minutes. Stop recording by pushing the Stop button.
    - a. In the "tagging dialog" box, the badge number of the officer performing the function check will be entered into the "officer i.d." field.
    - b. Officers will type the words "Equipment Check" into the "Incident number" field.
    - c. Officers will note the time remaining on the equipment check sheet.
  4. Officers will verify that the video and audio sample was successfully recorded by clicking on the "Locate File" or "Playback" button, selecting the last recorded file and clicking the Play button. Any problem with the DVR equipment at this or any other time during the shift will be immediately reported to a supervisor.
  5. Supervisors will review videos regularly to ensure that the beginning of shift audio/video sample test procedure is properly conducted.

# Dallas Police Department General Order

## 328.00 Digital Video Recorder Program

Revised 10/18/2021

6. Throughout the shift, the officer will monitor the operation of the DVR system to ensure it continues to work properly. Officers using DVR equipped vehicles are responsible for the proper use and security of the systems.
  7. One Officer in each DVR equipped vehicle will wear the wireless microphone and ensure that the receiver is working properly during the shift.
  8. When interacting only with other police personnel, outside of the presence of civilians, officers will inform other police personnel if a DVR system is recording.
  9. Officers will enter their badge number into the "officer i.d." field at the conclusion of all recorded citizen interactions.
  10. It shall not be a violation if an officer fails to ensure the wireless microphone and receiver are working properly and the microphone is properly worn if the individual officer is equipped with a body worn camera and uses it in accordance with General Orders, Section 332.04.
- D. Commander Responsibilities:
1. Commanders of officers using DVR equipped vehicles will ensure supervisors conduct random DVR reviews/audits of officers assigned to their division. Supervisors will conduct at least two DVR reviews/audits monthly of officers assigned to them. Division Commanders will ensure that at least two DVR reviews are conducted monthly for all officers under their command by the designated supervisors.
    - a. The primary purpose of these reviews is to ensure Departmental accountability and promote officer safety. Observed violations should be brought to the officer's attention and discussed with a focus and emphasis on training. Significant and/or repeated violations may result in disciplinary action.
    - b. In all cases, violations, and the action taken, will be documented to the Division Commander.
  2. Supervisors may request the DVR Team to audit videos on a case by case basis through their Division Commander.
- E. DVR Review Team Responsibilities:
1. Review and audit video from all vehicle pursuits and any other videos at the request of a Division Commander. These reviews will be conducted to ensure Departmental accountability by identifying conduct that might bring discredit to the Department, seek training opportunities for improvement and development of field training procedures, as well as reporting observances of commendable behavior.
  2. Until the system allows centralized review, reviews will be conducted at the Substation where the vehicle is assigned.

### 328.04 General Procedures for Axon Fleet 3

- A. Division Responsibility:
1. Each Division/Section/Unit utilizing DVRs will designate a Supervisor as the Division DVR Administrator. The Division DVR Administrator is responsible for the overall operation of the DVR program at their level. This Supervisor has primary responsibility for DVR security, operation, video handling, and training.
  2. Each Division will train supervisors on each watch who will serve as DVR Coordinators. DVR Coordinators will be responsible for maintaining DVR security, reporting malfunctioning equipment, transferring video to writeable compact disks, and providing training to DVR users.
  3. All video will be maintained for a minimum of 90 days. If the video has not been identified as one which is to be retained, it will automatically be retained until the video is properly tagged.
- B. Officer Responsibilities:
1. Officers will obtain training on the use of DVR systems and will request additional instruction from a supervisor if they are unsure of the proper operation of the DVR equipment.
  2. At the beginning of each shift, officers operating a DVR equipped vehicle will determine whether the DVR equipment is working properly. Officers will ensure:
    - a. The DVR is powered on and is positioned and adjusted to record events,
    - b. All previously recorded video has been uploaded,
    - c. The officer's body camera is properly synced.
  3. At the beginning of each shift, officers will start the Record mode by turning on the vehicle's red lights and will leave them on to record an audio/video sample for one minute. After one minute, stop recording by pushing the Stop button.
    - a. In the "ID", the CAD incident number will reflect the pattern of XX-XXXXXXX. The first two corresponding numbers will reflect the current year and the last seven numbers will reflect seven zeros. For example, 21-0000000.
    - b. Officers will type the words "Equipment Check" into the "Title" field.
    - c. Officers will select "Calls for Service/Incident" in the "Categories" field.
  4. Officers will verify that the video and audio sample was successfully recorded by clicking on the playback function, selecting the last recorded file, and clicking the Play button. Any problem with the DVR equipment at this or any other time during the shift will be immediately reported to a supervisor.
  5. Supervisors will review videos regularly to ensure that the beginning of shift audio/video sample test procedure is properly conducted.
  6. Throughout the shift, the officer will monitor the operation of the DVR system to ensure it continues to work properly. Officers using DVR equipped vehicles are responsible for the proper use and security of the systems.
  7. When interacting only with other police personnel, outside of the presence of civilians, officers will inform other police personnel if a DVR system is recording.
  8. Officers will enter their CAD incident number into the "I.D.." field and select the correct category at the conclusion of all recorded citizen interactions.
- C. Commander Responsibilities:
1. Commanders of officers using DVR equipped vehicles will ensure supervisors conduct random DVR reviews/audits of officers assigned to their division. Supervisors will conduct at least two DVR reviews/audits monthly of officers assigned to them. Division Commanders will ensure that at least two DVR reviews are conducted monthly for all officers under their command by the designated supervisors.

# Dallas Police Department General Order

## 328.00 Digital Video Recorder Program

Revised 10/18/2021

- a. The primary purpose of these reviews is to ensure Departmental accountability and promote officer safety. Observed violations should be brought to the officer's attention and discussed with a focus and emphasis on training. Significant and/or repeated violations may result in disciplinary action.
- b. In all cases, violations, and the action taken, will be documented to the Division Commander.
2. Supervisors may request the DVR Team to audit videos on a case-by-case basis through their Division Commander.
- D. DVR Review Team Responsibilities:
  1. Review and audit video from all vehicle pursuits and any other videos at the request of a Division Commander. These reviews will be conducted to ensure Departmental accountability by identifying conduct that might bring discredit to the Department, seek training opportunities for improvement and development of field training procedures, as well as reporting observances of commendable behavior.
  2. Until the system allows centralized review, reviews will be conducted at the Substation where the vehicle is assigned.

### 328.05 Use of the L-3 Digital Video Recording System

- A. General use of equipment:
  1. DVR systems are programmed to record automatically when the vehicle's emergency lights or siren are turned on.
  2. DVR equipment may be manually activated by pushing the Record button on the control panel, or by pushing the remote Record button on the top of the wireless microphone.
  3. Only pushing the Stop button on the laptop software interface can stop the recording phase.
  4. The On/Off slide switch on the side of the wireless microphone will serve as a temporary mute button during recording.
  5. Under no circumstances are officers to erase, reuse, or in any manner alter DVR recordings except as provided under our Records Retention Policy. Such activities may subject officers to disciplinary action and criminal sanctions as these recordings may be considered evidence and/or government records.
  6. Officers will not duplicate DVR video recordings without authorization or tamper with DVR equipment or settings.
  7. Only authorized personnel may service (program, repair, adjust, dismantle, or relocate) DVR equipment. Specific service procedures are contained in the DVR Resource Manual.
- B. DVR equipment will be used:
  1. On any call for police service requiring a Code-3 response.
  2. Anytime an officer is in contact with a citizen or suspect, when it is feasible that the video system may record all or part of the contact.
  3. Anytime the officer's emergency lighting is activated.
  4. During officer-initiated contacts:
    - a. Arrest
    - b. Field Contacts
    - c. Traffic/Pedestrian Stops
    - d. Vehicle Pursuits
  5. During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as a detention facility or police interview room, the officer may stop recording upon entering the facility or transferring custody of the prisoner/witness.
  6. When participating in any search or arrest warrants.
  7. When conducting a knock and talk.
  8. When conducting consensual searches.
  9. During citizen-initiated contacts or flagged down requests for public safety services.
  10. Any time an officer deems necessary.
- C. DVR equipment may be used:
  1. To record probable cause/suspicious activity prior to activating the vehicle's emergency lights.
  2. To record the actions of individuals during calls for service or other contacts.
  3. To document crime scenes or other incidents where documentation of actions or events may be essential for court.
- D. DVR equipment deactivation (Stop recording) in the following circumstances:
  1. DVR recordings may be stopped by an officer during non-enforcement activities such as; when protecting a traffic crash scene or directing traffic.
  2. Officers may stop DVR recordings of a Traffic/Pedestrian stop only after contact with the citizen has ended.
  3. Officers may temporarily deactivate the Audio portion of L-3 DVR recordings from the wireless microphone only, by engaging the On/Off slide switch on the side of the wireless transmitter, under the following circumstances when no citizen contact is taking place:
    - a. To exchange NCIC/TCIC, DPS, or other law enforcement sensitive data either in person or via the police radio or MDC,
    - b. To facilitate the discussion of training issues or to discuss operational strategy,
    - c. To share information that is not subject to the Public Information Act, telephone numbers, or to exchange personal information (telephone number, home address, etc.) with another officer, and
    - d. To discuss an issue with a supervisor or investigator.
  4. Officers will not deactivate DVR equipment (including the DVR wireless microphone or receiver) at any time during the recording of enforcement activity for which recording has begun.
  5. Once activated for any reason while a pursuit or assist officer is occurring in the division, the DVR will not be deactivated until the incident has been completed.

# Dallas Police Department General Order

## 328.00 Digital Video Recorder Program

Revised 10/18/2021

### 328.06 Use of the Axon Fleet 3 Digital Video Recording System

- A. General use of equipment:
  - 1. DVR systems are programmed to record automatically when the vehicle's emergency lights or siren are turned on.
  - 2. DVR equipment may be manually activated by pushing the Record buttons on the control panel.
  - 3. Only pushing the Stop button on the laptop software interface can stop the recording phase.
  - 4. Under no circumstances are officers to erase, reuse, or in any manner alter DVR recordings except as provided under our Records Retention Policy. Such activities may subject officers to disciplinary action and criminal sanctions as these recordings may be considered evidence and/or government records.
  - 5. Officers will not duplicate DVR video recordings without authorization or tamper with DVR equipment or settings.
  - 6. Only authorized personnel may service (program, repair, adjust, dismantle, or relocate) DVR equipment. Specific service procedures are contained in the DVR Resource Manual.
- B. DVR equipment will be used:
  - 1. On any call for police service requiring a Code-3 response.
  - 2. Anytime an officer is in contact with a citizen or suspect, when it is feasible that the video system may record all or part of the contact.
  - 3. Anytime the officer's emergency lighting is activated.
  - 4. During officer-initiated contacts:
    - a. Arrest
    - b. Field Contacts
    - c. Traffic/Pedestrian Stops
    - d. Vehicle Pursuits
  - 5. During all prisoner or witness transports. If an officer arrives at a facility that is recorded, such as a detention facility or police interview room, the officer may stop recording upon entering the facility or transferring custody of the prisoner/witness.
  - 6. When participating in any search or arrest warrants.
  - 7. When conducting a knock and talk.
  - 8. When conducting consensual searches.
  - 9. During citizen-initiated contacts or flagged down requests for public safety services.
  - 10. Any time an officer deems necessary.
- C. DVR equipment may be used:
  - 6. To record probable cause/suspicious activity prior to activating the vehicle's emergency lights.
  - 7. To record the actions of individuals during calls for service or other contacts.
  - 8. To document crime scenes or other incidents where documentation of actions or events may be essential for court.
- D. DVR equipment deactivation (Stop recording) in the following circumstances:
  - 1. DVR recordings may be stopped by an officer during non-enforcement activities such as; when protecting a traffic crash scene or directing traffic.
  - 2. Officer or supervisor discussion that involves police/case tactics or strategy.
  - 3. Officers may stop DVR recordings of a Traffic/Pedestrian stop only after contact with the citizen has ended.
  - 4. Officers will not deactivate DVR equipment at any time during the recording of enforcement activity for which recording has begun.
  - 5. Once activated for any reason while a pursuit or assist officer is occurring in the division, the DVR will not be deactivated until the incident has been completed.

### 328.07 Handling, Duplication and Storage of Videos from the L-3 DVR

- A. Uploading video from vehicles – The DVR Resource Manual will outline specific operational procedures to be followed.
  - 1. Video will be uploaded at the end of every shift by the individual officer.
  - 2. If an officer cannot upload the DVR due to a Download Port failure, the officer will notify a supervisor immediately, who will then notify the Division DVR Administrator.
  - 3. The Division DVR Administrator will conduct semi-monthly checks to ensure the Download Ports and cables are working properly.
  - 4. If the Division DVR Administrator is unable to correct the Download Port problem, he/she will notify the City HELP desk at (214) 670-1234 for repair.
  - 5. The handling of DVR video will be done in accordance with instructions contained in the DVR Resource Manual.
  - 6. All offense and arrest actions recorded with a Dallas Police Department DVR will be documented either in an offense, arrest or miscellaneous incident report.
  - 7. The Police squad car number capturing the video recorded incident and all additional DVR equipped vehicles will be referenced in all related reports.
- B. Duplication and handling of DVR recordings:
  - 1. If a recording documents a police incident involving serious injury or death, or if the Special Investigations Unit (SIU)/Crimes Against Persons Division, the Public Integrity Section, the Internal Affairs Division, the Office of the Chief, or the Crime Scene Response Unit requests that a video be seized immediately:
    - a. As soon as it is practical, the vehicle will be brought to its Division station and a DVR Coordinator will upload the video to the DVR server.
    - b. The Division DVR Administrator DVR Coordinator, or patrol supervisor will provide a copy of the requested video.
    - c. A Personal Computer converted video or portion of the video will be made. The PC converted copy will be transferred to a compact disk and provided to and be maintained by the requesting Division/Section for the required 90-day retention period. Only compact disks will be used for video copy transfers. DVD's are prohibited.

# Dallas Police Department General Order

## 328.00 Digital Video Recorder Program

Revised 10/18/2021

- d. The DVR Administrator, DVR Coordinator or patrol supervisor will then search for the incident and "mark for non-deletion."
- e. The request to release a hold must be submitted to the DVR Review Team when it is determined that the original video recording is no longer needed.
- f. The PC converted copy will be labeled and handled as outlined in the DVR Resource Manual.
- g. If the vehicle cannot be brought to the station a DVR Coordinator or patrol supervisor will contact the on duty Watch Commander who will determine if the video will be processed during administrative hours or contact On-Call DVR Review Team personnel.
2. If a video recording documents an offense or arrest, the original video recording will be marked for non-deletion and documented in the appropriate offense/incident or supplemental report.
3. Officers will submit a Vehicle Evidence Request form to a supervisor under the following conditions:
  - a. To request a video recording be marked for non-deletion.
  - b. To request a PC converted copy of the video recording for court or administrative investigations.
4. If a recording documents an incident for which a copy is requested, the procedure to be followed is outlined in General Order section 328.06 (Public Information Act) and in the DVR Resource Manual.
5. Original recordings are not to leave the possession of the Dallas Police Department unless authorized by this policy.
6. The Division DVR Administrator, DVR Coordinator, patrol supervisor or other person designated by the Division Commander or higher authority, is responsible for the proper conversion or reproduction of DVR recordings.
- C. Officers who believe that a DVR recording contains usable evidence or important information will notify their supervisor by submitting a Video Evidence Request form. Supervisors will follow the procedures set out in the DVR Resource Manual for obtaining PC converted copies of recordings.
- D. DVR recordings will be duplicated only for official reasons, including but not limited to the following:
  1. Criminal evidence
  2. Public Information Act (Open Records) requests
  3. Internal Affairs Division requests
  4. Training Section requests
  5. Other if approved by the Division Commander
- E. DVR recordings will not be provided to anyone outside of the Dallas Police Department unless the recording is requested through the proper Public Information Act request process or through a Criminal Justice request received on a completed and approved Request for DVR Video Duplication/Review form.
- F. As required by Texas Code of Criminal Procedure Article 2.132(f) – On the commencement of an internal investigation of a complaint described by Article 2.132 (b) (3) (related to Racial Profiling) in which a video or audio recording of the occurrence on which the complaint is based was made, a copy of the recording shall be provided to the peace officer who is the subject of the complaint upon written request by the officer. This duplicate video shall be requested by the person conducting the investigation who shall document compliance with Article 2.132(f).
- G. During any internal investigation not covered by Article 2.132, the person conducting the investigation shall inquire as to whether the incident was documented by a DVR system. If audio or video documentation exists, the person conducting the investigation will review it and, if the incident is documented by the recording, obtain a copy of the incident for the investigation. Upon written request, they will provide a copy to the accused officer and document compliance with this policy.
- H. Copies of recordings not involving pending criminal action, civil litigation, or internal investigations may be used for training purposes with the approval of the Training Section Commander.

### **328.08 Handling, Duplication and Storage of Videos from the Axon Fleet 3 DVR**

- I. Uploading video from vehicles
  1. Video will be automatically uploaded at the end of every incident.
  2. If an officer cannot upload the DVR due to a Download Port failure, the officer will notify a supervisor immediately, who will then notify the Division DVR Administrator.
  3. The Division DVR Administrator will conduct semi-monthly checks to ensure the Download Ports and cables are working properly.
  4. If the Division DVR Administrator is unable to correct the Download Port problem, he/she will notify the City HELP desk at (214) 670-1234 for repair. The handling of DVR video will be done in accordance with instructions contained General Order 332.00.
  5. All offense and arrest actions recorded with a Dallas Police Department DVR will be documented either in an offense, arrest or miscellaneous incident report.
  6. The Police squad car number capturing the video recorded incident and all additional DVR equipped vehicles will be referenced in all related reports.
- J. Duplication and handling of DVR recordings:
  7. If a recording documents a police incident involving serious injury or death, or if the Special Investigations Unit (SIU)/Crimes Against Persons Division, the Public Integrity Section, the Internal Affairs Division, the Office of the Chief, or the Crime Scene Response Unit requests that a video be seized immediately:
    - a. As soon as it is practical, the vehicle will be brought to its Division station and a DVR Coordinator or DVR Review Team will upload the video to the DVR server.
    - b. The videos will be placed with Restricted Access.
    - c. The request to release a hold must be submitted to the DVR Review Team when it is determined that the original video recording is no longer needed.
    - d. If the vehicle cannot be brought to the station a DVR Coordinator or patrol supervisor will contact the on duty Watch Commander who will determine if the video will be processed during administrative hours or contact On-Call DVR Review Team personnel.
  8. All video recordings will be marked with the CAD incident number and the correct category for retention and documented in the appropriate offense/incident or supplemental report.

# Dallas Police Department General Order

## 328.00 Digital Video Recorder Program

Revised 10/18/2021

- K. Officers will inform their supervisor of any video that has significant evidentiary value or that may be utilized for training purposes.
- L. DVR recordings will be duplicated only for official reasons, including but not limited to the following:
  - 1. Criminal evidence
  - 2. Public Information Act (Open Records) requests
  - 3. Internal Affairs Division requests
  - 4. Training Section requests
  - 5. Other if approved by the Division Commander
- M. DVR recordings will not be provided to anyone outside of the Dallas Police Department unless the recording is requested through the proper Public Information Act request process or through a Criminal Justice request received on a completed and approved Request for DVR Video Duplication/ Review form.
- N. As required by Texas Code of Criminal Procedure Article 2.132(f) – On the commencement of an internal investigation of a complaint described by Article 2.132 (b) (3) (related to Racial Profiling) in which a video or audio recording of the occurrence on which the complaint is based was made, a copy of the recording shall be provided to the peace officer who is the subject of the complaint upon written request by the officer. This duplicate video shall be requested by the person conducting the investigation who shall document compliance with Article 2.132(f).
- O. During any internal investigation not covered by Article 2.132, the person conducting the investigation shall inquire as to whether the incident was documented by a DVR system. If audio or video documentation exists, the person conducting the investigation will review it and, if the incident is documented by the recording, obtain a copy of the incident for the investigation. Upon written request, they will provide a copy to the accused officer and document compliance with this policy.
- P. Copies of recordings not involving pending criminal action, civil litigation, or internal investigations may be used for training purposes with the approval of the Training Section Commander.

### **328.09 Retention of L-3 Recordings and Logs**

- A. DVR recordings will be maintained as outlined in 328.03 B.4 for a minimum period of 90 days before automatic deletion from the respective server.
- B. DVR recordings are subject to Public Information Act requests as any other police departmental record.
  - 1. Each Division outlined in General Orders section 328.03 B.3 shall be designated as the custodian of record for the video recordings residing on their respective DVR servers.
  - 2. Only a PC converted copy of the material requested will be transferred onto compact disk and forwarded to the Open Records Unit. The responding Division will maintain the original video.
  - 3. Public Information Act requests for videos will be handled in accordance with Chapter 552 of the Texas Government Code and departmental procedures.
  - 4. The Open Records/Records Management Unit will set charges for duplication of videos for Public Information Act requests.

### **328.10 Retention of Axon Fleet 3 Recordings and Logs**

A. *Refer to General Order 332.06.*

### **328.11 Violations**

- A. It shall be deemed a violation of this policy if an officer:
  - 1. Fails to notify a supervisor and properly document DVR, including DVR wireless microphone, equipment failure.
  - 2. Fails to activate the DVR wireless microphone on any contact containing law enforcement or evidentiary value.
  - 3. Inappropriately terminates, or intentionally interferes with a recording in order to conceal or commit a violation of Department policy or law.
- B. It shall not be a violation of this policy to not carry or activate a DVR wireless microphone if the individual officer is recording an incident on a body worn camera.



## Dallas Police Department General Order

### 329.00 Environmental Management

Revised 05/01/2014

#### 329.00 Environmental Management

#### 329.01 Environmental Management Policy and Procedure for the Dallas Police Department

#### 329.02 Definitions

- A. Environmental Maintenance: Environmental pollution at a police facility that can be contained by on-site personnel and equipment with regularly scheduled clean-ups.
- B. Environmental Impact: Environmental pollution at a police facility that can be contained by on-site personnel and equipment, but that must be immediately addressed to avoid further damage.
- C. Hazardous Spill: Environmental pollution at any location requiring an immediate response by DFD or Storm Water Management personnel and equipment to contain and eradicate.
- D. Incident: An environmental impact or hazardous spill.
  - 1. Non-Preventable Incident: Incidents that do not meet any part of the definition of a preventable incident.
  - 2. Preventable Incident: Incident in which an employee:
    - a. Failed to take reasonable action, which may have avoided or prevented the incident.
    - b. Failed to respond to directions for mitigating the effects of, or cleaning up, the incident.
    - c. Violated a City or departmental rule, policy, or procedure, which contributed to the incident.

#### 329.03 Policy

The Dallas Police Department is committed to Pollution Prevention, Environmental Compliance, and Continued Improvement. This will be accomplished by educating employees on the importance of complying with the environmental policies, regulations, and procedures set forth by the City and Department. The Dallas Police Department will strive to conduct its daily operations in an environmentally responsible manner to reduce and mitigate the risks of environmental contamination, and will take corrective action to prevent the reoccurrence of any preventable environmental incident. All employees will be held accountable for their actions and for the environmental compliance of their work area.

#### 329.04 Purpose

- A. To increase environmental awareness by instituting and maintaining an orderly and effective pollution prevention program.
- B. To eliminate or minimize environmental incidents and assign responsibility in cases where the incident was preventable.

#### 329.05 Organization

- A. The Department's Environmental Manager/Environmental Management Representative (EMR), as well as the Environmental Coordinator, will be assigned to the Environmental Management System (EMS) Unit.
- B. Division Commanders will appoint Environmental Site Representatives who will:
  - 1. Assume daily environmental management responsibilities, as set forth by the Office of Environmental Quality and Administrative Directives 3-73 and 3-74, and follow the City of Dallas Environmental Quality Best Management Practices (BMP) as presented to them by the Environmental Management System (EMS) Unit.
  - 2. Prevent environmental pollution by training all division personnel in methods of avoiding, containing, and cleaning up environmental contamination.
  - 3. Properly investigate and report on-site incidents and recommend changes to prevent reoccurrence.
  - 4. Train sufficient division personnel to handle, investigate, and report incidents.
  - 5. Train sufficient division personnel to perform environmental maintenance.
  - 6. Accept responsibility for the environmental compliance of their work areas.
  - 7. Conduct periodic compliance inspections.
  - 8. Acquire and require the use of appropriate equipment.
  - 9. Enforce environmental rules and regulations, correct actual violations, and prevent potential violations.
  - 10. Maintain and submit individual and weekly environmental incident reports.

#### 329.06 Procedures for Environmental Impact Occurrences

- A. All police personnel will be aware of the operational condition of city vehicles that are assigned to them and their personal vehicles that are parked on city property. Personnel aware of vehicles causing an environmental impact by leaking fluid will immediately:
  - 1. Take their city vehicle to a service center for repair.
  - 2. Remove their personal vehicle from city property.
  - 3. Report the environmental impact to their Environmental Site Representative, or, in their absence, a supervisor. The Environmental Site Representative or supervisor will ensure that the following guidelines are followed:
    - a. Immediately apply absorbent to the fluid. For large spills, use Oil Spill Kit, Booms, Socks or Net tubing to protect storm water drains during clean up.
    - b. Sweep up the absorbent once the spill is contained and place it in barrels marked as storage for such contaminants.

# Dallas Police Department General Order

## 329.00 Environmental Management

Revised 05/01/2014

- c. Assure that any collection of absorbent containing battery acid is stored separately from any other collected fluids.
  - d. Notify the Environmental Site Representative of all environmental impacts.
  - e. Contact the Office of Environmental Quality (214-670-1200) to report the environmental impact.
  - f. Complete the Environmental Incident Report, AD 3-73, Attachment A (available online on City Intranet) and land mail or email it to the Environmental Site Coordinator before the end of duty.
- B. All police personnel will be observant of the overall environmental condition of their police facility. They will:
- 1. Assure that all outside waste dispensers are covered.
  - 2. Assure that car washing is done in a designated car wash.
  - 3. Notify their Environmental Site Representative of obstructions in storm water drains. The Representative will contact Storm Water Management and insure that drains are cleared.

### **329.07 Procedures for Hazardous Spills**

Procedures for hazardous spills will be followed as outlined in the Emergency Operations Procedure (EOP) Hazardous Material Incidents section.

### **329.08 Reporting**

- A. All employees must immediately report environmental concerns to their Environmental Site Representative or a supervisor.
- B. Environmental Site Representatives or supervisors will report incidents in compliance with AD 3-74 and send a copy to the department EMR or Environmental Coordinator before their end of duty.
- C. Each Environmental Site Representative will maintain copies of incident reports.
- D. Environmental Site Representatives will submit weekly reports as directed by the Environmental Management System (EMS) Unit Coordinator.
- E. The Environmental Management System (EMS) Unit will submit a monthly report summarizing the department's environment incidents.

### **329.09 Classifying Preventability, Assigning Points and Disciplinary Action**

- A. Incidents will be reviewed by the City's Environmental Compliance Committee. The employee's immediate supervisor will recommend classification, points, and discipline after considering any recommendations made by the City's Environmental Compliance Committee, and forward them up to the employee's Bureau Commander whose decision is final.
- B. The employee may appeal as provided by City of Dallas Personnel Rules.
- C. For the classification of preventability, assignment of points and disciplinary action refer to the policies outlined in AD 3-73.



## Dallas Police Department General Order

# 330.00 Consensual and Non-Consensual Search Procedures

Revised 05/10/2018

### 330.00 CONSENSUAL AND NON-CONSENSUAL SEARCH PROCEDURES

#### 330.01 Definitions

- A. Bias Based Searches: Any search of an individual, object, or place that is solely based upon any person's race, age, gender, or sexual orientation.
- B. Probable Cause: Probable cause exists where the facts and circumstances known to the officer, based upon reasonable and trustworthy information, would lead a person of reasonable caution and prudence to believe that the search would produce evidence pertaining to a crime.
- C. Recording Device: Any Departmentally Issued device capable of permanently preserving the audio and/or visual record of an encounter between an officer and citizen. The device must have the ability to retrieve and transfer that recording to another device.
- D. Body Cavity Search: A search which goes beyond a normal search and consists of looking in an individual's genital area, anus, or other body orifice outside of the mouth.
- E. Strip Search: A search which requires the individual to remove articles of clothing that normally would not be removed in a public place.
- F. Protective Frisk (Terry Search): A search conducted for officer safety granted by *Terry v. Ohio*, 392 U.S. 1 (1968).
- G. Consensual Search: In lieu of obtaining a search warrant, a peace officer may obtain consent to search an object, person, vehicle or premises from the individual exercising domain and control over the object or premises. That is, a person may waive their constitutional rights against a warrantless search and seizure by giving their consent to such a search. For such a search to be lawful, it must be shown that the consent was given freely and voluntarily, and not as a result of duress or coercion, and that the person giving the consent to search the premises or vehicle had authority to give consent.
- H. Written Consent: The only form approved for obtaining written consent is the departmentally issued Consent to Search Form. Written consent is only valid when signed by both the person granting the consent and the executing officer.
- I. Non-Consensual Search: The lawful search of a person, place, or thing in the absence of a warrant or consent. Emergency/exigent circumstances, hot pursuit, imminent destruction of evidence, plain view, mobile premises, vehicle inventory, and search incident to lawful arrest have been held by the courts to be lawful exceptions to the requirement of having a warrant before search is made.

#### 330.02 Policy

The Dallas Police Department holds the rights of individuals to the highest standard and is committed to upholding the Constitutional rights of all citizens that police officers come into contact with. All searches conducted by officers will fall within the guidelines of Federal and State Law. The Consensual and Non-Consensual Search Policy will apply to searches in the absence of a search warrant or exception to the search warrant requirement such as incident to arrest, protective frisk, inventory searches, abandoned property, plain-view, and regulatory administrative searches such as those allowed under the Alcohol and Beverage Code. The Consensual and Non-Consensual Search Policy does not apply to emergency situations where there is both probable cause and exigent circumstances.

#### 330.03 Purpose

Document searches in order to:

- A. Protect both officers and citizens.
- B. Create a standard for officers to use when conducting searches.
- C. Maintain a chain of custody of evidence for trial procedures.

#### 330.04 Requirements for CONSENSUAL SEARCH

- A. Consent searches must be voluntary and cannot be obtained by force, threats of force, promises, knowing misrepresentation, intimidation, or by improper exertion of authority. The mere presence of one or more officers does not constitute intimidation or improper exertion of authority.
- B. Consent must be obtained from the person exercising control over the vehicle, object, or premise.
- C. The individual must be advised of the specific location, place, or object to be searched.
- D. Verbal consensual searches are prohibited if there is no recording device available.
- E. Written consent is required on all residences or buildings.
- F. Audio/Video recordings of consent to search are allowable for persons, movable objects, and vehicles only when that verbal consent is recorded on a working departmentally issued recording device. In the event an in-car DVR is available, it will be utilized over an audio only recording device. If no recording device is available, then written consent must be obtained prior to the search occurring.

#### 330.05 Evidence and Documentation Procedures for CONSENSUAL SEARCH

- A. If a person is arrested or any property seized as a result of a consensual search the following procedures will be adhered to:

**Dallas Police Department General Order**  
**330.00 Consensual and Non-Consensual Search Procedures**

Revised 05/10/2018

1. The encounter must be documented on a case report and BlueTeam prior to the end of shift.
2. The audio and/or visual recording or written consent must be placed into evidence according to Standard Operating Procedures at the Baylor Street Property Room.
  - a. If the recording of the consent is from an in-car DVR, the copy of the video must be downloaded from the Server and placed on a DVD and placed into evidence.
  - b. If the recording is on another type of Departmentally issued recording device, the recording must be transferred to a CD/DVD and placed into evidence.
  - c. If the consent is documented on a written consent form, the original form must be placed into evidence.
3. The encounter will be entered into BlueTeam prior to the end of shift.
  - a. A copy of the video and/or audio **will not** be transferred to BlueTeam.
  - b. A copy of the signed consent to search form will be scanned into BlueTeam if one was utilized.
  - c. The case report number will be entered into BlueTeam.
- B. If a search was conducted and no seizure or arrest was made the following procedures will be adhered to:
  1. An entry will be made into BlueTeam prior to the end of shift.
  2. A copy of the video and/or audio **will not** be transferred to BlueTeam.
    - a. If the recording of the consent is from an in-car DVR, the video need not be flagged for retention. The video will automatically be saved for 90 days on the server.
    - b. If the recording is on another type of Departmentally issued recording device, the recording must be transferred to a CD/DVD and stored at the Division of the officer requesting consent. The CD/DVD will be kept at the Division for 90 days.
  3. A copy of the signed consent to search will be scanned into BlueTeam.
- C. Every Division in which officers request consensual searches will:
  1. Designate a secure locked cabinet or file drawer for the purpose of holding CD/DVDs that were made as a result of searches conducted with no arrest or seizure. The CD/DVDs will be filed in folders by date of search and be kept by the Division for 90 days after the date of search.

**330.06 Responsibilities**

- A. Division Commanders will be responsible for ensuring that secure locations as defined in 330.05 (C) exist at each Division. Division Commanders will also designate a supervisor with oversight responsibilities to ensure that all procedures are being followed.
- B. First line supervisors will be responsible for monitoring consensual searches under their command and making sure the request and or search did not violate this General Order. Supervisors will spot check recordings to ensure compliance. They will ensure the BlueTeam entry is correct and forward to a lieutenant (Watch or Unit Commander). The lieutenant (Unit or Watch Commander) will review, approve, and forward it directly to the Program Administrator.
- C. Any employee requesting a consensual search will ensure the audio/visual recording device is functioning properly prior to requesting a search. Any employee that realizes the recording device is not functioning properly will notify a supervisor immediately.

**330.07 Prohibited Practices**

- A. Consensual Searches are not allowed for strip searches or body cavity searches.
- B. Any bias based search.

**330.08 Requirements for NON-CONSENSUAL SEARCH**

- A. Obtaining a search warrant or consent is preferable to a non-consensual search.
- B. Non-consensual searches must fall under one of the legally recognized exceptions to the requirement of having a search warrant or consent:
  1. emergency/exigent circumstances.
  2. hot pursuit.
  3. imminent destruction of evidence.
  4. plain view.
  5. mobile premises.
  6. vehicle inventory.
  7. search incident to lawful arrest.
  8. protective frisk.
  9. any other legally recognized exception.

**330.09 Evidence and Documentation Procedures for NON-CONSENSUAL SEARCH**

- A. If the search is a protective frisk, no documentation is necessary.
- B. If the search is incident to a lawful arrest, document the search in the arrest report.
- C. If the search is an inventory search of a vehicle, document the search per General Order 313.14 Disposition of Vehicles.
- D. If any other Non-Consensual search is performed:
  1. Document the search in BlueTeam prior to the end of the shift.
  2. Process any evidence seized (if applicable) in accordance with General Order 321.00 Evidence and Property.
  3. Forward the BlueTeam entry to a supervisor. They will ensure the BlueTeam entry is correct and forward to a lieutenant. The lieutenant (Unit or Watch Commander) will review, approve, and forward it directly to the Program Administrator.



## Dallas Police Department General Order

# 331.00 Public Recording of Official Acts

Revised 4/14/2020

### 331.00 PUBLIC RECORDING OF OFFICIAL ACTS

#### 331.01 Policy

It is the policy of the Dallas Police Department to ensure the protection and preservation of every person's Constitutional rights.

In furtherance of this policy, no member of the Dallas Police Department may prevent or prohibit any person's ability to observe, photograph, and/or make a video recording (with or without a simultaneous audio recording) of police activity that occurs in the public domain, so long as the person's location, actions, and/or behavior do not create a legitimate, articulable threat to officer safety, or an unlawful interruption, disruption, impediment, or interference to successful performance of the police officer's duty or exercise of authority. The public's access to information regarding the official business of the Dallas Police Department is of critical importance to effective, transparent government.

#### 331.02 Definitions

**Interference with Public Duties** – A law prohibiting the interruption, disruption, or interference with a peace officer performing a duty or exercising authority imposed or granted by law.

**Photographing** – The act of capturing and storing a still image, whether in an electronic/digital format, or on any type of light-sensitive film (e.g., traditional 35mm film).

**Video/Audio Recording** – The act of capturing a series of images that, when replayed in succession, reproduce a sequence of activities in motion. Video/audio recordings may be stored on a length of light sensitive film, a videotape cassette, or in a digital format (e.g., a removable memory card), and may or may not contain a simultaneous audio recording.

**Video/Audio Recording Device** – For the purposes of this General Order, a Video Recording Device includes, but is not limited to, any device capable of capturing a still or moving image(s), regardless of whether or not a simultaneous audio recording is included. Examples may include any of the following devices:

- A cellular telephone of any make, model, or manufacturer, including those devices referred to as "Smart Phones."
- A Personal Digital Assistant, also known as a Personal Data Assistant or PDA.
- A tablet-style mobile computer commonly referred to simply as a "tablet."
- Any camera, whether still-photo and/or video, of any make, model, or manufacturer, regardless of whether or not the device is capable of capturing a simultaneous audio recording, and regardless of how the device stores the images it captures.

#### 331.03 General Information

It is increasingly common for uninvolved bystanders at the scene of police activity to photograph and/or video/audio record the actions and conduct of police officers. Officers of the Dallas Police Department should simply assume at any time a member of the general public is likely to be observing, and perhaps even photographing or video/audio recording, their activities.

As a result, officers must understand that any bystander has a right to photograph and/or video/audio record the enforcement actions of any police officer so long as the bystander's actions do not:

- A. Place the safety of the bystander, or of any Police Officer(s), witness(es), victim(s), or suspect(s), in jeopardy;
- B. Interrupt, disrupt, impede, or interfere with the execution or performance of an officer's official duties;
- C. Interfere with, or violate any law, ordinance, or code;
- D. Involve an intrusion into any crime scene, private property, or other location under lawful police control and/or not normally accessible to the general public;
- E. Threaten, by words or actions, other persons; or
- F. Attempt to incite an immediate breach of the peace or incite others to commit a violation of the law.

In and of themselves, the acts of observing, photographing, and/or making a video/audio recording of any police activity that occurs in a public setting are not criminal offenses. On their own, these acts DO NOT constitute probable cause for the arrest of the observer/bystander, and DO NOT provide any justification whatsoever for any officer of the Dallas Police Department, without a Search and Seizure Warrant or other appropriate court

# Dallas Police Department General Order

## 331.00 Public Recording of Official Acts

Revised 4/14/2020

order, to review, seize, damage, erase, or otherwise inspect the contents of a person's camera or video/audio recording device.

### 331.04 Special Circumstances

Nothing in this General Order should be construed by members of the Dallas Police Department as an elimination of their ability to seek out, collect, or otherwise gather evidence in the course of a criminal investigation.

However, officers seeking to obtain material contained on a camera or video/audio recording device that is the private property of a bystander must recall that the bystander in possession of the camera or video/audio recording device enjoys the same Constitutional protections from unreasonable search and/or seizure as they would in any other law enforcement activity or investigation.

If an officer has **probable cause** to believe that a bystander is in possession of any still photos/images, video/audio recordings, and/or audio/sound recordings that are, or could reasonably be considered, evidence related to a crime and the officer reasonably believes an exigent circumstance exists, officers may take all lawful actions to preserve or prevent destruction of that evidence.

Without the bystander's voluntarily consent to surrender his/her camera or video/audio recording device; to an examination of its contents; and to a seizure by a police officer of any images or video/audios contained within it, officers **MUST** adhere to the requirements of this order.

### 331.05 Officer Responsibilities

- A. Upon discovery that a bystander is observing, photographing, or video/audio recording the conduct of police activity:
  - 1. DO NOT impede or prevent the bystander's ability to continue doing so based solely on the discovery of his/her presence. (including, but not limited to, deliberately shining a flashlight into a camera lens to prevent recording)
  - 2. DO NOT seize or otherwise demand to take possession of any camera or video/audio recording device the bystander may possess based solely on the discovery of his/her presence.
  - 3. DO NOT demand to review, manipulate, or erase any images or video/audio recording captured by the bystander based solely on the discovery of his/her presence.
  - 4. For investigative purposes, be mindful of the potential that the bystander may witness, or capture images/video/audio of events considered at some later time to be material evidence.
- B. BEFORE taking any police action which would stop a bystander from observing, photographing, or video/audio recording the conduct of police activity, officer(s) must have observed the bystander committing some act that falls within one of the six numbered conditions listed in the section of this Order entitled "GENERAL INFORMATION."
- C. If it becomes necessary to effect the arrest of a bystander who is or has been observing, photographing, or video/audio recording police activity:
  - 1. Ensure the arrest is for an unlawful activity or criminal offense (e.g., interference with public duty, disorderly conduct, assault, etc.).
  - 2. Clearly articulate the facts and circumstances that led to the arrest in all subsequent reporting and charging documents.
- D. Do not compromise the integrity of any established crime scene or other secured/restricted area so that a bystander may observe, photograph, or video/audio record police activity.
- E. A bystander's desire or intent to observe, photograph, or video/audio record police activity does not entitle him/her to:
  - 1. Trespass on private property
  - 2. Place him- or herself in physical danger (e.g., within an area defined by members of the SWAT Team as an "inner perimeter")
  - 3. Enter another person's private dwelling, storehouse, etc.
  - 4. Enter into or upon any designated or marked crime scene or police operation.
  - 5. Enter into or upon any area not accessible to the general public.
- F. In public areas, any form of identification referred to as "press credentials" does not extend any special privileges or access to any individual. Members of the press and members of the general public enjoy the same rights in any area accessible to the general public.
- G. No individual is required to display "press credentials" in order to exercise his/her right to observe, photograph, or video/audio record police activity taking place in an area accessible to, or within view of, the general public.

# Dallas Police Department General Order

## 331.00 Public Recording of Official Acts

Revised 4/14/2020

### 331.06 Supervisor Responsibilities

- A. If possible, respond to any scene where officers under your supervision believe that the presence of a bystander who is observing, photographing, and/or video/audio recording their conduct is unlawfully interrupting, disrupting, impeding, or interfering with the successful execution of their official duties.
- B. At any scene where the actions of a bystander who is observing, photographing, and/or video/audio recording police activity rise to the level of a criminal offense:
  - 1. Ensure adequate police attention remains focused on whatever situation originally required a police response.

**NOTE:** All officers should bear in mind that, on rare occasions, they may encounter a person or group of persons who deliberately create hazardous conditions with the intent of provoking an inappropriate police response. Supervisors shall not allow subordinates under their supervision to become distracted from their professional duties at any time.
  - 2. If tactically feasible, inform the bystander that his/her actions may, if continued, rise to the level of a criminal offense and could subject him/her to arrest.
  - 3. If possible, recommend a less-intrusive location to the bystander from which he/she may continue to observe, photograph, or video/audio record the police activity.
- C. Ensure that any crime scene is properly secured using tape or other methods, as soon as possible.

### 331.07 Seizing a Bystander's Video/Audio Recording Device for Evidentiary Purposes

- A. If an officer reasonably believes a bystander possesses any material that is, or could reasonably be considered, evidence related to a crime, the officer may request the bystander voluntarily surrender his/her camera, video/audio recording device, etc., into police custody.
- B. If the individual CONSENTS to the request:
  - 1. Exercise due care and caution with any of the individual's property or electronic device(s).
  - 2. Follow the proper consensual search procedure as listed in G.O. 330 "Consensual Search Procedures".
  - 3. DO NOT make any attempt to view, download, or otherwise access any material contained on the device.
  - 4. **Protection of any potential evidence is paramount.** Only members of the appropriate investigative unit may make efforts to access material contained on the device.

**NOTE: Upon taking custody of the device, officers are strongly encouraged to place the device into airplane mode if so equipped. This will aid in preventing any remote access to or deletion of the data or other material stored within it.**
  - 5. Submit the recovered camera, video/audio recording device, etc., in accordance with General Order 321.00, "Evidence and Property."
- C. If the individual REFUSES the request:
  - 1. If an officer has probable cause to believe a bystander is in possession of any still photos/images, video/audio recordings, and/or audio/sound recordings that are, or could reasonably be considered evidence related to a crime and there is no reason to believe that the evidence is in immediate jeopardy of being tampered with, altered, deleted, or destroyed, the officer shall articulate the facts to support an application for a Search and Seizure Warrant.
  - 2. Coordinate with the appropriate investigative unit to secure a search warrant.
  - 3. If there is PROBABLE CAUSE to believe that evidence exists on a bystander's device, AND there is PROBABLE CAUSE to believe that the evidence is in immediate jeopardy of being tampered with, altered, deleted, or destroyed, the officer may TEMPORARILY seize the device for safekeeping/preservation of the evidence while the appropriate application(s) for Search and Seizure Warrant(s) are made.

**NOTE: Upon taking temporary custody of the device for the purposes of safekeeping/preservation, officers are strongly encouraged to place the device into airplane mode if so equipped. This will aid in preventing any remote access to or deletion of the data, photographs, etc., stored within it.**
  - 4. DO NOT make any attempt to view, download, or otherwise access any material contained on the device.
  - 5. Protection of any potential evidence is paramount. Only members of the appropriate investigative unit may make efforts to access material contained on the device after securing a search warrant.
  - 6. Submit the recovered camera, video/audio recording device, etc., in accordance with General Order 321.00, "Evidence and Property."
  - 7. Complete all appropriate field reports.

**Dallas Police Department General Order**  
**331.00 Public Recording of Official Acts**

Revised 4/14/2020

- D. The controlling supervisor shall:
  - 1. Ensure any camera or video/audio recording device that has been used to photograph and/or video/audio record police activity comes into the custody of the Dallas Police Department:
    - a. Through the voluntary consent of the individual in possession of the item.
    - b. Through execution of a Search and Seizure Warrant.
    - c. Through some valid exception to the warrant requirement.
  - 2. Supervisors must provide the review and approval of any application for a Search and Seizure Warrant.
- E. The assigned detective shall apply for, execute, and return any Search and Seizure Warrant(s). Make any appropriate recommendations that may assist in the preservation of data, photographs, video/audio recordings, etc.



# Dallas Police Department General Order

## 332.00 Body Worn Cameras

Revised 10/19/2023

### 332.00 BODY WORN CAMERA PROGRAM

#### SCOPE AND PURPOSE

The Department has adopted the use of Body Worn Cameras (BWC) to enhance our citizen interactions and provide additional investigatory evidence. The Department recognizes that BWC images have a limited field of view and cannot always show the full story, nor do video images capture an entire scene. The use of body worn cameras does not reduce the requirement to provide thorough written documentation of an incident.

#### 332.01 Program Objectives

- A. It is the intention of the Dallas Police Department to utilize body worn cameras in a manner that is fair and equitable toward employees and citizens.
- B. The Dallas Police Department has adopted the use of body worn cameras in order to accomplish several objectives. These objectives include, but are not limited to:
  - 1. Enhance Department transparency to the public.
  - 2. Enhance personnel safety.
  - 3. Enhance personnel reporting, evidence collection, and court testimony.
  - 4. Enhance personnel training.
  - 5. Protection from false claims of impropriety.
  - 6. Provide accurate documentation of events, actions, conditions, and statements made during arrests and critical incidents.
  - 7. Document the quality of service provided by personnel.
- C. Body worn camera recordings will be used for legitimate law enforcement purposes only and in accordance with applicable law and Departmental policies.

#### 332.02 Definitions

- A. The AXON Flex camera system - a wearable camera system with multiple uniform mounting options designed to record audio and video interactions by personnel while in performance of their duties. The camera components are designed for use in tough environmental conditions encountered during day-to-day law enforcement activities. The Flex system is designed to record events in real-time for secure storage, retrieval, and analysis through the EVIDENCE.com website. The AXON Flex system is composed of three main parts:
  - 1. AXON Flex Camera - a digital video recorder (DVR) that offers high quality video and low-light gathering capabilities. The recorder is designed to store at least 4 hours of video. If the camera is full (has reached its storage limit), the camera will not record over previous video but instead stops recording.
  - 2. AXON Flex Controller - enables you to turn the unit on, begin recording, stop recording, and turn the unit off. The controller features LEDs to indicate the operating mode and battery capacity.

Operation LED	Operating Mode
Blinking Red	Recording
Blinking Purple	Recording/Live Stream Activated
Blinking Green	Buffering
Solid Red	Booting Up
Blinking Yellow	The Cable is Disconnected

- 3. AXON Dock – also referred to as a docking station. When the AXON camera and controller units are placed into the dock, video evidence is automatically downloaded to Evidence.com.
- 4. A mobile viewer will be issued to a body camera personnel allowing the personnel to review videos in the field via Bluetooth connection, and add metadata such as call incident number, title, and video category to a video prior to upload to Evidence.com.
- B. The AXON body camera system – is a camera that is worn on the personnel's chest. This camera incorporates the DVR unit and Controller unit into one piece of equipment and has the same functions and capabilities as the AXON Flex camera system.
- C. Department BWC Administrator- Individual or Unit with Department-wide responsibility for the BWC program.
- D. Incident/Event- any activity that is in furtherance of a law enforcement goal and/or investigation. These can include, but not limited to, traffic stops, pedestrian stops, call for service, follow up investigations, interviews, searches, crowd incidents, protests and arrests.
- E. Personnel- any Dallas Police Department employee assigned a body worn camera.
- F. Axon Signal Sidearm – An Axon device attached to the primary duty holster, intended to automatically activate Axon Cameras when a weapon is removed from the holster. The device is designed to activate all camera within a 25–50-foot radius.

**Each Division/Section/Unit utilizing BWCs will designate a supervisor as a Division BWC Administrator. The Division BWC Administrator is responsible for the overall operation of the BWC equipment/videos at their level. This supervisor has primary responsibility for video operations and training coordination at the Division level.**

# Dallas Police Department General Order

## 332.00 Body Worn Cameras

Revised 10/19/2023

### 332.03 General Procedures

- A. All audio/video captured during the scope of a personnel's duties are the property of the Dallas Police Department and are subject to Departmental policies and applicable laws regarding viewing, release, retention, and destruction.
  - 1. Prior to using a BWC, personnel shall receive Department approved training on the proper operation and the Department's policy with respect to its use. Additional training shall be provided at periodic intervals to ensure the continued effective use of the equipment and to incorporate changes, updates, or other revisions in policies and equipment.
  - 2. Personnel are responsible for BWC and related equipment which will be used with reasonable care to ensure proper functioning. Malfunctions shall be brought to the attention of the personnel's supervisor as soon as possible so that a replacement unit may be assigned. Personnel shall inspect and test their body worn camera prior to each watch to verify proper functioning and shall notify their supervisor of any problems.
  - 3. In the event that a body worn camera is lost, personnel shall immediately notify his/her supervisor.
  - 4. Personnel will not remove, dismantle or tamper with any hardware and/or software component or part of a body worn camera.
  - 5. Personnel will not edit, alter, erase, duplicate, copy, or otherwise distribute in any manner body worn camera recordings without proper authorization.
  - 6. Personnel will not make copies of any body worn camera file or screen shot for their personal use and are prohibited from using a recording device such as a phone camera or secondary video camera to record such.
  - 7. Under no circumstances will audio/video evidence be converted for personal use. Accessing, copying, editing or releasing recordings or depictions of recordings without proper approval is strictly prohibited.
  - 8. Personnel assigned a body worn camera will use their body worn camera during off-duty employment in any circumstances listed in General Order 332.04. Personnel will download all evidence recorded during their off-duty employment no later than during their next regularly assigned on-duty shift or when directed by a supervisor.
  - 9. Non-Department personnel shall not be allowed to review recordings unless pursuant to written consent of the Chief of Police. Recordings may be reviewed by other law enforcement agencies with supervisor approval.
- B. Responsibilities of Personnel Assigned a Body Worn Camera
  - 1. Personnel will request additional instruction as needed from a supervisor if they have questions relating to the correct operation of the equipment.
  - 2. At the beginning of each shift, personnel will ensure:
    - a. That the BWC is fully charged and operational.
    - b. The Body Worn Camera will be secured to the personnel's uniform in a manner to promote the ease of use of the camera as well as the camera's ability to clearly record video and audio.
      - i. The camera will be mounted to the most outside garment of the personnel's uniform and will not be worn under fabric such as a jacket or external vest. Wearing an external jacket, an external vest carrier, or exterior armor does not reduce any requirement for properly wearing a body camera. Exceptions are granted when personnel are acting in an emergency capacity and cannot safely or reasonably move the camera to a different position.
      - ii. The camera lens will never be placed at or below belt level.
      - iii. Personnel may not use a body camera without a mount specifically produced by Axon for use with that specific camera. Third-party mounts or self-created mounts are prohibited.
      - iv. The camera will be placed on the personnel's front torso. It will not be placed on personnel's arm or sleeve, the personnel's side, the personnel's back, or any portion of the personnel's trousers.
      - v. Personnel will not purposely block the camera with any material, device, stock, fabric, or other matter. Exceptions are granted when personnel are acting in an emergency capacity and cannot safely or reasonably move the camera to a different position.
      - vi. Personnel will not write or decorate on the body camera in hand-written or sticker form. A printed sticker with the employee's badge number, element number, and/or assignment is permitted.
    - c. Once personnel have left the perimeter of the substation, the body camera will remain in the 'powered-on' state for the entire shift. When personnel return to the perimeter of the substation throughout their shift or for their end of shift, they shall be allowed to "power-off" their camera.
    - d. Covert personnel are required to wear a body worn camera when covert personnel are identifiable as police, either by identifiable uniform markings or verbal statements.
    - e. For personnel assigned as a Task Force Officer (TFO), the TFO **will comply** with the Dallas Police Department's policies regarding the use of the body-worn camera.
    - f. At the beginning of each shift, personnel will start the Record mode by double tapping the body camera's event button and will leave the camera on to record an audio/video sample for one minute. After one minute, stop recording by holding the event button for approximately five seconds.
      - i. In the "ID", the CAD incident number will reflect the pattern of XX-XXXXXXX. The first two corresponding numbers will reflect the current year and the last seven numbers will reflect seven zeros. For example, 21-0000000.
      - ii. Personnel will type the words "Equipment Check" into the "Title" field.
      - iii. Personnel will select "Calls for Service/Incident" in the "Categories" field.
  - 3. Prior to the end of each shift, personnel will ensure:
    - a. Video evidence is properly categorized for retention on the server. (Arrest, Pursuit, Citation, Offense, etc.)
    - b. That the camera is synced and docked for downloading video.
    - c. Indicate in their offense/arrest reports and citations the existence of any body worn camera video.
  - 4. Personnel will inform their supervisor of any video that has significant evidentiary value or that may be utilized for training purposes.

# Dallas Police Department General Order

## 332.00 Body Worn Cameras

Revised 10/19/2023

- C. Supervisory Responsibilities
  - 1. Supervisors shall ensure that personnel assigned a body worn camera utilize them in accordance with policy and procedure.
  - 2. Supervisors will ensure videos related to critical incidents are uploaded to corresponding digital files and tagged for retention as soon as practical.
  - 3. Supervisors may have the ability to resolve citizen complaints by reviewing video captured by a personnel's body worn camera. In those circumstances where a complaint is resolved with no further action needed, the supervisor shall document their review.
  - 4. Supervisors will conduct random BWC reviews/audits of personnel assigned to them. Supervisors will conduct at least two BWC reviews/audits monthly of personnel assigned to them. Division Commanders will ensure that at least two BWC reviews are conducted monthly for all personnel under their command assigned a BWC, by the designated supervisors.
  - 5. Supervisors, when reviewing video should look for training opportunities to enhance personnel performance. In addition, any video believed to benefit recruit and/or in-service training should be forwarded through the chain of command to the police academy.
  - 6. Minor infractions of policy or procedure found during review of video, not related to the operation of the BWC, will be handled as a training issue and supervisors should use the opportunity to counsel with employees to ensure no future violations
- D. Personnel Assigned an Axon Signal Sidearm Device
  - 1. Installation of the Axon Signal Sidearm will be coordinated with the Dallas Police Department Firearms Training Center. Assigned Dallas Police Department Firearms Training Staff will be the only individuals expressly responsible for the installation and removal of the Axon Signal Sidearm Device. Employees assigned the Axon Signal Sidearm device, may not remove, tamper with, and/or dismantle the device.
  - 2. Specific maintenance of the Axon Signal Sidearm Device will be handled by the Body Worn Camera Team. Body Worn Camera Team Members may assign, calibrate, and troubleshoot the device but may not install or remove the device from the holster.
  - 3. In all cases where the Axon Signal Sidearm Device is being installed, uninstalled, maintained, tested, and/or calibrated, the employee assigned the weapon and holster will unload, clear the weapon, and make the weapon safe. The employee making the weapon safe will use approved weapon-clearing traps to unload and load the weapon.
  - 4. Personnel assigned an Axon Signal Sidearm Device shall be responsible for conducting a test of the Axon Signal Sidearm Device once per month.
    - a. During testing, the officer will use their personally assigned Body Worn Camera to verify the camera automatically activates when the weapon is removed from their holster. The employee shall conduct this testing in a safe area with an unloaded weapon that has been made safe using a clearing trap prior to testing.
    - b. Tagging of videos involved in testing shall be the responsibility of the individual employee.
      - i. In the "ID", the CAD incident number will reflect the pattern of XX-XXXXXXX. The first two corresponding numbers will reflect the current year and the last seven numbers will reflect seven zeros. For example, 23-0000000.
      - ii. Personnel will type the words "Axon Signal Sidearm Test" into the "Title" field.
      - iii. Personnel will select "Calls for Service/Incident" in the "Categories" field.
    - c. In the case where the Body Worn Camera does not automatically activate or the sensor is otherwise malfunctioning, the officer shall immediately notify their supervisor and complete a MIR detailing the malfunction no later than the end of the shift when the issue was found. The officer shall contact the Body Worn Camera Unit to facilitate an appointment time to troubleshoot the issue. Further appointments with the Firearms Training Center may be made after first troubleshooting the device with the Body Worn Camera Team.

### 332.04 When and How to Use the Body Worn Camera

- A. Personnel will utilize the BWC in the following circumstances:
  - 1. Personnel shall record with their body worn camera all incidents that are conducted within the scope of an official law enforcement capacity and, while actively participating in an investigation, keep the camera activated for the entirety of the personnel's active participation in the investigation.
  - 2. Personnel shall begin recording as soon as practical and safe to do so in the following incidents/events and continue recording until the incident/event is concluded:
    - a. All criminal investigations.
    - b. Before arrival on any call for police service.
    - c. Anytime personnel are in contact with a citizen or suspect, when it is feasible that the video system may record all or part of the contact.
    - d. Anytime the personnel's emergency lighting is activated.
    - e. Upon observation of suspicious or criminal behavior.
    - f. Personnel-initiated contacts:
      - i. Arrest
      - ii. Field Contacts
      - iii. Traffic/Pedestrian Stops
      - iv. Vehicle and/or Foot Pursuits
    - g. During all prisoner or witness transports. If personnel arrive at a facility that is recorded, such as a detention facility or police interview room, personnel may stop recording upon entering the facility or transferring custody of the prisoner/witness.
    - h. Participation in any search or arrest warrants.

# Dallas Police Department General Order

## 332.00 Body Worn Cameras

Revised 10/19/2023

- i. When conducting a knock and talk
- j. When conducting consensual searches.
- k. Citizen-initiated contacts or flagged down requests for public safety services.
- l. Any time personnel deem necessary.
3. The BWC may be deactivated in the following circumstances:
  - a. Upon final conclusion of an event/incident
  - b. Personnel or supervisor discussion that involve police/case tactics or strategy.
  - c. During non-enforcement activities such as when protecting a traffic crash scene or directing traffic
  - d. Personal relief or break
  - e. Personal emergency matters of a sensitive nature (i.e., family emergency, medical emergency, catastrophic event).
  - f. While conferring with undercover/covert officers, confidential informants, or with federal officers/agents.
  - g. When directed by a supervisor.
  - h. Any communication involving attorney-client privilege.
4. It shall be deemed a violation of this policy for personnel to fail to activate the body worn camera or intentionally terminate a recording in order to commit a violation of Department policy or law.
5. Personnel are not required to obtain consent from a private person when in a public place or in a location where there is no reasonable expectation of privacy. It is at the discretion of personnel to determine if they want to announce a recording is occurring.
6. While in public areas, personnel are not required to advise a subject that they are recording their interaction unless the subject specifically asks if they are being recorded, at which point personnel will inform the subject that they are being recorded.
7. When in a private residence in an official capacity, personnel are not required to advise the resident they are recording. Personnel are not prohibited from but encouraged to advise the citizen of the recording if doing so would better serve the handling of the incident.
- B. Prior to deactivating the BWC, personnel will make a recorded announcement as to the reason the device is being deactivated such as-
  1. "Contact completed"
  2. "Incident concluded"
  3. "Instructed by supervisor (name) to end recording"
  4. "Personnel or supervisor discussion in the field"
- C. If the BWC fails to activate due to equipment failure, personnel will document the failure in a MIR or offense supplement report by the end of their tour of duty. Personnel will also notify their supervisor of the equipment failure.
- D. If personnel fail to activate the BWC or fails to record the entire contact, personnel shall document the reasons in a MIR or offense supplement report by the end of their tour of duty.

### **332.05 Prohibited Use of BWC Equipment**

- A. In any situation where individuals have an expectation of privacy such as bathrooms and locker rooms, unless it is required to capture evidence for a criminal investigation.
- B. The use of BWCs in a hospital or doctor's office setting will be limited to investigative use only. Personnel will not record a patient's medical interaction and procedures with hospital or medical personnel unless all parties are aware that a recording is taking place and it is needed as evidence.
- C. When on break or otherwise engaged in personal activity.
- D. During administrative investigations.
- E. Images of undercover officers or confidential informants will not be recorded, unless requested by the undercover officer or their supervisor in the furtherance of an investigation.
- F. During any work related meetings, details or conversations of fellow employees without their knowledge during non-enforcement related activities.
- G. Any personal conversations of or between another Department member or employee without the recorded members/employee's knowledge or permission.
- H. Personnel will use only the Department issued body worn camera.
- I. The Department issued mobile viewing device will only be used for legitimate law enforcement purposes. Browsing the internet or loading apps onto the phone outside of a law enforcement purpose is strictly prohibited.

### **332.06 Retention, Storage and Handling of Videos**

- A. Public Information Act requests for videos will be handled in accordance with Chapter 552 of the Texas Government Code and Departmental procedures.
- B. All video will be maintained for a minimum of 90 days. If the video has not been categorized as one to be retained it will automatically be deleted after 90 days.
- C. All recordings in which a police report is generated will be marked as "Investigative Evidence."
- D. Video recording hardcopies will only be created for official reasons, to include:
  1. Criminal evidence.
  2. Public Information Act (Open Records) requests.
  3. Internal Affairs Division requests.
  4. Approved Training Section requests.
  5. Other if approved by the Division Commander.

# Dallas Police Department General Order

## 332.00 Body Worn Cameras

Revised 10/19/2023

- E. BWC recordings will not be provided to anyone outside of the Dallas Police Department unless the recording is requested through the proper Public Information Act request process or through a Criminal Justice request received on a completed and approved request form.
- F. The Open Records/Records Management Unit will set charges for duplications of videos for Public Information Act requests.
- G. Per the Texas Occupations Code, a peace officer is entitled to access recordings of an incident involving the officer before the officer is required to make a statement about the incident.
- H. Copies of recordings not involving pending criminal action, civil litigation, or internal investigations may be used for training purposes with the approval of the Training Division Commander.

### 332.07 GPS and Live Streaming Body Worn Cameras

- A. The feature "Axon Respond" allows a user, with the correct permissions, to utilize the GPS and live stream capabilities of a body worn camera.
- B. Supervisors with an account in Evidence.com will have the ability to utilize the GPS of an Axon device as well as live stream a body worn camera.
- C. Using a Google Chrome or Microsoft Edge browser, a supervisor will log into their evidence.com account and select the feature "Axon Respond". A supervisor may also use this feature through the application "Axon Aware/Axon Respond" on their issued city cell phone.
- D. A map will appear showing all the personnel equipped with an Axon device on a geographical map. The map will only show personnel assigned a Body 3 Axon camera, Fleet 3 Axon camera, and/or UAS (Drone) camera.
- E. There will be a colored dot next to the Axon device which signifies the status of the device:
  - 1. Gray dot - device is off or docked.
  - 2. Green dot - device is buffering.
  - 3. Red dot - device is recording.
- F. Active GPS location is dependent on the status color of the device:
  - 1. Gray dot - No active GPS reading, last known location.
  - 2. Green dot - Active GPS reading approximately every 15 minutes.
  - 3. Red Dot - Active GPS reading every 1-10 seconds.
- G. Live streaming capabilities for the Body 3 Axon camera can only occur if the device is actively recording (Red Dot).
- H. The supervisor utilizing the live stream function will select the Axon device and select live stream. If at any point the personnel who is being live streamed ends the recording, the live stream will automatically be terminated.
- I. Supervisors will only be authorized to live stream devices under extreme circumstances for situational awareness, critical incidents and at the discretion of the Chief of Police, or his/her designee.
- J. Examples of situational awareness include, but are not limited to:
  - 1. Officer assist.
  - 2. Personnel involved in a major accident.
  - 3. Personnel asking for Code 3 assistance.
  - 4. Personnel not answering the radio or roll call.
- K. Examples of Critical Incidents include, but are not limited to:
  - 1. Hostage Rescue
  - 2. Barricaded Persons
  - 3. Active Shooter
  - 4. Civil Unrest
  - 5. Mass Casualty
  - 6. Any incident referred to in General Order 600.00
- L. Personnel who have their body worn camera live streamed will be aware the live stream is occurring in the following ways:
  - 1. A distinct audible noise will occur from the body worn camera.
  - 2. The indicator light, located on the display screen of the body worn camera, will change from red to purple.
  - 3. The word "LIVE" will appear underneath the camera symbol located on the display screen.
- M. Any unauthorized use or accessing the system in a way other than its intended function is prohibited and could result in disciplinary action.



## Dallas Police Department General Order

### 333.00 Interacting with Transgender and Non-Binary Individuals

Revised 08/31/2020

#### 333.00 PURPOSE

Dallas Police personnel will treat all persons, regardless of race, religion, color, sex, national origin, sexual orientation, gender identity or expression, age or disability, with the courtesy and dignity which is inherently due every person as a human being. Department members will act, speak and conduct themselves in a professional manner, recognizing their obligation to safeguard life and property, and maintain a courteous, professional attitude in all contact with the public. Personnel will not exhibit any bias, prejudice or discriminate against any individual or group, including the transgender/intersex/non-binary community.

#### 333.01 Policy

This policy applies to all employees and establishes guidelines for the appropriate treatment of transgender/non-binary individuals who come in contact with the Dallas Police Department. Officers shall consider a person to be transgender if the person identifies themselves as transgender or, if upon reasonable belief that a person may be transgender, the Officer asks and receives an affirmative response.

#### 333.02 Definitions

Designated Sex (Synonymous with "Sex Assigned at Birth") - An individual's sex (male or female) determined at birth based upon the individual's genitals, reproductive organs and/or chromosomes, and designated on the individual's birth certificate.

Gender – The social constructs used to classify a person as a man, woman, or both or neither. Gender encompasses all relational aspects of social identity, psychological identity and human behavior.

Gender Expression – The collective ways one conveys gender identity to others, including appearance, behavior, dress, speech and mannerisms. Gender expression may be the same as or different from the gender one was assigned at birth. Regardless of gender identity, people can exhibit a range of gender expressions.

Gender Identity – An individual's innate, deeply felt psychological identification as being a man or a woman, which may or may not correspond to the sex assigned to the individual at birth (as listed on the individual's birth certificate). Everyone has a gender identity.

Gender Non-Conforming – Individuals who display traits that are not stereotypically associated with their birth-assigned gender. Gender nonconforming individuals may identify as male, female, transgender, trans, androgynous, agender, and other gender descriptors.

Intersex – A general term used to describe a variety of conditions in which a person is born with a variation in sex characteristics, including chromosomes, reproductive anatomy and/or genitals, and therefore cannot be distinctly identified as male or female. For example, a person may be born with genitalia that appear female, but with internal anatomy that is predominantly male. Being intersex is different from being transgender; the term "Intersex" is not synonymous with the term "transgender".

LGBTQ - An acronym that stands for lesbian, gay, bisexual, transgender and queer/questioning.

Non-binary- Individuals whose gender is not strictly male or female and whose gender identity blends elements of being a man or a woman

Transgender Individual- A person whose gender identity differs from their assigned sex at birth.

Female-to-Male (FTM) – A person who transitions from "female-to-male", meaning a person who was assigned female at birth, but identifies and lives as a male. A "female-to-male" individual should be addressed using masculine pronouns (e.g. - he, him, his), regardless of surgical status.

Male-to-Female (MTF) – A person who transitions from "male-to-female", meaning a person who was assigned male at birth, but identifies and lives as a female. A "male-to-female" individual should be addressed using feminine pronouns (e.g.-she, her, hers), regardless of surgical status.

**Dallas Police Department General Order**  
**333.00 Interacting with Transgender and Gender Non-Binary Individuals**

Revised 08/31/2020

**333.03 Responsibilities**

- A. The LGBTQ+ Liaison will be responsible for reviewing and updating this written directive. This responsibility includes the authority to modify standard operating procedures pertaining to employee interactions with transgender, intersex and non-binary individuals.
- B. Division commanders will monitor their subordinates' interactions with the public and other employees to ensure this procedure is followed.
- C. Supervisors will ensure that this policy is adhered to by all employees under their command. They will set the standard for courtesy and provide a model for their subordinates to follow.
- D. Employees will conduct themselves professionally and courteously when interacting with the public and fellow employees and shall follow this procedure when interacting with transgender, intersex, and non-binary individuals.

**333.04 Guidelines for Field Operations**

All enforcement action such as traffic stops, field contacts, searches and seizures and asset seizures and forfeiture efforts by the Dallas Police Department will be based on a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the U.S. Constitution and statutory authority. Dallas Police Department personnel will adhere to the following:

- A. Forms of Address:
  1. Respectfully treat transgender/intersex/non-binary individuals in a manner appropriate to the individuals gender expression.
  2. Use pronouns as requested (e.g., "she, her, hers, ma'am, Mrs., etc.") for an individual who self-identifies as a female; ("he, him, his, sir, Mr., etc.") for an individual who self-identifies as a male and (they, them, their., etc.) for an individual who self-identifies as non-binary.
  3. When requested, address the individual by a name based on his/her gender identity rather than that which is on his/her government-issued identification.
  4. If a member of the transgender/intersex/non-binary community is the victim of an offense and their information needs to be released on any external communication that will be shared with the public (dpdbeat.com, press release, social media, etc.) Following Departmental notification procedures, Department personnel will ensure with the permission of the next of kin to respectfully identify the individual according to how the victim identified as well as their preferred name.
- B. Dallas Police Department employees **will not:**
  1. Stop, detain, frisk, or search any person in whole or in part for the purpose of determining that person's gender or in order to call attention to the person's gender expression.
  2. Use language that a reasonable person would consider demeaning or derogatory language aimed at a person's actual or perceived gender identity or expression or sexual orientation.
  3. Consider a person's gender identification as reasonable suspicion or prima facie evidence that the individual is or has engaged in a crime, including prostitution.
  4. Disclose an individual's transgender/intersex/ non-binary identity to other arrestees, members of the public, or non-Departmental members, absent a proper law enforcement purpose.
- C. Calls for Service:
  1. Calls for service or complaints generated by transgender individuals shall be addressed and investigated in a manner that is consistent with all Departmental policies. No employee shall fail to respond to a call for service based on gender identity or gender expression of the caller.
  2. Employees shall not consider a person's gender identification as reasonable suspicion or prima facie evidence that the individual is or has engaged in a crime.
- D. Search Incident to Arrest:
  1. If the transgender/intersex/gender nonconforming arrestee identifies herself as a woman, Officers will adhere to G.O. 313.12 and a female officer will be requested to come to the location to conduct the search. Officers will ensure a body camera is present to record the search.
  2. If a female Officer is not available, the arresting Officer will conduct a pat down frisk for weapons for Officer safety and transport the arrestee to Lew Sterrett Jail and request a female Officer from the Intake Division to conduct the search in the sally port.
  3. Transgender/ intersex/ non-binary arrestees will not be subject to more invasive search or frisk procedures than non-transgender persons.
  4. Officers should take into consideration the presence of needles that may be indicative of medically prescribed hormone treatment and/or therapy and may not necessarily be indicative of illegal drug possession, use, or drug paraphernalia.
- E. Prisoner Transportation:
  1. Whenever possible, a transgender prisoner shall be transported alone. Officers will ensure that additional units are called in order to assist with transporting additional transgender individuals.

**Dallas Police Department General Order**  
**333.00 Interacting with Transgender and Gender Non-Binary Individuals**

Revised 08/31/2020

- F. Documenting Transgender/Intersex/Non-Binary Individuals:
  - 1. Officers will document the individual's legal name and legal gender on all legal documents to include citations, offenses, accident reports, affidavits and booking paperwork.
  - 2. If a transgender/ intersex/ non-binary person uses a chosen name different from their legal name, Officers will document the chosen name in the AKA or alias section on citations, offense reports and booking paperwork.
  - 3. In circumstances where there is doubt as to the legal name or gender of an individual, Officers will defer to what is determined on identification issued to the individual by the State of Texas or any other government issued form of identification such as a passport or driver's license.



## Dallas Police Department General Order

### 334.00 Public Release of Video Recordings

Revised 08/24/2021

#### 334.00 Public Release of Video Recording regarding DPD Critical Incidents

- A. **Purpose:** The Dallas Police Department's commitment to the public is to be transparent and accountable regarding DPD Critical Incidents. The department respects the interest of the public to be informed in a timely manner with the most accurate information available. In the continuous effort to foster public trust, the department acknowledges its responsibility to educate the public on the department's procedures and the conduct of its employees, especially when an officer's use of force results in serious injury or death of an individual.

Recognizing that a video recording may not tell the whole story, the department will provide context, if necessary, when releasing video recordings to the public to provide the most accurate depiction of the police encounter based on the information known at the time.

The department strives to balance its commitment to transparency and accountability to the public with the privacy interest of individuals, applicable laws regarding confidentiality, preservation of the integrity of any related investigations. Such circumstances may necessitate the blurring of images or the delay or deviation from the standard release procedure.

- B. A video recording that depicts a police encounter related to a DPD Critical Incident regarding an Officer Involved Shooting will be publicly released within 72 hours of the incident, after the Chief of Police and Director Briefing, as stated in 317.06C. The internal briefing will occur within 72 hours after the incident.
- C. A video recording that depicts a police encounter related to a DPD Critical Incident regarding Use of Force resulting in serious bodily injury or death or a Death in Custody will be publicly released within 72 hours after the incident.
- D. **Applicability:** This procedure applies to a video recording of a police encounter related to the following:
1. DPD Critical Incident, meaning an officer-involved shooting or a use of force incident that results in serious bodily injury or death of an individual;
  2. All deaths while an arrestee/detainee is in the custody of DPD, unless there is no preliminary evidence of any misconduct, use of force, or act committed by the arrestee/detainee that depicts the individual intended to cause his own injury or death; or
  3. Any other DPD police encounter where the Chief of Police determines that the release of the video recording is in the public's interest.
- E. Video Recording Release Procedures
1. The assigned investigative unit will obtain any video evidence related to a DPD Critical Incident.
  2. The assigned investigative unit will coordinate with the Media Relations Unit to prepare a video recording of the police encounter for public release.
  3. The Media Relations Unit will provide a copy of the publicly released video recording to the Open Records Unit for response to any Public Information requests. The Media Relations Unit will maintain a copy of the publicly released video recording for three years from the date of the incident.
  4. The assigned investigative unit will make all efforts to provide the injured individual (or next of kin of a deceased individual) an opportunity to view the prepared video recording of the police encounter prior to release. If the injured individual (or next of kin of the deceased individual) seeks to review the video recording prior to release to the public, the injured individual (or next of kin of a deceased individual) will be allowed to view the video recording prior to release to the public.
    - a. At the request of the injured individual (or next of kin of a deceased individual) to be present with the requestor for the viewing of the prepared video recording, the Chief of Police or designee, at the Chief's discretion, may be present during the viewing.
  5. The assigned investigative unit may provide the appropriate District Attorney's office an opportunity to view the video recording of the police encounter prepared for public release. If the District Attorney's office seeks to review the video recording prior to release to the public, the assigned investigative unit will make the video recording available to the District Attorney's office within 72 hours after the assigned investigative unit has possession of the video recording.
  6. The assigned investigative unit may provide the Director of the OCPO an opportunity to view the video recording of the police encounter prepared for public release. If the Director of OCPO seeks to review the video recording prior to release to the public, the assigned investigative unit will make the video recording available to the OCPO within 72 hours after the assigned investigative unit has possession of the video recording.
  7. The Media Relations Unit may notify the involved officer of the video recording of the police encounter prepared for public release and provide an opportunity for the involved officer to view the prepared video recording prior to release.
  8. The Chief of Police has discretion to publicly release, in whole or in part, any video recording related to a DPD Critical Incident, Death in Custody, or any other DPD police encounter in the interest of transparency and public trust.
    - a. If the Chief of Police determines that a video recording of a police encounter related to a DPD Critical Incident or Death in Custody will not be released to the public, in accordance with this General Order, the Chief of Police will notify the Director of the OCPO.
- F. Release – Limited Waiver
1. The release of any specific video recording related to a DPD Critical Incident does not waive the department's right to withhold other audio or video recordings or investigative materials in the same or any other case, as permitted by departmental procedures or as permitted or required by law.
  2. The public release of any video recording shall only be made in accordance with the General Orders and Standard Operating Procedures of the department.

## Dallas Police Department General Order



# 335.00 Unmanned Aerial Systems (UAS)

Revised 01/04/2022

### 335.00 Unmanned Aerial Systems (UAS)

#### Mission Statement

The UAS Squad will support public safety by providing a safe and effective aerial observation platform on law enforcement, fire, and other public safety incidents. The UAS Squad will provide de-escalation tactics, transparency, and increase officer and citizen safety during dynamic situations. Missions will be accomplished efficiently while respecting the law and privacy of the citizens being served.

### 335.01 Responsibility for Operating Unmanned Aerial Systems

- A. The personnel assigned to the Air Support Unit or SWAT who currently have a FAA Part 107 rating will be the only personnel designated for the operation of the Unmanned Aerial Systems (UAS).
- B. The Remote Pilot in Command (RPIC) will be responsible for the operation of the UAS with the aid of the Visual Observer (VO).
- C. No persons besides the RPIC and VO will be allowed to operate the UAS unless directly instructed to do so by the RPIC or VO.
- D. The RPIC will have ultimate operational authority and ensure that the deployment and flight of the UAS meets all requirements and standards to include FAA, The State of Texas, and the Dallas Police Department's regulations.

### 335.02 Authority to Operate

- A. UAS flights will be made in the following instances:
  1. Planned Operations/Special Events
  2. Dangerous Tactical Operation
  3. State of Emergency
  4. Civil Unrest
  5. Bombs and hazardous material observations
  6. Crime scene photography and reconstruction
  7. Fatal Scene
  8. Disaster response
  9. Public Access Private Property
  10. Immediate Pursuit
  11. Missing Persons
  12. Fugitive apprehension
  13. Building Searches
  14. Investigating armed and dangerous suspects
  15. Search and rescue
  16. Non-Invasive Surveillance
  17. Traffic collision reconstruction
  18. Motor Vehicle Death or SBI Scene
  19. Motor Vehicle Accident on Highway or Interstate
  20. Public Property
  21. Training missions
  22. Anything deemed by the Special Operations Division Commander as needing UAS support
  23. Mutual Aid
- B. All UAS flights will comply with the Texas State Government Code 423 which outlines Use of Unmanned Aircraft.
- C. All UAS flights will comply with 4<sup>th</sup> amendment expectations and established case laws.
- D. All UAS flights will comply with the FAA Certificate of Authorization by which the City of Dallas is allowed to operate UAS.
- E. UAS flights for the purposes of mass surveillance will not be conducted. UAS will be launched upon request meeting the outlined previous criteria.

# Dallas Police Department General Order

## 335.00 Unmanned Aerial Systems

Revised 01/04/2022

### 335.03 Operations

- A. UAS call out
  - 1. Call outs are incidents where the need for the UAS to provide real time intelligence is critical to the best possible outcome of the incident.
  - 2. The procedures for requesting a call out of the UAS Squad will be to notify dispatch and make the request. The UAS Squad will be called out to respond and provide additional air support options during police operations for officers and commanders during incidents that focus on static locations.
  - 3. Once the request has been made, dispatch will call the UAS Squad Supervisor who will in turn call the requesting personnel. The requesting personnel will brief the UAS Squad Supervisor of the nature of the call out. The decision to respond will be made by the UAS Squad Supervisor or UAS Chief Pilot.
  - 4. The on call UAS Squad members will respond to the incident locations staging area. The UAS Squad will conduct an assessment of the air space and follow UAS Unit SOP in the deployment of the UAS.
  - 5. The UAS Squad Supervisor will establish and make available to communications a call back schedule to ensure that the Dallas Police Department has UAS support outside of assigned working hours. UAS personnel will respond to emergency call outs when assigned to call back.
- B. Planned Operations
  - 1. To request the UAS Squad for a Planned operation, requesting personnel should provide written request for assistance no later than 5 days prior to the event. Late request will be accepted but pre-approved request will take priority unless the emergency call out criteria is met or the UAS Unit Commander deems the need for the UAS to be greater on the shorter notice operation.
  - 2. Once accepted, the requesting personnel will schedule an operational brief with the UAS Squad. During this briefing, operational goals, risk, and expectations will be established.
  - 3. A pre-operation assessment of the location will be made based on current factors.
  - 4. Prior to the operation a mission brief will be given and personnel not in the brief will not be allowed to operate the UAS as a RPIC during the operation.
  - 5. Upon completion of the operation, the UAS Squad and requesting personnel will conduct a debrief and assess the operation for performance. Lessons learned from each deployment will help guide the program moving forward.
- C. Mutual Aid
  - 1. The UAS Commander will coordinate the request and/or deployment of Unmanned Ariel Systems with Federal, State and mutual aid agencies for any incidents-where UAS support is needed and meets the guidelines set forth by the Department's General Orders.
  - 2. When conducting mutual aid missions, the preferred method of sharing recorded evidence will be through the Axon Evidence.com app. If the outside agencies being assisted does not have the Axon Application, then an SD card will be required to be used. This will be removed directly from the aircraft upon completion of the flight and given to the outside agency to be handled according to their policy, to maintain the best chain of custody. It is preferable for the outside agency to have a laptop on hand to view the data immediately to ensure the desired evidence is collected properly and to avoid unnecessary additional flights.

### 335.04 Manned vs Unmanned Aircraft

- A. Manned aviation has the advantages of flight time, distance, and video recording with less restrictions than unmanned systems. When making considerations for air support during an incident, officers will consider the nature of the event and plan accordingly for the deployment of air support. Unmanned systems will be deployed in the augmentation and support of manned aircraft. UAS must adhere to Texas Government Code 423 which outlines when a UAS may record images on private property. A UAS may only record private property in the following circumstances:
  - 1. With a warrant
  - 2. Life and death situation
  - 3. During a felony in progress
- B. A UAS system may not record for:
  - 1. A misdemeanor
  - 2. An offense resulting in a fine only

### 335.05 Search Warrants

When UAS are requested to work private property, a search warrant will be required unless it meets the exceptions listed in 330.08. The UAS Squad will **NOT** work private property locations without a warrant, unless with written consent from the property owner, for investigative purposes. Only manned aircraft will be used for the purposes of generating probable cause on private property. UAS will not be used for mass surveillance.

### 335.06 Data Collection Minimization

In order to safe guard the privacy of the citizens we serve, collection of data to include, but not limited to, digital photographs, digital video, infrared images, and sound recording will be limited to the extent necessary to accomplish the current mission.

# Dallas Police Department General Order

## 335.00 Unmanned Aerial Systems

Revised 01/04/2022

### 335.07 Data Storage

Only data that meets legitimate training objectives, or has evidentiary value, will be retained after the mission has been concluded. Data will be downloaded/deposited into the storage location of the Unit Commander's designation. Said data will be safeguarded so as to protect the privacy of citizens who may be depicted in the data. All other data will be destroyed through electronic deletion within 90 days of the conclusion of the flight. Digital logs of aircraft mission profiles are exempt from this requirement. The PIC is responsible for safeguarding and deleting the data as required. Data that meets the standards for an evidentiary hold will be subject to standard departmental retention schedules. Images of identifiable individuals captured by unmanned aerial systems should not be retained or shared unless there is a reasonable suspicion that the image contains evidence of criminal activity or are relevant to an ongoing investigation or pending criminal trial.

### 335.08 Flight Restriction

UAS must adhere to FAA UAS regulations. The weather minimums for the safe operation of UAS are visibility at 3 standard miles from the operator's location and 500 feet below any clouds for operations in air space. UAS **MAY** operate indoors at any time.

### 335.09 Call Back

The UAS Squad Supervisor will establish and make available to communications a call back schedule to ensure that the Dallas Police Department has UAS support outside of assigned working hours. UAS personnel will respond to emergency call outs when assigned to call back.

### 335.10 Procedure to Deal with Disruptions or Violence Directed Against City Owned Aircraft/UAS:

18 USC. 32, "makes it a felony to damage or destroy an aircraft." This statute now also makes it a Federal offense to commit an act of violence against an aircraft, if the act is likely to endanger the safety of the aircraft. A person can receive a sentence of up to 20-years for shooting down or disabling a UAS, which the FAA has designated as an "aircraft." Should violence be directed against a City of Dallas aircraft/UAS, or violence is directed against UAS pilots and crew and said interference causes the damage or destruction of operational UAS, the crime will be:

- A. immediately documented
- B. the perpetrator(s) located and arrested if possible
- C. The Division Commander will be immediately notified and given a full report of the criminal acts and any resultant damages as soon as possible, to include the report number the offense is filed under
- D. It will be the responsibility of the UAS Supervisor to make the proper notifications to the FAA or other federal law enforcement agencies having jurisdiction

### 335.11 ARMING OF UAS

Deployment of any type of projectile, chemical agent, or electrical current weapon from a City of Dallas UAS is PROHIBITED unless authorized by the Chief of Police.

### 335.12 CIVILIAN DRONE OPERATORS

Procedures for dealing with civilians at special events, mass gatherings, critical incidents, etc.

- A. It is important to remember that the same regulations of FAA Part 107 which apply for the officers also applies to civilians. With proper licensing and approval, the operation of a drone is permissible.
- B. Actions to cause concern are flight over people, failing to yield the right of way to manned aircraft, and other FAA violations causing concern for safety to the public.
- C. Officers should survey the crowd for the drone operator causing concern. Once identified the individual may be approached and requested to provide identification.
- D. This is not a reason to detain. The goal is to get voluntary compliance and provide a detailed report to the FAA for the individual's violations.
- E. The remote pilot's name, date of birth, address, and contact information should be recorded. Along with this, the FAA Part 107 information should be recorded if they have one, as well as the drone's FAA registration. It is required that all drones over 0.55 pounds be registered with the FAA.
- F. Dallas Police will not seize the drone in question.
- G. Officers should file a Miscellaneous Incident Report and forward it to the UAS Team in the Air Support Division, who will then forward it to the FAA.
- H. Officers should consult the Texas Penal Code for any offenses resulting in bodily injury.



## Dallas Police Department General Order 400.00 Personnel Table of Contents

Revised 4/5/2023

### **400.00 PERSONNEL**

#### **401.00 EQUAL EMPLOYMENT OPPORTUNITY**

- 401.01 Appointment of Equal Employment Opportunity Coordinator
- 401.02 Equal Employment Opportunity Representatives
- 401.03 Responsibility of all Commanders, Managers, and Supervisory Personnel

#### **402.00 STATE CERTIFICATION OF POLICE OFFICERS**

#### **403.00 PERSONNEL STATUS**

- 403.01 Change in Family Status and/or Name
- 403.02 Change of Address and/or Telephone Number
- 403.03 Data for Emergency Call Lists
- 403.04 Required Personnel Information on Correspondence
- 403.05 Requests for Information on Police Department Employees
- 403.06 Unit Personnel Jackets
- 403.07 Identification Cards

#### **404.00 LEAVE FROM THE DEPARTMENT**

- 404.01 Leave Without Pay for Sworn Personnel
- 404.02 Leaves of Absence for Employees on Military Duty or Training

#### **405.00 RESIGNATION, RETIREMENT, AND TERMINATION OF SWORN AND NON-SWORN EMPLOYEES**

- 405.01 Responsibilities of Employees
- 405.02 Responsibilities of Supervisors
- 405.03 Phase Down Program
- 405.04 Re-employment Policy
- 405.05 Service Plaques
- 405.06 Reinstatement Policy

#### **406.00 SENIORITY AND TIME IN GRADE**

- 406.01 Determining Seniority
- 406.02 Assignment of Days Off, Holidays, Vacation Days, and Special Events by Seniority or Time in Grade

#### **407.00 TRANSFER PROCEDURES**

- 407.01 Definitions
- 407.02 General Provisions
- 407.03 Patrol Bid Procedures
- 407.04 Police Officer/Senior Corporal Transfer Procedures
- 407.05 Maximum Assignment Durations
- 407.06 Maximum Assignment Duration Exemptions
- 407.07 Procedures for Filling Non-Sworn Positions
- 407.08 Sergeant Assignment Procedure
- 407.09 Reporting Change of Assignment (Sworn and Non-Sworn Personnel)
- 407.10 Reporting Special Assignments (Sworn and Non-Sworn Personnel)
- 407.11 Inter-Departmental Transfers (Sworn and Non-Sworn Personnel)
- 407.12 Initial Assignment of Officers Permanently Restricted from Performing Patrol Functions
- 407.13 Filling Restricted Duty Vacancies with Existing Personnel
- 407.14 Re-Allocation and Confidentiality

**Dallas Police Department General Order  
400.00 Personnel Table of Contents**

Revised 4/5/2023

**408.00 ALTERNATE ASSIGNMENTS**

- 408.00 Alternate Assignments
- 408.01 Drafting
- 408.02 Special Assignments
- 408.03 Review of Special Assignments
- 408.04 Specialized Positions
- 408.05 Review of Specialized Positions

**409.00 RESERVED FOR FUTURE USE**

**410.00 PROMOTIONAL PROCEDURES**

- 410.01 Disciplinary Actions Affecting Consideration for Promotion
- 410.02 Promotional Interview Boards for Senior Corporals, Sergeants, and Lieutenants
- 410.03 Promotional Profiles
- 410.04 Assignments of Newly Promoted Personnel

**411.00 PERFORMANCE MANAGEMENT SYSTEM**

- 411.01 Performance Plans
- 411.02 Patrol Response
- 411.03 Patrol Response Performance Sessions / Scheduling
- 411.04 Support, Administrative, Investigation, Deployment Sworn
- 411.05 Support, Administrative, Investigation, Deployment Performance Sessions / Scheduling
- 411.06 Civilian Performance Plans
- 411.07 Civilian Performance Sessions / Scheduling
- 411.08 Executive Sworn
- 411.09 Final Overall Appraisal and Merit or Step Increase
- 411.10 Rating / Appraising Supervisor
- 411.11 Performance Appraisal Appeals
- 411.12 Required Probationary Reports and New Patrol Response Performance Plans
- 411.13 Non-Performance Related End-of-Year Documentation

**412.00 WRITTEN COMMENDATIONS**

- 412.01 Personal Commendation (External Commendations)
- 412.02 Internal Commendations
- 412.03 Personal Commendation Letters

**413.00 AWARDS AND RECOGNITION PROGRAMS**

- 413.01 The Meritorious Conduct Board
- 413.02 Officer of the Year Award (presented by the Friends of the Dallas Police)
- 413.03 Supervisor of the Year Award (presented by the Friends of the Dallas Police)
- 413.04 Field Training Officer of the Year (presented by the Friends of the Dallas Police)
- 413.05 Non-Sworn Employee of the Year Award (presented by the Friends of the Dallas Police)
- 413.06 Reserve Officer of the Year
- 413.07 Rookie of the Year Award (presented by the Dallas Junior Chamber of Commerce)
- 413.08 Citizen's Certificate of Merit
- 413.09 Officer of the Month Award (Dallas Community Police Awards Committee)
- 413.10 Non-Sworn Employee of the Month Award
- 413.11 Detective of the Year (presented by the Friends of the Dallas Police)

**414.00 DEPARTMENTAL DECORATIONS**

- 414.01 Presentation and Issuance of Awards
- 414.02 Wearing of Awards
- 414.03 Eligibility of Reserve Officers

**Dallas Police Department General Order  
400.00 Personnel Table of Contents**

Revised 4/5/2023

- 414.04 The Police Medal of Honor
- 414.05 The Police Cross
- 414.06 The Police Medal for Valor
- 414.07 The Meritorious Conduct Bar
- 414.08 The Police Commendation Bar
- 414.09 The Life Saving Bar
- 414.10 The Police Shield
- 414.11 The Certificate of Merit
- 414.12 The Certificate of Civic Achievement
- 414.13 The Theodore Roosevelt Award
- 414.14 The FBI National Academy Bar
- 414.15 The Caruth Police Institute Bar
- 414.16 The Institute for Law Enforcement Administration (ILEA) Bar
- 414.17 The Leadership Command College Bar
- 414.18 The Field Training Officer Bar
- 414.19 The Officer of the Month Bar
- 414.20 The Safe Driver Award
- 414.21 The Marksmanship Award
- 414.22 The Patrol Rifle Bar
- 414.23 The Public Safety Diver Bar
- 414.24 The Dallas Underwater Recovery Team Member Bar
- 414.25 The Fitness Bar
- 414.26 The Drug Expert Recognition Bar
- 414.27 The Perfect Attendance Award
- 414.28 The Explorer Advisor Bar
- 414.29 The Choir Bar
- 414.30 The L.E.T.S. Instructor Bar (currently in suspension)
- 414.31 The Kids and Cops Trading Card Bar
- 414.32 The State Fair Bar
- 414.33 The Honor Guard Bar
- 414.34 The United States Military Veteran Award
- 414.35 The Recruiting Award
- 414.36 The Active Bystandership in Law Enforcement (ABLE) Bar

**415.00 TRAINING ADVISORY BOARD**

**416.00 FIELD TRAINING**

- 416.01 Field Training Officer
- 416.02 Recruit Officer Training and Probationary Period

**417.00 IN-SERVICE TRAINING**

- 417.01 Assignment to Advanced Training Courses
- 417.02 In-Service Training Order Procedures
- 417.03 Organizational Training Coordinators
- 417.04 Defensive Tactics In-Service Training
- 417.05 Employee Responsibilities for TCOLE Certification
- 417.06 Adjunct Instructors
- 417.07 Departmental Training
- 417.08 Non-Sworn Orientation Training
- 417.09 Non-Sworn Required Training

**418.00 WEAPONS TRAINING AND SAFETY**

- 418.01 Primary Weapons, Specialty Weapons, and Ammunition
- 418.02 Firearms Proficiency
- 418.03 The Johnnie T. Hartwell Firearms Training Center
- 418.04 Weapons Prohibited in Restricted Areas

**Dallas Police Department General Order  
400.00 Personnel Table of Contents**

Revised 4/5/2023

- 418.05 Firearms Safety
- 418.06 Shotguns, Shells, and Cleaning Schedules
- 418.07 Secondary Weapons

**419.00 DRIVING AND VEHICLE SAFETY**

- 419.01 Policy
- 419.02 Definitions
- 419.03 Point Value and Disciplinary Procedure
- 419.04 Command Responsibility
- 419.05 Safety Team
- 419.06 Police Equipment Collision Guidelines
- 419.07 Reporting City Vehicle Incidents/Collisions
- 419.08 Incident Appeal Board (IAB)
- 419.09 Non-Driving Status
- 419.10 Non-Driving Status Due to Medical Reasons
- 419.11 Discipline Related to Motor Vehicle Collisions
- 419.12 Remedial Driving Training
- 419.13 Safety/Risk Management Committee

**420.00 COURT ATTENDANCE**

- 420.01 Subpoenaed and Requested Court Appearance in Criminal Case
- 420.02 County Court Standby System
- 420.03 Municipal Court Standby System
- 420.04 Employees Unable to Attend County or Municipal Court
- 420.05 Evidence Related to Court Appearances
- 420.06 Court Appearances in Counties in Which the City of Dallas is located Other Than Dallas County
- 420.07 Verbal or Written Recommendations for Case Dismissal
- 420.08 Voiding or Dismissing Citations
- 420.09 Accountability of Citation Books
- 420.10 Requests from Criminal Defense Attorneys
- 420.11 Civil Court Cases and Civil Suits

**421.00 OFF DUTY EMPLOYMENT**

- 421.01 Procedure
- 421.02 Definitions
- 421.03 Prohibitions Applicable to All Off-Duty Employment
- 421.04 Officer's Responsibilities for Requesting Off-Duty Police or Traffic Control Job
- 421.05 Off-Duty Employment at a Business Whose Principal Purpose or Activity is to Dispense/Sell Alcoholic Beverages
- 421.06 Approving Supervisor's Responsibilities
- 421.07 Officer's Duties While Working an Off-Duty Police Job
- 421.08 Off-Duty Non-Police Job
- 421.09 Off-Duty Employment Verification
- 421.10 Supervisor Off-Duty Employment Audits
- 421.11 Off-Duty Police Employment Requiring Five or More Officers
- 421.12 Off-Duty Employment Requiring Police Equipment
- 421.13 Job Coordination or Scheduling
- 421.14 Hazardous Locations
- 421.15 Off-Duty Police Employment Prohibited at Sexually Oriented Businesses
- 421.16 Off-Duty Police Employment at City-Owned Facilities/Overtime Funded Special Event Jobs
- 421.17 Off-Duty Traffic Control Services Provided by Uniformed, Non-Sworn Personnel
- 421.18 Off-Duty Employment for Free or Reduced Rent
- 421.19 Safety Team
- 421.20 Violation of Off-Duty Employment Procedure
- 421.21 Off-Duty Employment with Habitat for Humanity Neighborhood Officer Program
- 421.22 Special Events Off-Duty Employment Policy

**Dallas Police Department General Order  
400.00 Personnel Table of Contents**

Revised 4/5/2023

**422.00 REQUEST FOR SPECIAL ASSIGNMENT BY EMPLOYEE ASSOCIATIONS AND INDIVIDUAL EMPLOYEES**

- 422.01 Employee Association Request for Special Assignment Time to Attend a Conference or Training for other than Association Business
- 422.02 Employee Association Business Conducted During Assigned Duty Hours
- 422.03 Individual Employee Request for Special Assignment

**423.00 MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS AND POLICE ASSOCIATIONS**

- 423.01 Professional Organizations
- 423.02 Police Associations

**424.00 POLICE RESERVES**

- 424.01 Qualifications and Standards of Training of Reserve Division
- 424.02 Membership of Reserve Division
- 424.03 Organization of Reserve Division
- 424.04 Duties of Reserve Officers
- 424.05 Uniforms and Equipment for Reserves
- 424.06 Reserve Response

**425.00 CADET AND INTERNSHIP PROGRAM**

- 425.01 Cadet Program
- 425.02 Cadet Program Definitions
- 425.03 Requirements for Entry into the Cadet Program
- 425.04 Cadet Assignments
- 425.05 Divisional Responsibilities
- 425.06 Cadet Duties
- 425.07 Off-Duty and Outside Employment
- 425.08 Cadet Uniforms and Appearance
- 425.09 Internship Program

**426.00 LAW ENFORCEMENT EXPLORER PROGRAM**

- 426.01 Program Description
- 426.02 Assignment Responsibilities
- 426.03 Uniforms and Equipment for Explorers
- 426.04 Explorer Training Program
- 426.05 Explorer Post Advisors

**427.00 *RESERVED FOR FUTURE USE***

**428.00 POLICE FAMILY SUPPORT TEAM**

- 428.01 Purpose
- 428.02 Definitions
- 428.03 Composition and Responsibilities of the Police Family Support Team
- 428.04 Notification of the Police Family Support Team
- 428.05 Notification of the Police Family Members
- 428.06 Response to Life Threatening Injuries and Death in the Line-of-Duty
- 428.07 Response to Life Threatening Injury or Illness and Death Not in the Line-of-Duty
- 428.08 Response to the Death of a Retiree
- 428.09 Departmental Representation at Out of Town Funeral Services (DPD Line-of-Duty Deaths)
- 428.10 Departmental Representation at Funerals of Other Law Enforcement Agency Members (Line-of-Duty Deaths)

**Dallas Police Department General Order  
400.00 Personnel Table of Contents**

Revised 4/5/2023

- 428.11 Demeanor of Officers (Other Than Ceremonial Personnel) at Memorial, Funeral, and Committal Services
- 428.12 Explanation of Benefits and Police Family Support Team Operations
- 428.13 Police Officer Memorial Day Services
- 428.14 Police Employee's Emergency Contact Form
- 428.15 Final Salary Benefit Check Authorization Form
- 428.16 Memorial Accounts and Donations
- 428.17 Eligibility of Officers for Memorial Recognition
- 428.18 The Dallas Police Memorial
- 428.19 Police Officer Memorial Wall Plaque
- 428.20 Police Officer Memorial Portraits
- 428.21 Rendering Honors to the Flag and National Anthem
- 428.22 Children of the Fallen Program

**429.00 DEATH OR INJURY OF AN EMPLOYEE**

- 429.01 Death of a Member
- 429.02 Injury of a Member
- 429.03 Reporting Employees on Limited Duty Status
- 429.04 Personal Injuries

**430.00 GRIEVANCE PROCEDURE**

- 430.01 Grievance - Definition
- 430.02 General Provisions for All Employees
- 430.03 Grievance Coordinator
- 430.04 Grievance and Appeal Procedures for Non-Sworn Employees
- 430.05 Grievance and Appeal Procedures for Sworn Employees
- 430.06 Sworn Grievance Committee - Composition and Purpose

**431.00 DISCRIMINATION, INAPPROPRIATE COMMENTS/DISPLAY OF INAPPROPRIATE MATERIAL, AND SEXUAL HARASSMENT**

- 431.01 Discrimination
- 431.02 Inappropriate Comments/Display of Inappropriate Material
- 431.03 Sexual Harassment
- 431.04 Employee Responsibilities Regarding Sexual Harassment
- 431.05 Responsibilities for Preventing and Investigating Sexual Harassment
- 431.06 Police/Citizen Sexual Harassment
- 431.07 Biased Policing

**432.00 *Biased Policing and Racial Profiling***

- 432.01 Purpose
- 432.02 Definitions
- 432.03 Examples of biased include, but are not limited to:
- 432.04 Biased Policing and Racial Profiling Complaints and investigations
- 432.05 Training
- 432.06 Reporting of Racial Profiling Motor Vehicle Stops
- 432.07 Public Education
- 432.08 Motor Vehicle Stop Data Audits

**433.00 EMPLOYEE SUPPORT PROGRAM**

- 433.01 Mission Statement
- 433.02 Early Intervention System (EIS) Defined
- 433.03 Employee Support Program (ESP) Defined
- 433.04 Confidential Counseling and Resource Referrals

**Dallas Police Department General Order  
400.00 Personnel Table of Contents**

Revised 4/5/2023

- 433.05 Identifiers for Possible Selection into the ESP
- 433.06 Employee Case Studies
- 433.07 ESP Selection Expectations
- 433.08 ESP Phases and Guidelines
- 433.09 'Failure to Progress' ESP Board
- 433.10 Department Responsibilities
- 433.11 ESP Procedures

**434.00 ANNUAL CHECKS**

**435.00 EMPLOYEE DRUG USAGE**

- 435.01 Policy and Reporting Requirements
- 435.02 Executive Notification, Testing, and Discipline

**436.00 RANDOM DRUG TESTING**

- 436.01 Employees Subject to Testing
- 436.02 Definitions
- 436.03 Testing Notification
- 436.04 Collection and Testing Procedures
- 436.05 Administration of the Program
- 436.06 Disciplinary Action
- 436.07 Additional Drug Screening due to Assignment
- 436.08 Drug Screening - Non-Competitive Appointed Ranks
- 436.09 Drug Screening - Reserve Section

**437.00 SMOKING IN PUBLIC BUILDINGS**

- 437.01 No Smoking Areas
- 437.02 Violation of Smoking Ordinance #19648
- 437.03 Complaint Procedure
- 437.04 Enforcement Responsibility

**438.00 COMMUNICABLE DISEASES**

- 438.01 Bloodborne Pathogens Exposure Control Plan
- 438.02 Blood Exposures
- 438.03 Bloodborne Pathogens
- 438.04 Other Communicable Diseases
- 438.05 Hepatitis B Vaccination
- 438.06 Precautionary Measures for Officers to Minimize Exposure to Bloodborne Pathogens
- 438.07 Procedures to be Taken if Possibly Exposed to Bloodborne Pathogens
- 438.08 Reporting Procedures for Possible Exposure to Communicable Diseases
- 438.09 Procedure for Testing Suspects for Communicable Diseases
- 438.10 Evidence Handling
- 438.11 Procedures for Cleaning Contaminated Equipment, Uniforms and Vehicles
- 438.12 Procedures for Discarding of Personal Protective Equipment/Uniforms
- 438.13 Annual Training

**439.00 *RESERVED FOR FUTURE USE***

**440.00 RECREATION COMMITTEE**

- 440.01 Composition
- 440.02 Appointment
- 440.03 Organization and Duties

**441.00 PROMOTIONAL ASSESSMENT CENTERS FOR OUTSIDE AGENCIES**

**Dallas Police Department General Order  
400.00 Personnel Table of Contents**

Revised 4/5/2023

**442.00 EMPLOYEE ADVISORY COMMITTEES**

- 442.01 Purpose
- 442.02 Organization
- 442.03 Membership

**443.00 VIOLENCE IN THE WORKPLACE**

- 443.01 Policy
- 443.02 Purpose
- 443.03 Definitions
- 443.04 Responsibilities

**444.00 POLICE PSYCHOLOGICAL SERVICES**

- 444.01 Fitness for Duty Evaluation
- 444.02 Substance Abuse Assistance
- 444.03 Critical Incident Management

**445.00 EMPLOYEE WELLNESS SERVICES**

- 445.01 Employee Wellness Unit
- 445.02 Peer Support Program

**446.00 ALCOHOL REHABILITATION LEAVE PROCEDURE**

- 446.01 Purpose
- 446.02 Procedure and Criteria for Participation



## Dallas Police Department General Order

### 401.00 Equal Employment Opportunity Program

Revised 04/01/08

#### 401.00 EQUAL EMPLOYMENT OPPORTUNITY

##### 401.01 Appointment of Equal Employment Opportunity Coordinator

- A. The Commander of the Personnel and Development Division will serve as the Equal Employment Opportunity (EEO) Coordinator for the Dallas Police Department.
- B. Responsibilities of the EEO Coordinator
  - 1. Ensuring adherence to the City of Dallas Personnel Rules Section 34-35 governing the Fair Employment Practices as it relates to the Dallas Police Department.
  - 2. Acting as Departmental liaison with the Civil Service Board, City Human Resources Department, and other applicable agencies.
  - 3. Ensuring all employment actions under his or her direction are non-discriminatory, job related, and meets all applicable federal guidelines.
  - 4. Providing information and training to Dallas Police Department supervisory personnel on their responsibilities in order that they may deal with their employees in a non-discriminatory manner.
  - 5. Maintaining or causing to be maintained records necessary for the completion of reports and responses to the Equal Employment Opportunity Commission or other compliance agencies.

##### 401.02 Equal Employment Opportunity Representatives

- A. Each Bureau Administrative Sergeant will serve as a point of contact for employees and supervisory personnel to facilitate EEO/Fair Employment Practices issues with resolutions involving assignments, reassignments, and training of both sworn and non-sworn employees of the respective Bureau.
- B. It will be the responsibility of the Administrative Sergeant, along with the EEO Coordinator, to gather information and documentation necessary to respond to inquiries from the Equal Employment Commission, Texas Commission on Human Rights, or other compliance agencies.
- C. In addition, the Chairperson of the Grievance Review Committee, upon receipt of a formally submitted complaint, will determine if the complaint was submitted in accordance with City of Dallas Personnel Rules grievance and appeal procedures.
- D. The Chairperson and Administrative Sergeants will attend periodic meetings and receive training from the City Attorney's office, the Department of Human Resources, and other applicable agencies in order to stay current on EEO/ Fair Employment Practices policies and procedures as needed.
- E. Bureau Administrative Sergeants will refer employees to General Orders, Section 430.00 Grievance Procedure, in the event an employee desires to file a formal complaint involving an EEO/Fair Employment Practices issue.

##### 401.03 Responsibility of all Commanders, Managers, and Supervisory Personnel

- A. To ensure all applicable job actions are non-discriminatory as they relate to race, color, sex, religion, national origin, age, or disability and are made in compliance with Title VII of the 1964 Civil Rights Act, as amended.
- B. To refer any employee who may experience problems with matters concerning EEO/Fair Employment Practices to their respective EEO Bureau Administrative Sergeant and/or to General Orders, Section 430.00 Grievance Procedure, in the event they want to file a formal complaint.



## Dallas Police Department General Order

### 402.00 State Certification of Police Officers

Revised 04/01/08

#### 402.00 STATE CERTIFICATION OF POLICE OFFICERS

- A. Reason for Certification - Article 4413 V.C.S. as amended by the 61st Legislature, Regular Session, 1969, makes it mandatory that all peace officers attaining permanent status on or after September 1, 1970, be certified by the Texas Commission on Law Enforcement. The law does not apply to peace officers attaining permanent status prior to September 1, 1970.
- B. Responsibility for Basic Certification  
It will be the responsibility of the Applicant Processing Unit, upon the appointment of an Apprentice Police Officer, and the Training Section, upon the officer's completion of basic training, to forward the required forms for basic certification to the Texas Commission on Law Enforcement Officer.
- C. The four levels of certification are:
  - 1. Basic
  - 2. Intermediate
  - 3. Advanced
  - 4. Master
- D. Certification beyond the Basic level is the responsibility of the individual officer. The Employee Relations Unit and the Applicant Processing Unit must each receive a valid college transcript in order to inform the Texas Commission on Law Enforcement (TCOLE) of the college hours earned by the officer after the hiring date. Information on the requirements for each level of certification is available on the Dallas Police Department home page under Training heading then Academy link. These standards are mandated by the Texas Commission on Law Enforcement.



## Dallas Police Department General Order

### 403.00 Personnel Status

Revised 05/14/2019

#### 403.00 PERSONNEL STATUS

##### 403.01 Change in Family Status and/or Name

- A. All members of the Department, sworn and non-sworn, are required to notify in person the Personnel Services Unit of the Personnel and Development Division within 15 days of an employee status change which includes: marriage or divorce, any name change, birth or legal adoption of a child, or death of a husband, wife, or a child under the age of 17. If an employee undergoes a personal status change that doesn't fall into the above categories, the employee will contact the Personnel Services Unit of the Personnel and Development Division for further instruction.
- B. The Personnel and Development Division will forward a copy of name change memorandums to the Crime Scene Response Section so identification files can be updated.

##### 403.02 Change of Address and/or Telephone Number

- A. All members of the Department, sworn and non-sworn, will keep their current address and telephone number on file with the Department for official use. Any change of address and/or telephone number will be reported to the employee's immediate supervisor within 24 hours. The supervisor will prepare a memorandum containing the following information: name, employee number, badge number, address, City, zip code, and telephone number(s) of the affected employee.
- B. The original memorandum will be forwarded to the Personnel Services Unit of the Personnel and Development Division, and a copy will be retained by the Organization Commander.
- C. All employees are required to ensure that their contact information is up to date in Intelligent Workforce Management (IWM). Employee's home address must be the actual address at which they reside. A mailing address may be listed in addition to the physical address. Contact phone numbers must be listed as well. If the residence does not have a land based line, then a cellular phone number must be given.

##### 403.03 Data for Emergency Call Lists

- A. All Organizational Commanders will ensure that any changes in the following personnel information which occur in their respective organizational levels will be entered into IWM within 48 hours:
  1. Days off.
  2. Home address.
  3. Home telephone number.
  4. Assignment.
  5. Watch and/or work hours.
- B. Any change in rotating/fixed watch created by a change in assignment must be completed through the use of a Personnel Action Request.
- C. Organizational Commanders are responsible for maintaining and distributing an Emergency Contact List for their respective Units.
- D. Organizational Commanders will ensure that supervisors conduct audits of the contact information for all personnel under their command at least once per quarter. The contact information in IWM and the Emergency Contact List will be updated as necessary. Copies of the current Emergency Contact List will be forwarded to the Bureau Commander on a quarterly basis due by April 1, July 1, October 1, and January 1 of each year.

##### 403.04 Required Personnel Information on Correspondence

- A. On all correspondence, forms, and memorandums pertaining to City employees, the following information should be included in the sequence indicated: the employee's name, Department payroll number, and 5-digit employee number. **(Note: A Police Officer's badge number is not the employee number.)**
- B. The following are types of data forms that should contain the above information:
  1. Civil Service Ratings (performance ratings).
  2. Suspension Memorandums.
  3. Accident Reports P-8.
  4. Military Leave requests.
  5. Departmental Memoranda Concerning Employees' Status.
- C. Numbers to be Used
  1. Departmental Payroll Number
    - a. Sworn - 12-1
    - b. Non-Sworn - 12-2
  2. The above numbers may be obtained from the Position Classification Assignment printout that is distributed to each organizational level on a monthly basis.

# Dallas Police Department General Order

## 403.00 Personnel Status

Revised 05/14/2019

### 403.05 Requests for Information on Police Department Employees

- A. Requests for lists of names, addresses, and/or telephone numbers of Dallas Police Department employees, sworn or non-sworn, are to be refused regardless of the source of inquiry.
- B. If any doubt arises concerning the refusal of any such request, refer the request to the Chief of Police.
- C. Unlisted telephone numbers will be given to representatives of the criminal justice system and Dallas Police Department personnel if their identity can be verified.
- D. Attorneys for the City of Dallas may obtain this information by telephone provided proof of their employment can be verified. Attorneys and investigators working for the Dallas County District Attorney's Office may obtain this information by contacting the officer/employee's organizational level (and their employment can be verified). The information is also available through the Dallas Police Department web site if the requester has access to the IWM program.
- E. Commanders of organizational levels that have computer terminals with the capability of accessing the names, addresses, and telephone numbers of Police Department employees, sworn and non-sworn, will be charged with maintaining the security of that information.

### 403.06 Unit Personnel Jackets

- A. Organizational Commanders will cause a manila file jacket or brown six-part folder to be maintained by the Section, Watch, or Unit Commander for each supervisor and employee under their command.
- B. All Supervisor's Reports will be filed in these unit jackets when received. These jackets will be forwarded with the time card of the employee in case of transfer.
- C. When an employee is terminated, the unit jacket and time card will be forwarded to the Personnel and Development Division and filed in the employee's personnel file.

### 403.07 Identification Cards

- A. Dallas Police Department Sworn and Non-sworn identification cards will be issued by the Facilities Management Team to all members of the department. The card will reflect the current rank or grade of the employee and the employee's photograph.
- B. The Applicant Processing Unit of the Personnel and Development Division is responsible for procurement, accountability, issuance, and destruction of identification cards as mandated by the Texas Commission on Law Enforcement Officer Standards and Education or State Regulation.
- C. Cards are issued as follows:
  - 1. Sworn identification card issued to those having arrest powers
  - 2. Chaplain identification card.
  - 3. Cadet / Explorer identification card
  - 4. Non-Sworn identification card
  - 5. Retiree identification card
  - 6. Tactical Team Doctor identification card
  - 7. Pre-hire identification card
  - 8. Vendor identification card
  - 9. City Marshall identification card
  - 10. Sworn Peace Officers of Dallas Fire Rescue identification card
  - 11. Separated/Good Standing with 10 or more years of service card will be issued to sworn personnel who resign from the Department in good standing with a minimum of 10 years of service but not retiring.
- D. Non-sworn personnel not in uniform and Chaplains will wear the identification card affixed to an outer garment when visiting or working in any restricted area in a police facility. Sworn personnel not in uniform will wear their badge or identification card on an outer garment while in restricted areas of a police facility.
- E. Employees will not alter or duplicate any Department identification card.
- F. Employees will promptly notify their immediate supervisor of a lost or stolen identification card in accordance with General Order Section 805.01. In order to replace the card, the employee will report to the Personnel and Development Division and present a copy of the Offense/Incident Report along with the memorandum from the Division Commander as to the requirement to pay or not pay for the replacement identification card. If a card is recovered after the replacement card has been issued, the recovered card will be turned in to the Personnel and Development Division and a supplement will be made to the Offense/Incident Report by the Officer's assigned Division.
- G. All employees terminating employment with the Department (to include transfers to other City Departments) will turn in their Department identification card to the Personnel and Development Division while out-processing as set forth in General Order Section 405.01.
- H. Personnel retiring "Honorably" from the Department will receive a Retired identification card with "Honorably Retired" in red ink on the card face. An employee retiring under investigation will not receive a Retired identification card. The rank or classification on a Retired identification card will be that rank or classification held by the individual at the time of retirement.
- I. Sworn Personnel retiring and applying for a License to Carry Handgun must meet the criteria as set forth in General Order Section 212.01 and will be issued the proper identification card.
- J. Retired Personnel that lose their identification cards must file a lost or stolen report with the proper agency and pay for a replacement identification card. If the lost or stolen card is recovered the card must be returned to the Applicant Processing Unit immediately.
- K. Sworn identification cards and Retiree identification cards will be replaced on a five year cycle to reflect physical changes in the officer's / Retiree's appearance per State Regulation. If a sworn officer / retiree has a major change in physical appearance before that time the identification card may be corrected before the five year mark.

**Dallas Police Department General Order  
403.00 Personnel Status**

Revised 05/14/2019

- L. Officers will be contacted by the Application Processing Unit by memo or electronic mail as to when and where the officer should report for the new card to be made. This process will be phased in over the five year cycle as required by the State Regulation or as mandated by changes in the State Regulation.



## Dallas Police Department General Order 404.00 Leave From the Department

Revised 4/23/2021

### 404.00 LEAVE FROM THE DEPARTMENT

#### 404.01 Leave Without Pay for Sworn Personnel

- A. Officers requesting leave without pay will:
1. Make their request in a memorandum to the Chief of Police stating the reason for the request, the effective dates requested, and how it will benefit the Department or City if it is educational leave.
  2. Include the following statements in their request:
    - a. "I make this request with the full understanding that this leave, if granted, is given with the expectation that upon completion I will return to full time employment with the City of Dallas."
    - b. "I have reviewed my pension plan with pension personnel, and I understand the effects an absence will have on my benefits."
    - c. "I further understand that my absence will require that I undergo a fitness for duty evaluation, and if applicable, I will be required to take a polygraph examination upon my return to full duty covering my conduct during the absence and undergo a fitness for duty evaluation." (Personnel whose absences are due to military duty or training will not be required to take the polygraph exam).
  3. Forward the request through the chain-of-command for approval.
  4. If the request is approved, the officer will be notified by a memorandum from the Commander of the Personnel and Development Division. The officer's weapon and badges will be turned in at the Quartermaster Unit. The officer's identification card and warrant of appointment will be turned in to the Personnel and Development Division. It will be at the officer's discretion to turn in other uniform items to the Quartermaster Unit.
- B. Leave without pay will be granted within the following guidelines with the expectation that the officer will return to full time employment with the City of Dallas:
1. Leaves will be for a specific time period not to exceed 60 days except for education and training purposes that may not exceed one year.
  2. Any absence that may require a longer period of time than initially authorized will require a new written request and approval.
  3. Leave for education or training must meet the following requirements:
    - a. The results of any training or education should directly benefit the Department or City, and the officer must show how in the request. The following instances are examples of direct benefits.
      - i. The training will increase the officer's ability to perform a specific job that the officer currently holds or will hold upon return to duty.
      - ii. The training will directly relate to obtaining a position of higher responsibility, higher pay, or promotion.
    - b. Courses that would tend to lead officers into fields other than police work will not be authorized for leave. An exception to this would be where the officer could show that the training would result in the attainment of a different position within City government.
- C. When returning to work after absences over 60 days, officers (except those returning from military leave) will be routinely given a polygraph examination. Polygraph examinations may be required for absences of a shorter period if the need indicates. Department policy requires returning sworn members of the Department to undergo a fitness for duty evaluation before being re-armed and reassigned to duty. Depending on the circumstances, these requirements may be applicable for extended absences due to Family Medical Leave.

#### 404.02 Leaves of Absence for Employees on Military Duty or Training

- A. Definitions
1. Regular Component of the Armed Forces: US Army, US Navy, US Air Force, US Marine Corps, US Coast Guard.
  2. Reserve Component of the Armed Forces: US Army Reserve, US Navy Reserve, US Air Force Reserve, US Marine Corps Reserve, US Coast Guard Reserve, Army National Guard, Air National Guard.
  3. Extended Active Duty (EAD): Full-time, exclusive employment with a Regular Component of the Armed Forces based upon induction under the Military Selective Service Act (or any subsequent corresponding law); or voluntary enlistment or commissioning into a Regular Component of the Armed Forces; or any voluntary or involuntary call to active duty of a member of a Reserve Component of the Armed Forces for an indefinite period which results in the individual being assigned to an active duty unit and accountability is charged against active force strength. Completed tours of EAD result in the issuance of a DD Form 214 (*Certificate of Release or Discharge from Active Duty*) to the member.
  4. Active Duty for Training (ADT): A temporary tour of active duty for reserve training under orders which provide for automatic return to non-active duty status when the period of active duty specified is completed. ADT tours are commonly classified as annual tours, school tours, or special tours.
  5. Inactive Duty Training (IDT): Authorized training performed by a reservist/guardsman not on active duty or active duty for training. These days of training are commonly referred to as *drill periods*.
  6. Military Leave Days ("M" Days): Employees of the Department who are members of the reserve components of the Armed Forces are entitled to 15 paid days of military leave ("M" days) per fiscal year (October 1 - September 30). Employees receive the 15-day entitlement regardless of whether they are assigned to a 10/4 or an 8/5-work schedule. The entitlement is based on *number of days* rather than *number of hours*. "M" days may be used in the completion of EAD, ADT, or IDT.
  7. Military Liaison Officer (MLO): Officer assigned to the Personnel and Development Division to assist employees with administrative requirements concerning military service.

**Dallas Police Department General Order**  
**404.00 Leave From the Department**

Revised 4/23/2021

8. Applicant Processing Team (APT): Assigned to the Personnel and Development Division.
- B. Training with a Reserve Component of the Armed Forces
  1. Employees who are members of a Reserve Component of the Armed Forces and receive orders or drill schedules to perform Active Duty for Training (ADT) or Inactive Duty Training (IDT) should prepare a memo to the Bureau Commander, if the employee anticipates the use of any "M" days or Leave Without Pay (W) days, in order to complete the training. This memo should state the military unit to which the employee is assigned, the location where the individual is to report, the inclusive dates of the tour of duty (to include authorized travel time), the balance of "M" days left for that fiscal year prior to the start of the tour, and the number of "M" days to be used. If the employee chooses to use any Vacation, Holiday, Compensatory, or Off days in conjunction with "M" or "W" days in order to complete the training, the submitted memo should also state the number of days to be used in each category. The memo should be accompanied by a copy of the orders or drill schedule.
  2. The original memo and tour orders/drill schedule will be filed in the individual's unit personnel file after review by the Bureau Commander. One copy will be placed in the bureau administrative files, and a second copy will be forwarded to the Police Payroll Team Military Liaison Officer (MLO).
  3. If the memo indicates the employee's training period includes 31 or more consecutive days of Leave Without Pay status, the employee should report to the MLO in the Personnel Division with the original memo addressed to the Bureau Commander and EAD orders. A copy of both documents should be submitted to the employee's Division Commander and a copy placed in the member's personnel file. The MLO will assist the employee in meeting all necessary administrative requirements prior to the employee's departure to active military service. The MLO will obtain the contact information of the member while deployed and be a link between the department, and the active duty employee to assist the employee with a wide variety of transitional issues. The MLO will maintain current and relevant information on all employees concerning their military status. This information will contain at a minimum, but not limited to branch of service, military rank and information regarding their current duty station and/or a point of contact via the military. The MLO will make all reasonable efforts to provide information regarding the status of the employee to the appropriate personnel via the chain of command.

The MLO will ensure copies of the memo and orders are distributed to:

    - Bureau Commander
    - Applicant Processing Unit
    - Payroll Unit
    - Human Resources

When members are deployed for EAD, the MLO will consult with the member concerning: the Uniformed Services Employment and Reemployment Rights Act (USERRA), Service Members Civil Relief Act of 2003.
  4. The APT will complete TCOLE Form F5 for any sworn member whose absence includes 31 or more consecutive days of Leave without Pay status. The form will be submitted by the Personnel and Development Division on the 31st day of the absence. Upon return to City duty, the sworn member will report to the MLO to begin the in processing procedures. The returning employee should provide a copy of their DD214 and Release from Active Duty Letter.
  5. The APT will complete the TCOLE Form L1.
  6. Employees who intend to use only ordinary paid leave (V, H, C) or Off days in order to complete ADT or IDT are not required to submit a memo to the Bureau Commander, but will instead coordinate the training requirements with their immediate supervisor for scheduling the time off on the police unit's monthly detail.
  7. Employees who participate in ADT or IDT on a regularly scheduled Departmental work day may reschedule the work day as an Off day, as long as the switching of those Departmental work and Off days occur within the same two week pay period. The employee will make the orders or the drill schedule available to the immediate supervisor upon request.
  8. Employees are encouraged to give advance notice to their immediate supervisor of ADT/IDT tours as soon as possible, in order for the supervisor to plan work schedules.
  9. Employees performing ADT or IDT retain possession of all Departmental issued equipment.
  10. Employees will not be required to undergo any testing or evaluation (such as would be given to new Departmental applicants) upon their return from ADT or IDT.
  11. If the employee remains in normal Departmental pay status (i.e., no Leave Without Pay is charged on the Exception Payroll) throughout the period of ADT/IDT, then the employee continues to receive all normal employment benefits, to include accrual of vacation, holiday, and sick time. Accrual of vacation, holiday, and sick time ceases at the point an employee begins any Leave Without Pay status. Accrual resumes with the return of the employee to pay status.
  12. Upon completing training and allowing time required for return travel, the employee must report back to the first regularly scheduled Departmental shift, unless the return travel is delayed by factors beyond the member's control.
- C. Duty with a Regular Component of the Armed Forces, or EAD with a Reserve Component of the Armed Forces
  1. An employee who requests a leave of absence from the Department for the purpose of voluntarily or involuntarily entering a Regular Component, or EAD with a Reserve Component for an indefinite length of service, or for a four-year statutory tour, should submit a memo as described in paragraph 404.02.B.1. If the memo indicates the employee's leave of absence will include 31 or more consecutive days of Leave Without Pay status, the MLO will ensure that a copy of the memo is forwarded to the APT and Payroll Unit.
  2. A copy of the request for military leave memo and EAD order will be filed in the individual's unit personnel file after review by the Bureau Commander. One copy will be placed in the bureau administrative files and the MLO will forward a copy to the Police Payroll Team.
  3. The APT will complete TCOLE Form F5 for any sworn member whose absence includes 31 or more consecutive days of Leave Without Pay status. The form will be submitted by the Personnel and Development Division on the 31st day of the absence.

# Dallas Police Department General Order

## 404.00 Leave From the Department

Revised 4/23/2021

4. An employee entering EAD will have the option of receiving lump sum payment for accrued vacation, holiday, and compensatory leave; using a portion or all of it in conjunction with the absence; or leaving the balance intact for use upon return to the Department. Any sick time balance existing at the time the employee departs will be banked for the employee's use upon return to the Department.
  5. An employee who requests an unpaid leave of absence for entry into a Regular Component or EAD (indefinite or four year statutory tour) with a Reserve Component will turn in all issued equipment to the Quartermaster Unit and Personnel and Development Division as appropriate. The employee will be reissued the same or new equipment upon return. Reserve Component members activated under a 180-day Presidential call-up will retain possession of their issued equipment.
  6. An employee's right to return under Chapter 43 (Veterans' Reemployment Rights) of Title 38 US Code is protected for an absence of up to four years, or up to five years if the fifth year is at the request and convenience of the US Government.
  7. An employee who completes a tour as a member of a Regular Component, or a Reserve indefinite or four-year statutory tour of EAD, will:
    - a. Notify the Department in writing within 90 days of the employee's discharge/separation from active duty of the employee's desire for reinstatement. The employee will prepare a letter to the Commander of the Personnel Division giving name, employee number, first date of active duty, date of discharge/separation, and a statement that the member is returning for reinstatement.
    - b. Hand deliver the letter to the Personnel Division MLO. The MLO will conduct an after deployment interview. The member will then report to the APT, where TCOLE Form L1 will be prepared and submitted.
    - c. Furnish to the APT a copy of the employee's DD Form 214 to verify that the member's military service was characterized as *Honorable* or *General (under Honorable conditions)*.
    - d. Undergo a psychological screening by a DPD staff psychologist before being rearmed and reassigned to duty. Based on the results of the screening, the employee will either be rearmed and reassigned to duty or, if necessary, referred to the chain of command for a fitness for duty evaluation, in accordance with General Order 432.01.
    - e. Receive instructions for obtaining equipment from the Quartermaster Unit and determine any need for weapons qualification at the Range and/or accelerated classroom training at the Academy.
- D. General Provisions
1. An employee - who is normally eligible for a merit step increase but on EAD, ADT, or IDT during a portion of a merit step increase evaluation period - will be eligible for the increase if supervisors in the chain-of-command are able to fairly evaluate the employee's performance for a majority of the evaluation period. The employee's performance during the period must reflect performance that exceeds the minimum level of satisfactory performance.
  2. A sworn member of the Department whose military absence from the Department is for one year or longer will, upon return, be temporarily assigned to the Training Section for accelerated retraining, the length of which will be determined by the Commander of the Training Section. The purpose of this retraining will be to ensure the member is updated on any changes in state or municipal law, the Code of Criminal Procedure, and/or significant Departmental policies.
  3. Employees entering EAD (Regular or Reserve) or performing ADT or IDT retain their original dates of employment and dates of rank with no loss of seniority.
  4. Employees who use Leave Without Pay ("W" days) in order to perform EAD, ADT, or IDT are eligible to maintain full pension credit covering the period of their absence by making payment of pension fund contributions (plus interest compounded annually) after their return to the Department. Payment of amount due must be made within one year from the date of calculation by the fund administrator. Details should be obtained from the Police and Fire Pension Board administrator.
  5. Employees who remain on paid or unpaid leave status while on EAD, ADT, or IDT may retain the insurance coverage available to active employees. Employees who terminate may be eligible to maintain certain health and life insurance coverage under COBRA. Details about coverage and costs should be obtained from the Employee Benefits Division, Department of Human Resources.



## Dallas Police Department General Order

# 405.00 Resignation, Retirement and Termination of Employees

Revised 11/18/2022

### 405.00 RESIGNATION, RETIREMENT, AND TERMINATION OF SWORN AND NON-SWORN EMPLOYEES

#### 405.01 Responsibilities of Employees

- A. All employees voluntarily terminating their employment with the Dallas Police Department will submit a memorandum to the Chief of Police through their chain-of-command. The memorandum will reflect the resigning or retiring individual's last date of employment.
- B. *Employee Termination Checklist* Form
  1. An *Employee Termination Checklist* form, consisting of seven sections, will be completed for all terminating employees. This form documents the return of City of Dallas property at various Departmental offices. Applicable sections will be completed in the order listed. All employees will contact each of the six respective units listed on the *Employee Termination Checklist form*. Each section will be acknowledged with a signature from the terminating employee and a designee from the respective unit.
    - a. Section I documents the return of certain City equipment at the Division, Section, or Unit level and will be acknowledged with a signature by the terminating employee and his/her supervisor.
    - b. Section II documents the clearance of property and/or evidence logged in at the Property Unit during the terminating employee length of service with the Department. To ensure all terminating employees have completed their chain of custody clearance report for any and all property being held, this section will be acknowledged with a signature by the terminating employee and by a supervisor of the Property Unit.
    - c. Section III documents the return of all equipment (City-issued Cell Phone, Laptop, iPad, Webcam, CD/Blu-Ray Burner, Headset, Training Cord, Phone/Radio Amp, AIS Token(fob), etc.) assigned by the Operational Technology Unit. This section will be acknowledged with a signature by the terminating employee and by a supervisor of the Operational Technology Unit.
    - d. Section IV documents the return of the Body Worn Camera and will be acknowledged with a signature by the terminating employee and the Department BWC Administrator. In cases where the terminating employee was not issued a BWC, this section must still be acknowledged with a signature and be verified by the Department BWC Administrator. Quartermaster Section V must be signed and completed before Section IV can be reviewed.
    - e. Section V documents the clearance of the Quartermaster. If applicable, the terminating employee will call the Quartermaster Unit to request an equipment audit and schedule an appointment to return all issued items. At the time of the appointment, this section will be acknowledged with a signature by all terminating employees and a member of the Quartermaster.
    - f. Section VI documents the clearance of the Field Base Reporting/Records Management System (FBR/RMS). This section will be acknowledged with a signature by all terminating employees and by a member of the Uniform Crime Reporting (UCR) Team.
    - g. Section VII documents the completion of the Exit Interview with the Police Personnel - Employee Relations Team. All employees leaving the Department will turn in their DPD Identification Card and Warrant of Appointment. The section will be acknowledged with a signature by all terminating employees and by a member of the Employee Relations Team.
  2. The Personnel Division will retain the completed *Employee Termination Checklist* form.
- C. Exit Interviews
  1. The purpose of this interview is to discuss benefits, salaries, and reimbursements for which the terminating employee may be eligible. An *Employee Exit Interview Checklist* form will be completed for all employees resigning, retiring, or discharged from the Dallas Police Department. All employees will call and schedule an appointment prior to reporting to the Employee Relations Team for an Exit Interview.
  2. Terminating employees wishing to receive a refund of pension contributions may complete the related paperwork in:
    - a. The office of the Police & Fire Pension Fund (sworn).
    - b. The office of the Employee Retirement Fund Pension Office (non-sworn).
- D. Discharged employees must complete the *Employee Termination Checklist* and schedule an appointment for an Exit Interview with the Employee Relations Team. Discharged employees must be accompanied with a supervisor from their chain-of-command during the clearance portion from each respective unit listed on the *Employee Termination Checklist*.
  1. Property Unit
  2. Operational Technology Unit
  3. Body Worn Camera Unit
  4. Quartermaster
  5. FBR/RMS Unit
  6. Police Personnel – Employee Relations Team
- E. Employees who wish to submit their Resignation while on Restricted Duty and/or on Administrative leave must be accompanied by a supervisor from their chain-of-command during the clearance portion from each respective unit listed on the *Employee Termination Checklist* and during the Exit Interview with the Employee Relations Team.
- F. All retiring employees should advise the Employee Relations Team of the impending retirement at least 4 weeks prior to the close of the business date or retirement party date to allow sufficient time for ordering the service plaque. Sworn personnel, Non-sworn and Security Officers who are retiring "Honorably" will provide the Employee Relations Team with their badge(s) and/or those awards (on a solid backing) that will be placed on their service plaque. Prior to relinquishing these items to the Employee Relations Team, these employees will obtain a temporary badge from

# Dallas Police Department General Order

## 405.00 Resignation, Retirement and Termination of Employees

Revised 11/18/2022

- the Quartermaster Unit. The temporary badge must be returned to the Quartermaster Unit when Section II of the *Employee Termination Checklist* form is completed.
- G. Retiring employees should also confer with their Pension System administrators for an explanation of benefits prior to their retirement date.
  - H. All terminating employees will be given copies of the *Employee Termination Checklist*, *Exit Interview*, and any other forms completed during the termination process.
  - I. During the Exit Interview, a PIU/IAD check will be performed on all employees leaving the Department. The PIU/IAD check will be acknowledged with a signature by the terminating employee, a supervisor from PIU, and a supervisor from IAD. The PIU/IAD check indicates whether the employee has a pending investigation with PIU and/or IAD.

### 405.02 Responsibilities of Supervisors

- A. To verify completion of Section I of the *Employee Termination Checklist*, the terminating employee's supervisor will initial all applicable items. The supervisor will direct the employee to contact each respective Unit and take the original *Employee Termination Checklist* form to the Property Unit for a clearance of property being held, the Operational Technology Unit for clearance of assigned city equipment, the Body Worn Camera Unit for clearance of an issued of a BWC, the Quartermaster for clearance, the FBR/RMS and Uniform Crime Reporting (UCR) Team for a clearance of outstanding reports, and to the Police Personnel - Employee Relations Team or Payroll Services Unit (as applicable), where Section VII will be completed and the Exit Interview conducted. Except for retiring employees, the Exit Interview and Section VII of the *Employee Termination Checklist* form may be completed in the Personnel Division at the same time.
- B. Resignations or Retirements
  - 1. The immediate supervisor will prepare a separate cover memorandum, addressed to the employee, accepting the employee's resignation or retirement in the name of the Chief of Police. The following information will be included in the cover memorandum:
    - a. The effective date of resignation or retirement.
    - b. An acknowledgment to be signed by the employee which will be placed below the supervisor's signature.
  - 2. The employee will be given the original letter of acceptance. A copy of the letter of acceptance will be attached to the employee's letter of resignation or retirement.
  - 3. The immediate supervisor will also prepare a cover memorandum to the Chief of Police stating the employee's rehire eligibility. The supervisor should document the reasons for the recommendation, citing the employee's performance and/or other factors in making the recommendation. Employees leaving service while under investigation or prior to the administration of any formal discipline, written reprimand or above, are not eligible for rehire.
  - 4. The letters of resignation, acceptance, and eligibility for rehire will be forwarded through the chain-of-command to the Assistant Chief/Executive Assistant Director. Each level of supervision will note concurrence or non-concurrence on the letter of eligibility for rehire and will document any non-concurrence. The rehire recommendation of the highest-ranking supervisor will be the official position of the Department. The letters of resignation, acceptance, and eligibility for rehire will then be forwarded to the Personnel Division to be placed in the employee's personnel file.
- C. If the retiring or resigning sworn or non-sworn employee meets the criteria in Section 405.04 regarding service plaques, it will be the responsibility of the unit/watch commander or section manager to:
  - 1. Notify the Personnel Division Employee Relations Team by telephone at least ten days in advance of the planned retirement date, or as soon as possible, so arrangements can be made to order the service plaque.
  - 2. Plan and coordinate a retirement reception if the employee desires one.
  - 3. Notify the Office of the Chief of Police by telephone at least ten days in advance of the retirement date, or as soon as possible, confirming the Chief's availability to attend the reception.
  - 4. Prepare and distribute a memorandum Department-wide announcing the retirement and reception, if applicable.
  - 5. Contact the Media Relations Unit to ensure announcement in the *Police News*.
- D. Issuance of photographic ID Card
  - 1. H.R. 218 – The Law Enforcement Officers Safety Act requires all local, State or Federal law enforcement agencies to issue photographic identification to officers who separate from the agency with an aggregate of ten years of service.
  - 2. The stated purpose of the Act is to provide an exemption to qualified law enforcement officers from State laws that prohibit the carrying of concealed firearms.
  - 3. The change in the Act requires the issuance of an I.D. card when an officer;
    - a. Separates in good standing with 10 or more years of service, or is separated due to a service –connected disability.
    - b. Was authorized to prevent, detect, investigate or incarcerate under the law.
    - c. Had statutory powers of arrest.
    - d. Is not under the influence of alcohol or hallucinatory drugs.
    - e. Is not prohibited by Federal law from possessing a firearm.
    - f. Sworn officers who separate from the Department in good standing after a total of 10 years or more service, but who are not eligible for retirement, will be issued an I.D. card with "Separated/Good Standing \_\_\_ Years" in red print on the card face.

### 405.03 Phase Down Program

- A. General Provisions

When a Police Officer enters the Phase Down Program, he or she is no longer actively employed by the City.

  - 1. The Police Officer who participates in the Phase Down Program ("Phase Down Participant") will not accrue any leave (vacation and sick leave) or be paid for City Holidays.

**Dallas Police Department General Order**  
**405.00 Resignation, Retirement and Termination of Employees**

Revised 11/18/2022

2. The Phase Down Participant is also not eligible for the Attendance Incentive Leave (AIL) programs.
  3. The Phase Down Participant will have no rights to salary, Worker's Compensation or other benefits afforded employees except as outlined in the Meet and Confer Agreement.
  4. The Phase Down Participant is not an active employee once he or she enters Phase Down and will not pay pension contributions on Phase Down payments.
  5. The Phase Down Participant cannot work part time at the City to supplement his or her lost hours. The Phase Down Participant must leave the City's employment completely by the effective date of entering the Phase Down Program.
- B. Minimum Requirements
1. A Police Officer must have at least 1000 hours of sick leave accrued before qualifying to enter the Phase Down Program, and at the time he or she enters the Phase Down Program.
  2. The minimum balance is for sick leave only and cannot include a combination of other leave balances (i.e. Vacation, and AIL).
- C. Applicable Leave Balances
- Subject to the restrictions on the appropriate amount of accrual of sick leave stated above, Phase Down Participants may use the following leave banks as the basis for compensation in the Phase Down Program:
1. Accrued Sick leave time (maximum of 720 hours for Police);
  2. Accrued Vacation leave time;
  3. Accrued AIL leave time; and
  4. Accrued Compensatory time.
- During the time he or she is in the Phase Down Program, the Phase Down Participant's applicable leave balances shall be valued using an hourly rate of pay based on his or her total pay (applicable pay and all special pay items) or as required by law.
- D. Payment Options
- A Phase Down Participant has two options to receive payment of accrued leave balances per pay period:

Department	Option	Hours Per Pay Period
Police	A	40
	B	80

- E. Beneficiary
- If a Phase Down Participant dies during the PDP, the balance of his or her Phase Down bank shall be paid to his or her designated beneficiary (or beneficiaries). The value of the remaining leave shall be determined based upon the value assigned for Phase Down payment when the Phase Down Participant opted to enter the PDP.
1. The employee must designate a beneficiary (or beneficiaries) when filling out the application to enter the PDP.
  2. The designated beneficiary (or beneficiaries) for the PDP applies to the Phase Down payments only.
- F. Lump Sum Payments
1. Employees wishing to receive a lump-sum payment of their leave balances rather than entering phase-down will be allowed that option if they were hired at the City prior to October 1, 2003.
  2. Employees hired on or after October 1, 2003 may receive lump-sum payments rather than entering the Phase Down Program, but will not receive any payment for unused sick leave balances.
  3. Phase Down Participants who were rehired on or after October 1, 2003 and have already received a lump sum payment for their sick leave, will not be paid for sick leave in the Phase Down Program in accordance with Section 34-22 (t) (4) of the Dallas City Code.
- G. Health Benefits
1. Phase Down Participants will be allowed to purchase health insurance at the active employee rate during the time they are in the Phase Down Program. This will include medical, dental, and vision. This does not include Basic Life Insurance, Accidental Death and Dismemberment, and other Voluntary Benefits (i.e. AFLAC or Colonial Life). Employees, who wish to continue receiving these benefits on their own, must contact the vendors who provide them.
  2. Employees must currently be participating in one the City's health insurance plan in order to purchase benefits during the Phase Down Program.
  3. An employee must continue health insurance during the Phase Down Program if he or she wishes to elect the City's insurance as a retiree.
  4. Employee monthly premiums will be deducted from their bi-weekly Phase Down payment.
  5. Phase Down Participants must schedule an appointment with the Benefits Administration Division in the Human Resources Department to determine their eligibility and set up benefits for Phase Down and retirement 30 days prior to each change in status (i.e. from active employee status to phase down status and from phase down status to retiree status).
  6. Employees can schedule appointments by calling 1-888-752-9122, or in person at:  
Dallas City Hall  
Human Resource Department, 1DS  
1500 Marilla Street  
Dallas, TX 75201
  7. Employees who want to elect Medicare Part A benefits must meet the eligibility requirements. The most important requirement is the employee must be age 65 or older. Employees should consult the Benefits Administration Division to determine eligibility and learn the procedures prior to choosing to elect the Phase Down Program.
- H. Disqualification
- Phase Down Participants who elect to participate in the Phase Down Program can be disqualified during the ninety (90) day period after they have submitted their application for the following reasons:

# Dallas Police Department General Order

## 405.00 Resignation, Retirement and Termination of Employees

Revised 11/18/2022

1. They do not meet the minimum sick leave balance requirements on the date they are to enter the Phase Down Program. In this circumstance, the employee would receive a lump sum payment in accordance with the Dallas City Code.
  2. If the employee is terminated for cause, he or she cannot participate in the Phase Down Program and would receive a lump sum payment in accordance with the City of Dallas Personnel Rules in Chapter 34 of the Dallas City Code.
- I. Procedures
- If a Police Officer chooses to enter the Phase Down Program, he or she must complete the following steps:
1. A Police Officer must inform the Dallas Police Department of his or her intent to enter the Phase Down Program by reporting said intent to the Personnel Division of the officer's respective department no less than 90 (ninety) calendar days prior to his or her intent to enter the Phase Down Program. The employee will receive the following information packet that includes:
    - a. Application and Irrevocable Election Statement
    - b. Terms and Conditions
    - c. Frequently Asked Questions
  2. The Personnel Division will determine his or her eligibility. Once eligibility is determined, the employee's Personnel Division will go over the Terms and Conditions of the Phase Down Program.
  3. The employee will fill out the Application and Irrevocable Election Statement. The effective date (date they will enter Phase Down) will be established.
  4. The Personnel Division will submit a copy of the Application and Irrevocable Election Statement to the City Controller's Office – Payroll Division. The Benefits Administration Division and Payroll Division of the Human Resources Department will be copied. The employee shall retain a copy for his or her records.
  5. The City Controller's Office - Payroll Division will verify the employee's leave balances to determine his or her eligibility; and will set up the payments in the system.
  6. The City Controller's Office – Payroll Division will also place the employee into a Phase Down (PD) Status.
  7. The employee must schedule an appointment with the Benefits Administration Division of the Human Resources Department 30 days prior to their effective date.
    - a. The Benefits Administration Division of the Human Resources Department will determine the employee's eligibility to continue purchasing health insurance at the active employee rate during participation in the Phase Down Program.
    - b. The Benefits Administration Division of the Human Resources Department will also inform the employee of the benefits process, and the procedures for retiree health insurance. An employee must continue health insurance during the Phase Down Program if he or she wishes to elect the City's insurance as a retiree.
    - c. The Benefits Administration will inform the employee that he or she must schedule an appointment 30 days before their last Phase Down payment to convert over to retiree health insurance.
    - d. Benefits Administration will work with the City Controller's Office – Payroll Division to make the necessary changes to ensure the employee will have the active employee benefit rate during Phase Down.
  8. The City Controller's Office - Payroll Division will mail out a final notice providing the employee his or her final balance and last payment in the Phase Down Program.
    - a. The notice will also confirm the employee's eligibility (i.e. if they still have the required minimum sick leave balances).
    - b. If the employee is no longer eligible to participate in the Phase Down Program, the notice will explain to the employee that he or she will be required to leave the City on his or her effective date. The employee will receive a lump sum payment for the balance of his or her accrued leave accruals upon termination of employment in accordance with the City of Dallas Personnel Rules in Chapter 34 of the Dallas City Code.
    - c. The City Controller's Office will also notify the Benefits Administration Division of the Human Resources Department that the employee's status has been changed to PD.
  9. Once the employee signs the Irrevocable Election Statement, he or she is committed to the program and must leave the City on their effective date.
  10. If an employee decides to not participate in the Phase Down Program and return to work during the 90 day period, he or she will return as a P2, Step 1 (Police Officers). The employee will lose all certification and incentive pay. He or she will be allowed to keep their service pay.
- J. Entering Phase Down
1. The employee must complete the exit interview process.
  2. The department must complete employment termination checklist as part of the exit interview process.
  3. In the event, the employee no longer meets the requirements for Phase Down on his or her effective date, the employee will receive a lump sum payment for the balance of his or her accrued leave upon termination of employment in accordance with the City of Dallas Personnel Rules in Chapter 34 of the Dallas City Code.
  4. The employee's status will change to Retiree Status after he or she has completed the Phase Down Program. The City Controller's Office – Payroll Division will make the switch and coordinate with the Benefits Administration and Payroll Divisions of the Human Resources Department.
  5. As previously mentioned, the employee must schedule an appointment with the Benefits Administration Division of the Human Resources Department at least 30 days before his or her last Phase Down Payment to switch over to retiree health insurance.

### 405.04 Re-employment Policy

It will be the general policy of the Dallas Police Department not to re-employ persons who have twice resigned from the organization. Exceptions to this policy may be made by the Chief of Police if the Department will benefit from the re-employment. Sworn personnel re-employed after a voluntary resignation, retirement, or other separation from police service will start at the rank of Police Officer. Any rank higher than Police Officer must be gained through the competitive

# Dallas Police Department General Order

## 405.00 Resignation, Retirement and Termination of Employees

Revised 11/18/2022

promotion process. Employees entering military Extended Active Duty or performing Active Duty Training or Inactive Duty Training, however, retain their original date of employment, rank, and date of rank with no loss of seniority upon return.

### 405.05 Service Plaques

- A. Service plaques will be presented to both sworn and non-sworn employees of the Police Department (or next-of-kin) under the following circumstances:
  - 1. An employee retires and is eligible to start receiving retirement benefits.
  - 2. An employee resigns, having completed at least 20 years of service to the Police Department.
  - 3. An employee dies or is killed.
  - 4. An employee receives a disability retirement.
  - 5. An appointed, executive employee resigns.
- B. Design of Service Plaques
  - 1. Sworn service plaques will contain the breast badge or cap badge or both; awards; long service pin; employee name; and completed years of service.
  - 2. Non-sworn service plaques will contain the Departmental three-badge logo; employee name; and completed years of service.
  - 3. A sworn employee retiring while under investigation will not receive a sworn service plaque but may opt to receive a non-sworn service plaque.
- C. Upon the death of an employee, it will be the responsibility of the employee's unit/watch commander or section manager to coordinate the ordering of the plaque with the Employee Relations Team, Personnel and Development Division. Once the plaque is ready for presentation to the employee's next-of-kin, the Employee Relations Team will coordinate with the Office of the Chief of Police and will notify the employee's chain-of-command.

### 405.06 Reinstatement Policy

- A. When the Civil Service Trial Board, District Court, an Administrative Law Judge, the Chief of Police, or the City Manager's Office orders reinstatement of a discharged employee, the Employee Relations Team of the Personnel and Development Division will immediately contact the reinstated employee and provide reporting instructions.
- B. The Chief of Police retains the right to assign a reinstated employee to any position in the Department that is the same classification and grade as his/her original position.
- C. Reinstated sworn members of the Department are required to undergo a fitness for duty evaluation by the police psychologist before being re-armed and reassigned to duty.
  - 1. In all cases the employee must report to the Personnel & Development Division for processing and then report to the Academy for required training prior to re-licensing.
  - 2. Upon completion of the required training, the employee will be assigned to an administrative position by the Commander of the Administrative Services Bureau. Subsequent transfers will be in accordance with the departmental transfer policy.
- D. Reinstated employees will be provided with necessary job training. A performance plan will be developed and reviewed according to the guidelines in Section 411.00 (Performance Reviews and Appraisals).
- E. Reinstated employees will be assigned to their new duty assignment for a period of one year. However, they may request a voluntary transfer after six months following their actual return to duty. The request for transfer may be denied when in the best interest of the Department.
- F. Reinstated employees will not be allowed to work off-duty police service jobs for a minimum of one year following their actual return to duty.



# Dallas Police Department General Order

## 406.00 Seniority and Time in Grade

Revised 12/23/2021

### 406.00 SENIORITY AND TIME IN GRADE

#### 406.01 Determining Seniority

##### A. General Provisions

1. The purpose of the Department's seniority system is to establish a method to assist supervisors in determining employees' days off, holidays, vacation days, and special event assignments (e.g., State Fair assignments). Establishment of a seniority system for this reason is within the purview of the Chief of Police.
2. An employee's *service credit date* (established by City directives) should not be confused with the Department's internally established seniority system. Section 34-10 of the City of Dallas Personnel Rules will be consulted to determine *retrieving continuous full-time service* when considering service-related benefits such as calculation of longevity pay and sick leave earnings. Credit for retirement and pension programs is defined in the governing documents establishing those programs.
3. Organizational Commanders will maintain a seniority roster of the personnel under their command for use in the assignment of vacations, days off, holidays, and special events (parades, State Fair, football games, etc.). The seniority roster will reflect any adjustments for time during which an employee was suspended ("Z"), Absent without Leave ("X"), or not employed by the Department, as stipulated in B.2 and B.3 below. Approved Leave Without Pay ("W") will not be deducted from an employee's seniority.
4. The Personnel and Development Division's records will be used to settle disputes of seniority or time in grade.
5. All seniority is retained, including all time away from the job, when the absence was the result of a military duty or training.
6. Any adjusted dates of rank or appointment for seniority due to suspension will be based only on the number of days ordered by the Chief of Police when the suspension totals five (5) or more days *off* and will not include any normally scheduled *off* days. Suspensions issued on or after December 23, 2021, that are one (1) to four (4) days, will not affect the seniority of an employee.
7. The Chief of Police will determine if the seniority of the employee will be affected on suspensions that result in more than five (5) days as a result of an accident.

##### B. Sworn Personnel

1. All officers' seniority will begin the day they report for duty as sworn members of the Department. Time spent in another City Department or as a non-sworn employee within the Police Department will not be considered when determining seniority. Should two or more officers report on the same day and there are no adjustments for suspensions, AWOL, or periods when not employed by the Department, the officer with the lowest badge number will be senior.
2. Seniority for all officers promoted to Senior Corporal on May 1, 1988, will be determined by the appointment date of their previous rank. Any adjustments due to suspension will be made to their service date. Their promotion date remains May 1, 1988. Dates of rank will be adjusted to reflect AWOL and non-employment status as stipulated in Section A.3 above.
3. All other officers' time in grade for those ranks above the classification of Police Officer will begin on the date of promotion to the rank. If two or more officers are promoted on the same day, the officer having the highest promotional test score will be senior. Dates of rank will be adjusted to reflect suspension, AWOL, and non-employment status as stipulated in Section A.3 above.
4. Seniority for officers having identical promotional test scores and promoted on the same day will be determined by their time in grade in the previous rank or classification.
5. Any sworn officer who resigns, retires, or otherwise terminates employment from the Department and is re-appointed into a sworn position will regain all seniority based on previous tenure. The adjusted date of appointment and date of rank will be based on total time employed as a sworn member of the Department. It will include the initial employment period and any subsequent re-employment period, but will exclude periods of suspension, AWOL, and time not employed by the Department.
6. When officers are demoted, they will retain all time spent in both higher and lower rank as time in grade in the lower rank.
7. All officers reinstated to a higher rank after a demotion will resume their time in grade in that rank forfeiting only time spent away from the higher position.

##### C. Table of Sworn Seniority Ranks

<b>Exempt Employees</b>
Chief
Executive Assistant Chief
Assistant Chief
Deputy Chief
Major
Captain

<b>Non-Exempt Employees</b>
Lieutenant
Sergeant
Senior Corporal
Corporal/Police Officer
Probationary Police Officer
Apprentice Police Officer
Trainee Police Officer

# Dallas Police Department General Order

## 406.00 Seniority and Time in Grade

Revised 12/23/2021

- D. Non-Sworn Personnel
1. All non-sworn employees' seniority will first be determined by grade level. When two or more employees have the same grade level, seniority will be determined by time in grade. If time in that grade level is the same, seniority will be determined by the initial date they reported for duty with the Police Department. Should two or more employees report on the same date, the beginning employment date with the City of Dallas will be used. If the beginning employment date is the same, the date the employee's name was posted to the Register of Eligibles will be used to determine seniority. An "Upgrade", "Downgrade", or "Reclassification" of a position is not viewed as a promotion or demotion. An employee's time in grade in their prior position will be factored into their seniority status.
  2. Non-sworn personnel who retire, resign or promote to become sworn employees begin a new date for time in grade for seniority purposes and consideration for days off, holidays, vacation days, and special event assignments.
  3. When employees are demoted, they will retain all of the time spent in both higher and lower grade as time in the lower grade.
  4. All employees reinstated to a higher rank after a demotion resume their time in grade in that grade, forfeiting only the time spent away from the higher position.
  5. An employee who resigns, retires, or otherwise terminates employment from the Department and is reappointed regains all non-sworn seniority based on previous tenure. The adjusted date of appointment and date of grade will be based on total time employed by the Department. It will include the initial employment period and any subsequent re-employment period, but will exclude periods of suspension, AWOL, and time not employed by the Department.
  6. Sworn personnel who retire, resign, or demote to become non-sworn employees, and assume their non-sworn position on October 28, 1994 or later, will begin a new date in grade for seniority purposes as a non-sworn employee and consideration for days off, holidays, and vacation. Time spent as sworn personnel will not be considered for seniority purposes.
  7. Sworn personnel who retired, resigned, or demoted to become non-sworn employees and assumed their non-sworn position prior to October 28, 1994, will be permitted to carry their previous sworn seniority into their non-sworn position.

### **406.02 Assignment of Days Off, Holidays, Vacation Days, and Special Events by Seniority or Time In Grade**

- A. Vacation and holiday leave will be granted at such time as will best serve the Department's interest. For sworn personnel, preference will be given on the basis of seniority for Police Officers or time in grade for sworn personnel above the rank of Police Officer. For non-sworn personnel, preference will be given on the basis of grade level, time in that grade level, time with the Department, total employment time with the City, and date posted to the Register of Eligibles, in that order.
- B. Days off will be assigned on the basis of seniority for Police Officers; time in grade for sworn personnel above the rank of Police Officer; and grade level and time in grade for non-sworn personnel only when all factors are equal, and the interests of the Department have been satisfied. Personnel transferring into a unit or higher departmental organizational level may be required to relinquish those seniority privileges for a maximum of six months to allow those being bumped to make personal accommodations. This does not prevent the acquisition of those privileges at an earlier time if it can be arranged.
- C. Special event assignments will normally be based on seniority unless bona fide reasons exist as determined by an Assistant Chief or Assistant Director.
- D. When non-supervisory sworn and non-sworn employees are performing similar tasks that require their time off to be considered together in the work setting, their seniority will be compared and based on time in grade.



## Dallas Police Department General Order 407.00 Transfer Procedures

Revised 12/05/2022

### 407.00 TRANSFER PURPOSE

- A. The mission of the Police Department to provide for public safety on a 24-hour, 7 days a week basis requires that the needs of the Department and the community served is considered in regard to personnel assignments. The Chief of Police or their designee may take into consideration these special needs for the assignment of personnel. All assignments are the prerogative of the Chief of Police. No employee, sworn or non-sworn, has a property right to a specific assignment within the Department. This transfer procedure is designed to serve the needs of the community, the Department, and to allow for individual growth and increased job knowledge of employees.
- B. The transfer procedure of the Dallas Police Department (DPD) is outlined in this General Order for sworn and non-sworn employees. This transfer procedure outlines the steps and process for assignment announcements, applying, transferring, maximum durations, exemptions, filling vacant positions, and reassignments. The following formal procedures are for department-wide transfers and only the Chief of Police may provide exceptions not outlined in this General Order.

### 407.01 Definitions

**Alternate Assignments** – Assignments not covered by this general order include both Special Assignment, Specialized Positions (such as federal task force officers), and drafted assignments. These are governed by the 'Alternate Assignments' General Order 408.

**Beat Patrol** – An assignment in patrol that functions as a beat officer, primarily in a call answering capacity. This also includes beat patrol-related positions such as Right Care, Neighborhood Police Officer (NPO), Crime Response Squad (CRT and Deployment), Bicycle Squad, and Marine Unit.

**Interview Position** – An assignment outside of beat patrol that requires the applicant to meet additional requirements or skills, express interest, and test/interview.

**Maximum Assignment Duration** – The time period in which a sworn employee may remain in an assignment.

**Reassignment** – A department director may reassign positions and staff within a department to provide for the best interest of the employee and the department. An employee may not grieve a reassignment, including situations in which the employee: (1) was involuntarily reassigned; or (2) applied for and was not selected for the reassignment.

**Transfer** – For the purposes of General Order 407.00, the word "transfer" refers to and means a "reassignment" as defined in Section 34-13 of the Personnel Rules, which states that a reassignment is not grievable. Refer to City of Dallas Personnel Rule 34-13(b).

### 407.02 General Provisions

- A. Employees will not be allowed to work under the line of supervision of their spouse, mother, father, brother, sister, son, daughter, or any other relative. See City of Dallas Personnel Rule 34-5(d).
- B. Requests for involuntary reassignments will be made by Organizational Commanders and forwarded to the Chief of Police through the respective Executive Assistant Chief. Written justification for the reassignment must be included in the request. The Chief of Police is not required to provide oral or written justification for the decision to approve or deny a request for an involuntary transfer.
  1. If circumstances prevent the employee from remaining in the current assignment pending an involuntary transfer, the employee will be placed on administrative leave with pay or special assignment until the effective date of transfer.
  2. Involuntary transfers will not become effective until at least seven calendar days after the employee is notified of the transfer.
- C. There will be neither stigma attached, nor retaliation taken against any member of the Department who voluntarily seeks to transfer or who is involuntarily transferred under this procedure.
- D. Unless an overriding departmental need exists (as determined by the Chief of Police) before being allowed to transfer to an interview position, all sworn personnel will be required to serve:
  1. A minimum assignment of four years in 'beat patrol' from the date of promotion to police officer rank, with the exception of patrol-related positions (Right Care, NPO, CRT, Deployment). These patrol-related positions can be interviewed for, after a minimum assignment of two (2) years in 'beat patrol', with the time starting after officers' completion of field training (Start of Little T).
  2. A minimum of one year in an assignment for which the employee volunteered. The one year minimum does not apply for an involuntary assignment, which includes assignments following a promotion.
- E. All Executive, Captain, and Lieutenant assignments are not subject to a transfer procedure. The Executive Assistant Chief(s) of Police, Assistant Chief(s) or Assistant Director(s) may recommend specific assignments or reassignments, but the Chief of Police has final approval authority.
- F. Sergeant assignments are governed by General Orders 407.08

## Dallas Police Department General Order

### 407.00 Transfer Procedures

Revised 12/05/2022

- G. Officers on temporary light duty may apply for a transfer. When the transfer procedure begins, the temporary light duty officer must submit a memorandum to the Commander of the Bureau where the officer wishes to transfer. The memorandum must describe the nature of the light duty and any information affecting the future status of the light duty and its potential effect on the transfer. The Bureau commander will make a recommendation to the Chief of Police whether to allow the officer to proceed with the transfer procedure. The Chief of Police will make the final decision.
- H. All employee selection records must be maintained according to the city retention schedule.

#### 407.03 Patrol Bid Procedures

- A. The Patrol Bid is designed to allow officers the opportunity to select their station and shift based on their seniority. This allows officers the flexibility to select the best working conditions to meet their professional and personal goals.
- B. The Chief of Police will review staffing levels and personnel distribution in the Patrol Bureau and determine if a Patrol Bid is required. At that time the following steps will be conducted:
  - 1. A Chief's Update will be published which will outline if a Patrol Bid will occur
  - 2. The Patrol Bid Guidelines will be published and available for review; and
  - 3. Dates and deadlines will be established for all steps of the process.
- C. The Chief of Police may designate a number of positions to be exempted from the Patrol Bid to address a variety of issues including, but not limited to: experience, specialized programs, and strength distribution. All personnel withheld from the Bid will be placed into assignments based upon the needs of the Department.
- D. The Patrol Bid Guidelines establish the procedures of each year's Patrol Bid. At the conclusion of the Patrol Bid, employees can only be held for thirty (30) days after the effective date of the bid.

#### 407.04 Police Officer/Senior Corporal Transfer Procedure

The following procedure applies to all sworn positions below the rank of Sergeant throughout the Department.

- A. All Police Officers/Senior Corporals must have worked the last consecutive 12 months in a 'beat patrol' assignment prior to being eligible to transfer to an interview position. Any officer may apply for assignments posted but will not be selected until this 12-month requirement is met. In addition, Senior Corporals must have completed field training officer school and have been evaluated by the field training officer board (regardless of whether they were selected to or worked as a principal field training officer).
- B. All Police Officers/Senior Corporals at the time this General Order became effective (June 8, 2022) will be allowed one (1) approved transfer into an assignment without having met the 12-month 'beat patrol' requirement. The transferring supervisor will document on the transfer PAR that this is the officers' one-time move without the required 12-month 'beat patrol' assignment. Once that one transfer has been made, maximum duration time begins and the 12-month 'beat patrol' requirement will have to be met prior to another transfer.
- C. Creation of a transfer eligibility list
  - Transfer eligibility lists will start for assignments that had the posting close after June 8, 2022.
  - 1. If an interview position opening exists, and no list is active for that position, the Unit Commander will submit a memo to the Personnel Division requesting the creation of a list. This memo must include:
    - a. The vacant assignment or anticipated date of vacancy for the assignment;
    - b. The specific assignment description, including but not limited to: exact job duties, working conditions, working hours, expectations, project requirements, etc;
    - c. Any specific job requirements for the position, such as the ability to speak a foreign language or perform a specific task;
    - d. Any special needs such as prior experience required, training requirements, seniority consideration, project skills, Knowledge/Skills/Abilities, preferences, etc; and
    - e. A contact person and telephone number.
  - 2. The Commander of the Personnel Division will have the memo posted on the Department's Intranet Home Page and distribute the assignment announcement to members of the department via email.
  - 3. Applicants interested in the assignment will have 10 calendar days from the date of Personnel Division's announcement to respond directly in writing to that Commander and request consideration for the assignment.
  - 4. Individuals applying for an assignment opening must hold the rank required for the position for which they are applying.
  - 5. All applicants meeting the minimum requirements stated in the advertisement and who have no disqualification factors are eligible for interview.
    - Disqualification factors may include, but are not limited to, the following:
      - a. Formal disciplinary action involving a written reprimand or higher (one-year limit following the date of the written reprimand or demotion, or the ending date of a suspension, excluding traffic accidents resulting from discipline).
      - b. Overall disciplinary record.
      - c. Documented abuse of sick time (documented by written corrective action).
      - d. Employee currently under an investigation by Internal Affairs or Public Integrity.

## Dallas Police Department General Order

### 407.00 Transfer Procedures

Revised 12/05/2022

- e. Currently on non-driving status if the position requires the employee to drive.
  - f. Residency or mileage radius requirement as applicable in Canine Squad or Tactical Unit assignment.
  - g. Unsatisfactory job performance in current assignment.
  - h. Physical test requirement (if applicable).
  - i. Special skill requirements (or test if applicable) including, for example, a pilot's license for Helicopter Unit or a polygraph operator's certification or computer operation skills.
  - j. Psychological evaluation (if required).
  - k. Lacking foreign language skills where a position requires it.
  - l. Lacking prior experience in dealing with a particular neighborhood or citizen group(s) that an assignment requires.
6. The Unit Commander will contact the Personnel Division via a memorandum requesting that an interview panel be compiled for the designated assignment. The memorandum will state the name of the person that is the immediate supervisor that will serve on the interview panel and during what watch the interviews will be conducted. The Personnel Division will designate two additional interview panel members who hold a rank at least one level above the level required for the assignment. The originating Division will be responsible for coordinating the dates and times of the interviews. Every effort will be made to ensure the diversity of the panel members.
  7. All eligible individuals who respond in writing to the announcement and meet the minimum advertised requirements will be interviewed by the panel.
  8. Applicants who fail to appear for the interview or fail to get prior approval to reschedule an interview will forfeit the opportunity for an interview.
  9. Every reasonable effort will be made to ensure that the same members of the interview panel interview each applicant. If this is not practical, the circumstances must be documented on the Transfer Check List for the Transfer Review Panel.
  10. The immediate supervisor serving on the interview panel will compile all notes and paperwork from the interview process, and they will prepare the active transfer eligibility list of candidates that the interview panel considers qualified for the assignment in numerical order of first to last choice.
  11. The Division Commander will be given the eligibility list of qualified candidates and make the final selection of the candidate and the numerical order of the list.
  12. Bureau level concurrence is required prior to the Division Commander notifying applicant(s) of the selection.
  13. All applicants will be notified by the Division Commander of their selection. If they are not selected, but were considered qualified by the interview panel, they will be notified that they will remain on the transfer eligibility list. If they were not selected and not considered qualified, they will be notified of the reason for disqualification for the assignment or what areas of improvement are needed. This will be done by one of the following ways: in person is preferred or phone call to discuss feedback improvement sheet from the interview. Feedback Improvement sheets will be kept in the interview file.
  14. The transfer eligibility list containing the qualified candidates for the assignment will be maintained by the Personnel Division for a period of 1 year after receipt.
  15. The transfer cannot become effective prior to review by the Sworn Transfer Review Panel, unless ordered by the Chief of Police.
  16. The gaining Division Commander will contact the losing Division Commander and agree on a date for transfer; however, a transfer may not be delayed for more than 30 days from the date of notification without approval from the Chief of Police.
  17. Changes in assignment will be reported in accordance with G. O. Section 407.06. There will be no physical changes in assignment until notification is received from the Personnel Division.
- D. Filling a vacancy from an active transfer eligibility list:
1. If an assignment vacancy occurs that has an active transfer eligibility list maintained by the Personnel Division, then the Unit Commander will provide a selection recommendation from that active eligibility list to the Division Commander. Officers who are on an active transfer list but have yet to meet the 12 months 'beat patrol' requirement will not be recommended at that time unless they are using the one time transfer out of a "grandfathered in" assignment.
  2. The Division Commander will make the final selection of the candidate.
    - a. Division Commanders will draft a memo if the selection is not the next qualified candidate on the list and will be addressed to the bureau commander detailing the reason for not selecting the employee. A copy of the memo will be sent to the passed over employee
  3. Bureau Commander level concurrence is required prior to the Division Commander notifying applicant(s) of the selection.
  4. The transfer cannot become effective prior to review by the Sworn Transfer Review Panel, unless ordered by the Chief of Police.

## Dallas Police Department General Order

### 407.00 Transfer Procedures

Revised 12/05/2022

5. The gaining Division Commander will contact the losing Division Commander and agree on a date for transfer; however, a transfer may not be delayed for more than 30 days from the date of notification, without approval from the Chief of Police
  6. If the Sworn Transfer Review Panel denies a transfer, the Bureau Commander can submit a memorandum to the Chief of Police to make a final decision on the transfer.
  7. Changes in assignment will be reported in accordance with G. O. Section 407.06. There will be no physical changes in assignment until notification is received from the Personnel Division.
- E. Any special assignment which subsequently becomes a permanent assignment will immediately become subject to the sworn transfer procedure. The assignment will be filled according to this section. Any officer currently assigned in the special assignment must compete for the assignment according to the sworn transfer procedure.
- F. Sworn Transfer Review Panel
1. The purpose of the panel is to review sworn transfers for adherence to procedures.
    - a. The Panel is composed of six primary members in the following grades: one Deputy Chief (non-voting chairperson except in the case of ties), one Major, one Lieutenant, one Sergeant, one Senior Corporal, and one Police Officer. An alternate will be appointed for each primary member. Each primary member and alternate will serve a one-year term. Alternate members will become primary members every January. The Chief of Police has the discretion to extend the assignment of any Panel member.
    - b. Appointments of the Chairperson and alternate Chairperson will be made by the Personnel Division Commander.
    - c. Appointments of the committee members and alternates will be made by the Chairperson.
    - d. The Panel will meet monthly, or as needed, at a location designated by the Chairperson.
    - e. If any member of the Panel is in the employee's chain-of-command, that member will be excused and replaced by the alternate member. Additionally, the Committee Chairperson will excuse a committee member from reviewing a transfer in which the member has a direct conflict of interest as defined in Dallas Police Department's Code of Conduct, Chapter IX, Conflict of Interest. Further, the Committee Chairperson may excuse a committee member from reviewing a transfer if documented facts and circumstances exist to create a perception of a conflict of interest. If the alternate member is unavailable to serve, that seat will remain vacant during discussion by the committee.
    - f. The chairperson and three voting members will constitute a quorum.
  2. The Panel has the following responsibilities:
    - a. Review all completed Sworn Transfer Check List Forms for adherence to the procedures. If the form is incorrect or incomplete:
      - i. The Panel shall send written instructions for correction or completion to the appropriate Bureau Commander.
      - ii. The Bureau Commander is responsible for making the correction/completion and submit the revised form to the Chairperson of the Panel for prompt review and approval. The correction/completion need not be reviewed by the entire Panel. If the Chairperson and the Bureau Commander do not reach agreement, the Chairperson may refer the matter back to the full Panel or directly to the Chief of Police who will make the final decision on the transfer.
      - iii. The transfer may not be made until the corrections/completions are concluded and/or resolved, unless directed by the Chief of Police.
    - b. Review all transfer eligibility lists provided by interview panels.
    - c. Hear sworn employees who believe that the transfer procedure has not been followed regarding the assignment they sought.
      - i. If the employee applied for a transfer and believes that the transfer procedure was not followed, the employee may request a hearing before the Sworn Transfer Review Panel. This request must be in writing and directed to the commander of the Personnel Division within five working days after the Panel has reviewed and approved the transfer procedure for the particular assignment the employee sought. An exception to the five-day requirement may be granted if the employee can prove to the commander of the Personnel Division that he could not reasonably have known about the Panel's decision within the five-day limit.
      - ii. Only the involved employee will be allowed to discuss the matter with or address the Panel.
      - iii. The Panel will review the transfer procedure for adherence to the procedure only. The merits of the transfer or reasons for the non-selection of the employee will neither be heard nor acted upon by the Panel.
      - iv. If the Panel determines that the procedure was not followed, the Bureau Commander of the Bureau holding the vacancy will be contacted.
      - v. If the Panel and the Bureau Commander cannot resolve the issue(s) presented by the sworn employee, the Chief of Police will make the final decision.
  3. No transfer will become effective until the Panel has reviewed the Sworn Transfer Check List form, unless directed by the Chief of Police.
  4. At his or her discretion, the Chief of Police may require or authorize transfers outside the normal procedure, which are not subject to review by the Panel.

# Dallas Police Department General Order

## 407.00 Transfer Procedures

Revised 12/05/2022

### 407.05 Maximum Assignment Durations

- A. All interview assignments for police officers and senior corporals are assigned a maximum assignment duration by the Chief of Police, as provided in Section 407.05(I) below. The maximum assignment duration should also be listed on any assignment vacancy announcement.
- B. Upon reaching the maximum assignment duration in an interview assignment, officers and senior corporals will be transferred to a 'beat patrol' assignment. The Personnel Division will assist in determining a station assignment for the reassigning officer that would have been available if the officer participated in the latest Patrol Bid.
- C. The gaining Patrol Division will report the change of assignment (as stated in Section 407.09 below).
- D. Enforcement of maximum durations in assignments will begin on the effective date of this order, June 8, 2022. Those assignments that have posted and closed or employees currently in positions at the start of the effective date of this general order are exempt from the maximum assignment durations ("Grandfathered in").
- E. The Chief of Police has discretion regarding the selection, assignment, or reassignment of all employees in the Department and may alter or override the maximum durations for assignments at any time, with or without notice.
- F. Transfers **within the same division** may occur, but they require the following
  - 1. The officer transferring must be on the active transfer eligibility list for the position being filled
  - 2. The officer's maximum duration will continue and include time in the prior divisional position. For example, an officer with 4 years in the Assaults Unit may transfer to the Robbery Unit but will only have 3 years remaining until meeting the maximum duration and being transferred to 'beat patrol'.
  - 3. Task Force assignment durations will override and reset the maximum duration time. Example: An officer in the Auto Theft Unit has a maximum duration of 5 years. On year 4, the officer is assigned to the Task Force and their maximum duration now resets to 5 years. That officer will have had a total of 9 years between the Auto Theft Unit and the Auto Theft Task Force.
- G. Transfers outside of the Division must follow the transfer procedure listed above.
- H. Any unit/squad not mentioned in the table below or created after this General Order will have a minimum duration of 5 years.
- I. Maximum Duration Table:

<b>Office of The Chief</b>	
Units	Maximum Durations
Public Integrity	7 Years or Chief of Police Discretion
Public Information Office / Media Relations	Chief of Police Discretion
Wellness Unit	5 Years
<b>Internal Affairs Division</b>	5 Years
<b>Office of The Chief</b>	
Units	Maximum Durations
<b>Intelligence Division</b>	
Planning Unit	5 Years
Criminal Intelligence Unit	10 Years w/ 1 Year ext. with Deputy Chief Recommendation *Task Force Officers – 10 Years or Chief of Police Discretion
Mayor Detail	Chief of Police Discretion
Fusion / RTCC	7 Years

**Dallas Police Department General Order  
407.00 Transfer Procedures**

**Revised 12/05/2022**

<b>Investigations / Special Operations</b>	
Units	Maximum Durations
Operational Technology	7 Years
<b>Tactical Investigations Division</b>	
Fugitive Unit	7 Years
Gang Unit	7 Years
Gang Unit Task Force Officer(s)	3 Years or Chief of Police Discretion
<b>Special Investigations Division</b>	
Vice	7 Years
Narcotics	7 Years
Narcotics Task Force Officer(s)	3 Years or Chief of Police Discretion
<b>Tactical Operations Division</b>	
SWAT	15 Years
<b>Traffic Unit</b>	
Motorcycle	15 Years
DWI	7 Years
Vehicle Crimes	10 Years
Accident Investigators	15 Years
<b>Special Operations Division</b>	
<b>Tactical Services</b>	
Helicopter Unit	Chief of Police Discretion
K9	Life of Dog or 7 Years
Mounted	10 Years
Tactical Planning	5 Years
<b>Love Field Unit</b>	
Operations	5 Years
EOD	Chief of Police Discretion
EOD K9	Life of Dog or 7 Years
<b>Crimes Against Persons Division</b>	
SIU / Homicide	15 Years
Assaults	5 Years
Sex Assaults	7 Years
Robbery	7 Years
Robbery Task Force Officer(s)	Chief of Police Discretion

**Dallas Police Department General Order**

**407.00 Transfer Procedures**

Revised 12/05/2022

<b>Investigations / Special Operations</b>	
<b>Units</b>	<b>Maximum Durations</b>
<b>Special Victims Division</b>	
Domestic Violence	5 Years
<b>Crimes Against Children</b>	
ICAC	7 Years
ICAC Task Force Officer(s)	10 Years or Chief of Police Discretion
Child Abuse	5 Years
Child Abuse Task Force Officer(s)	3 Years or Chief of Police Discretion
High-Risk Victims	5 Years
High-Risk Victims Task Force Officer(s)	Chief of Police Discretion
Sex Offender Registration / Apprehension	5 Years
Child Exploitation	5 Years
<b>General Investigations Division</b>	
Auto Theft	5 Years
Auto Theft Task Force Officer(s)	3 Years or Chief of Police Discretion
Financial Crimes	7 Years
Financial Crimes Task Force Officer(s)	3 Years or Chief of Police Discretion
Youth Operations / Missing Person	5 Years
<b>Crime Scene</b>	
NIBIN	5 Years
Crime Scene Response	15 Years
<b>Community Operations Division</b>	
Neighborhood Police Officer	5 Years w/ yearly re-interview
Youth Outreach	5 Years
Storefronts	5 Years w/ yearly re-interview
Community Affairs	5 Years w/ yearly re-interview
UNIDOS	5 Years w/ Chief of Police Discretion
<b>Community Engagement Division</b>	
Right Care	5 Years w/ yearly re-interview
Nuisance and Abatement Team	5 Years

**Dallas Police Department General Order**  
**407.00 Transfer Procedures**

Revised 12/05/2022

<b>Patrol / Administrative</b>	
Units	Maximum Durations
<b>Patrol</b>	
CBD Bikes	5 Years w/ yearly re-interview
Property Crime	5 Years
CRT / Deployment	5 Years
<b>Support Division</b>	
Detention Services	5 Years
Legal Services	5 Years
Records	5 Years
Property	5 Years
Auto Pound	5 Years
<b>Training Division</b>	
<b>Basic Academy</b> DT / PT	7 Years or Chief of Police Discretion
RBT	5 Years
Basic Coordinator	5 Years
<b>In-Service Academy</b> In-Service Coordinator	5 Years
Firearms Training Center	7 Years or Chief of Police Discretion
<b>Personnel Division</b>	
<b>Operations</b> Background	5 Years
Safety	5 Years
Employee Support Program	5 Years
Recruiting	5 Years w/ yearly re-interview
Military Liaison Officer	7 Years
Family Services Officer	7 Years
<b>Facilities Management</b>	
Building Security	5 Years
<b>Financial &amp; Contract Management</b>	
Fleet	5 Years

**407.06 Maximum Assignment Duration Exemptions**

- A. Upon reaching 50 years of age and having completed 25 years of active service with the Department, or 55 years of age and having completed 20 years of active service, officers may submit a written request to their executive assistant chief to waive the required 12 months of 'beat patrol' required by 407.04(B). This waiver is only available one time per officer and does not extend the established maximum duration of assignment nor serve as a waiver of required qualifications for the individual assignment.
- B. An employee who has met their maximum duration in an assignment and intends to retire within the upcoming 12 months or less may apply for a one-time exception from returning to patrol and remain in their current assignment before retirement. If they do not retire, the employee will have to return to patrol for a 'beat patrol.'

## Dallas Police Department General Order

### 407.00 Transfer Procedures

Revised 12/05/2022

#### 407.07 Procedures for Filling Non-Sworn Positions

- A. Ten days before (if possible) a non-sworn position occurs or is anticipated, the affected Organizational Commander will consult with their Division Commander to determine if the position can be filled and then prepare a memorandum addressed to the City Manager. The Organizational Commander will contact the Personnel Division to determine current hiring procedures and restrictions for non-sworn personnel. After determining current guidelines, the Organizational Commander will:
  1. Immediately forward a copy of the memorandum to the Personnel Division.
  2. Forward the original memorandum through the chain-of-command to the Personnel Division
  3. Complete other forms as required by current guidelines.
- B. If appropriate, the Personnel Division will remove the person's name from the payroll.
- C. Organizational Commanders authorized to fill non-sworn positions may:
  1. Fill the position internally by reassignment of an employee already within their command and same Organizational Number. The Commander must first advertise the position by an intra-office memo for 14 calendar days so that eligible members from within that Organizational Number may apply for the position. The Commander may then select a person who responded by memo to the advertised position. When all internal transfers are completed, the Commander will follow the procedure in G.O. 407.06 C.2.
  2. Notify the Personnel Division Commander by memorandum to announce the position department-wide. The memo will state:
    - a. The vacant position or anticipated position.
    - b. A brief job description.
    - c. Any job qualifications.
    - d. The anticipated working hours for the position.
    - e. A contact person and telephone number.
    - f. Any special needs (e.g., language requirement, technical skills, etc.).
  3. Request the Personnel Division provide Civil Service eligibility lists from which the Organizational Commander may contact persons to schedule interviews.
- D. Department-Wide Announcement
  1. The Commander of the Personnel Division will post the announcement on the Department's Intranet and distribute the assignment announcement to members of the department via email.
  2. Applicants interested in the assignment will have 10 calendar days from the date of Personnel Division's announcement to notify the Organizational Commander (or designee) in writing to request consideration for the assignment.
- E. Applying For and Filling a Non-Sworn Position
  1. Non-sworn employees interested in a position may notify the Organizational Commander where the position exists. Notification must be in writing. In order to be eligible for an opening, the non-sworn employee must be of the same grade and classification or on the current Civil Service eligibility list.
  2. The Organizational Commander or designee will interview all eligible departmental employees who responded in writing to the notification and may also elect to contact other persons on the eligibility list for the vacant position.
  3. When Organizational Commanders make their final decision, any departmental employees who interviewed but were not selected will be notified in writing.
  4. The Organizational Commander will complete and submit an *Employment Information Short Form* and forward the *Personnel Action Request* on Intelligent Workforce Management (IWM) to the Personnel Division at least ten working days prior to the appointment date. The Personnel Division will determine a date and time for the person to complete the hiring process.
  5. In all cases, Organizational Commanders will not make a selection until at least 21 calendar days after a position is posted by the Personnel Division to allow Departmental non-sworn employees an opportunity to express interest in the job.
- F. When the hiring process is completed, the Personnel Division will: enter personnel information into IWM .
- G. The organizational level receiving the new personnel will:
  1. Be responsible for making a unit personnel file and time card.
  2. Maintain the employee's unit personnel file. Upon termination, an employee's personnel file will be sent to the Personnel Division for storage.

#### 407.08 Sergeant Assignment Procedure

- A. Sergeants represent the first level of management in the Dallas Police Department and are crucial to the development of officers. This Sergeant Assignment Procedure outlines the process for the movement of Sergeants within the Department and recognizes the need to align supervisory skills and abilities with core services in Patrol and other support areas while serving the public.

## Dallas Police Department General Order

### 407.00 Transfer Procedures

Revised 12/05/2022

- B. Sergeants may be assigned and reassigned throughout the Department at the discretion of the Chief of Police.
- C. When vacancies occur or are anticipated, the affected Organizational Commanders or Watch Commander will consult their Division Commander to determine if it is appropriate to begin the process to fill the position immediately. The process of filling a sergeant position may be done either by the Chief of Police designating a Sergeant for the position or by advertising for the assignment. If the assignment is to be advertised, then the following steps will occur:
  - 1. With Division Commander approval, Organizational/Watch Commanders will advertise their vacant assignments via a memo routed through the Division Commander and addressed to the Commander of the Personnel Division. The memo will state:
    - a. The vacant Sergeant assignment or anticipated vacancy.
    - b. The specific description of the assignment, including but not limited to: exact job duties, working conditions, expectations, project requirements, etc.
    - c. Any specific job qualifications such as the requirement to speak a foreign language or ability to perform a specific task.
    - d. Any special needs such as prior experience required, training requirements, seniority consideration, project skills, Knowledge/Skills/Abilities preferences, etc.
    - e. The anticipated working hours of the assignment.
    - f. A contact person and telephone number.
  - 2. The Commander of the Personnel Division will have the memo posted on the Department's Intranet Home Page and distribute the assignment announcement to members of the department via email.
  - 3. Applicants interested in the assignment will have 10 calendar days from the date of Personnel Division's announcement to respond directly in writing to that Commander and request consideration for the assignment.
  - 4. Individuals applying for a Sergeant assignment opening must hold the rank of Sergeant at the time of application.
  - 5. All applicants meeting the minimum requirements stated in the advertisement and who have no disqualification factors are eligible for selection. Some disqualification factors include, but are not limited to, the following:
    - a. Formal disciplinary action involving a written reprimand or higher (one year limit following the date of the written reprimand, ending date of suspension, or demotion).
    - b. Overall disciplinary record.
    - c. Documented abuse of sick time (documented by written corrective action).
    - d. Employee currently under an internal investigation by Internal Affairs or Public Integrity.
    - e. Currently on non-driving status when the assignment requires the employee to drive.
    - f. Residency or mileage radius requirement as applicable in Canine Squad or Tactical Unit assignment.
    - g. Unsatisfactory job performance in current assignment.
    - h. Physical test requirement (if applicable).
    - i. Special skill requirements including, but not limited to, a pilot's license for Helicopter Unit or polygraph operator's certification or computer operation skills.
    - j. Psychological evaluation (if required).
    - k. Lacking foreign language skills where an assignment requires it.
    - l. Lacking prior experience in dealing with a particular neighborhood or citizen group(s) required for the assignment.
  - 6. The Organizational/Watch Commander will contact the Personnel Division via a memorandum requesting that an interview panel be compiled for the designated assignment. The memorandum will state the name of the immediate supervisor that will serve on the interview panel and during which watch the interviews will be conducted. The Personnel Division will designate two additional interview panel members who hold a rank at least one level above the level being selected. The originating Division will be responsible for coordinating the dates and times of the interviews. Every effort will be made to ensure the diversity of the panel members.
  - 7. All eligible individuals who responded in writing to the announcement and meet the minimum advertised requirements will be interviewed by the panel. Applicants who fail to appear or reschedule an interview will forfeit the opportunity for an interview.
  - 8. Every reasonable effort will be made to ensure that the same members of the interview panel interview each applicant. If this is not practical or possible, the circumstances must be documented on the Transfer Check List for the Transfer Review Panel.
  - 9. The immediate supervisor serving on the interview panel will compile all notes and paperwork from the interview process. The Division Commander will then meet as soon as possible with the interview panel to assess the applicants.
  - 10. The Division Commander may request an interview with any of the applicant if he/she has any questions or concerns.
  - 11. The Division Commander will make final selection of the candidate.
  - 12. Bureau level concurrence is required prior to the Division Commander notifying applicants of the selection.
- D. Seniority issues within Divisions will be determined by G.O. 406.01.
- E. Any exceptions to the Sergeant Assignment Procedure for specialized units, specialized skills, restriction status, etc., must be approved by the Chief of Police. The Chief of Police reserves the right to reassign any employee to best meet the needs of the Dallas Police Department and the City of Dallas at any time, with or without notice.

## Dallas Police Department General Order

### 407.00 Transfer Procedures

Revised 12/05/2022

#### 407.09 Reporting Change of Assignment (Sworn and Non-Sworn Personnel)

- A. A *Personnel Action Request* in IWM will be completed by both the gaining and losing Commanders who are considering the transfer of an employee.
- B. If the change in assignment involves an internal lateral transfer, the gaining Organizational Commander will enter the employee's transfer information into IWM and forward it through the chain-of-command to the losing Bureau Commander (or Division Commander if there is no Bureau Commander). After review by the losing Bureau Commander, the *Personnel Action Request* in IWM will be updated and forwarded to the losing Organizational Commander for concurrence. After these approvals, the *Personnel Action Request* in IWM will be forwarded to the Personnel Division.
- C. If the change in assignment involves a promotion, the Organizational Commander will forward a memo to the Commander of the Personnel Division. The *Personnel Action Request* in IWM will not be completed until the Chief of Police approves the promotion.
- D. Any supervisor not concurring in a proposed transfer will submit a memo outlining the reasons for non-concurrence and attach it to the form.
- E. Difficulties encountered over proposed transfers will be resolved by the tentative losing and gaining Bureau Commanders (or Division Commanders, as applicable).
- F. The losing unit will send the employee's unit personnel file and time card to the gaining unit.
- G. All *Personnel Action Requests* in IWM will be routed through the Personnel Division Commander to assure compliance with procedures outlined herein.
- H. Scheduled changes that involve the rotating of entire watches will not be reported.
- I. There will be no physical changes in assignment until notification is received from the Personnel Division.

#### 407.10 Reporting Special Assignments (Sworn and Non-Sworn Personnel)

- A. The organizational level gaining personnel on any special assignment (five consecutive days or longer), will notify the Payroll Team by submitting a *Personnel Action Request* in IWM indicating *Special Assignment Start*. The *Personnel Action Request* in IWM must be forwarded from the gaining bureau to the losing bureau for approval. Once approved by both bureaus, it will be forwarded to the Payroll Team.
- B. When the special assignment is completed, the organizational level regaining personnel will notify the Payroll Team by submitting a *Personnel Action Request* in IWM indicating *Special Assignment Stop*. The *Personnel Action Request* in IWM must be forwarded from the gaining bureau to the losing bureau for approval. Once approved by both bureaus, it will be forwarded to the Payroll Team.
- C. The Personnel Division will conduct audits of Special Assignment time every six months to determine if the Special Assignment will continue.

#### 407.11 Inter-Department Transfers (Sworn and Non-Sworn Personnel)

- A. Transfers to another City Department
  - 1. Non-sworn and sworn employees who are seeking a transfer to any other City of Dallas Department may complete the application instructions with the City of Dallas Civil Service Department or the Human Resources Department and complete a City of Dallas *Request for Transfer* form, or may follow the posted instructions for making application.
  - 2. If the employee accepts a transfer to another City Department, the losing organizational level will:
    - a. Prepare a memorandum addressed to the Chief of Police stating the name of the person, effective date, and action occurring.
    - b. Prepare a *Personnel Action Request* in IWM.
    - c. Forward a copy of the memorandum immediately to the Personnel Division and send the original memo and the *Personnel Action Request* in IWM through the chain-of-command to the Personnel Division/Payroll Team.
    - d. Send the employee's unit personnel file and time card to the Personnel Division for storage.
  - 3. The Personnel Division will:
    - a. Prepare the Form P-1
    - b. Notify the Department to which the employee is transferring of pertinent personnel data needed.
  - 4. The City Department to which the employee is transferring will send a Form P-2B to the Personnel Division for its approval.
- B. The Division receiving a non-sworn employee from another City department will prepare a *Personnel Action Request* in IWM and submit it to the Personnel Division at least ten working days prior to transfer date.

## Dallas Police Department General Order

### 407.00 Transfer Procedures

Revised 12/05/2022

#### 407.12 Initial Assignment of Officers Permanently Restricted from Performing Patrol Functions

- A. Once a sworn officer is deemed permanently restricted from performing essential job functions of police officers (Ref. Civil Action No. 3-99-CV-1497-G), the Personnel Division will make the initial job assignment after consultation with the employee's Bureau Commander and the involved Executive Assistant Chief of Police. Factors to be considered in the assignment include, but are not limited to:
  - 1. Employee's current assignment
  - 2. Extent of restriction
  - 3. Maintaining job experience
  - 4. Needs of the Department
- B. Positions made available to officers who have permanent restrictions are not "permanent light duty" positions. They are positions that are being made available to officers permanently restricted from the performance of patrol functions and/or the ability to affect an arrest. These positions require a full-time sworn officer to perform the position responsibilities.
- C. Officers assigned to these positions are not guaranteed the ability to maintain prior shift/watch or days off.
- D. If a position assignment results in an overage to the particular unit, the non-restricted officer will be subject to mobilization once another vacancy occurs in the Unit, Division, or Bureau, or to Patrol if no vacancy option is readily available.

#### 407.13 Filling Restricted Duty Vacancies with Existing Personnel

- A. Vacancies for permanently restricted positions will be advertised in the same manner outlined in 407.04; however, the position announcement must state in the job description "**This position vacancy advertisement is being made available only for those officers who are permanently restricted from performing full patrol duties**".
- B. A Division Commander may select an officer who is not designated as permanently restricted if:
  - 1. No officer who is permanently restricted applies for the position.
  - 2. Permanently restricted applicants lack the identified skills and/or capabilities to successfully perform all required duties associated with the position.
- C. If a position becomes available that is occupied by a restricted duty officer but the position itself is not designated as restricted duty position, then the Division Commander may fill the position by either a permanently restricted officer or a full duty officer. The position vacancy announcement must state in the job description "**This position may be available for officers who are permanently restricted from performing full patrol duties**".

#### 407.14 Re-Allocation and Confidentiality

- A. An Executive Assistant Chief of Police may allocate positions throughout the Department to be made available for officers designated as permanently restricted from performing full patrol duties to ensure the most efficient operation. However, once a position is so designated, the designation cannot be moved while the position is occupied by a permanently restricted officer. The Personnel Division must be notified prior to moving any designation.
- B. Any recommendation by a Bureau Commander to eliminate or add a permanent restricted designation to a position must be approved by the affected Executive Assistant Chief of Police.
- C. Due to the confidential nature of the information, only Bureau Commanders and above will be given a list of positions designated as permanently restricted that includes officer names. All other requests for position lists must be made by a Division Commander, or an employee who has been designated as permanently restricted, and the provided list will not include officer names.



## Dallas Police Department General Order

### 408.00 Alternate Assignments

Revised 09/14/2020

#### 408.00 Alternate Assignments

- A. This section covers the general guidelines for assignments that take place outside normal transfer procedures. These assignments consist of drafting personnel, special (temporary) assignment, or specialized positions. All assignments are the prerogative of the Chief of Police.
- B. Definitions:
  - 1. Drafting: A procedure to fill one or more positions quickly, possibly involuntarily, to meet an immediate need of the department.
  - 2. Special Assignment: A temporary assignment lasting longer than five (5) consecutive work days.
  - 3. Specialized Positions: Assignments of an indefinite length that require specialized training and approval beyond a normal assignment.
- C. Any assignment which subsequently becomes a permanent position will immediately become subject to the transfer procedure. The position will be advertised, and any employee currently assigned in the special assignment position must compete for the permanent position according to the transfer procedure.

#### 408.01 Drafting

- A. Eligibility for drafting:
  - 1. Only Police Officers who have at least two years of service after completing probation will be selected.
  - 2. Other sworn ranks and non-sworn employees may not be in any probationary status to be eligible for drafting.
  - 3. When feasible, the requesting assistant chief should give priority to volunteers.
- B. The requesting assistant chief must receive written authorization from the Chief of Police to conduct a drafting procedure.
- C. The Personnel Division will prepare a list of the ten candidates with the least amount of seniority in their rank.
- D. The requesting assistant chief will select an employee (or multiple employees) from the list and notify the employee(s) and their chain-of-command that the employee's name is being submitted for a draft.
- E. The requesting assistant chief will prepare and submit a personnel action request (PAR) and forward it to the losing Org and then to the Personnel Division.
- F. Drafted assignments may not be more than two years in length.
- G. After serving in a drafted assignment, employees will be reassigned to a permanent opening within the department and all efforts will be made to return the employee to their prior Org if possible.
- H. If drafted employees choose to remain in their new assignments, and a permanent opening is available, the employee will be given the option to interview for the position.
- I. An employee may be released before the end of the draft period if another employee requests assignment to that organizational level and both the requesting assistant chief and losing assistant chief agree to the change.

#### 408.02 Special Assignments

- A. Special Assignments are temporary assignment changes lasting longer than five (5) consecutive working days.
- B. All special assignments are considered temporary and are not meant to be an avenue to bypass transfer procedures. If any change in assignment is intended to last longer than six (6) months, the assignment should be filled according to general order 407.00 Transfer Procedures.
- C. Examples of special assignments include (but are not limited to):
  - 1. Changing an employee's assignment due to hardship
  - 2. Moving an employee into a different unit to undergo training or career enrichment
  - 3. Filling a temporary need for personnel
- D. Approval level required for special assignments:
  - 1. Movement to a different sector within the same watch, when an employee's days off do not change, is not considered a special assignment and may be done at the will of the Division Commander.
  - 2. Any movement that affects changing an employee's days off, work hours, or working location requires approval from all affected assistant chief(s).
- E. To initiate a request for special assignment, the requesting supervisor will submit a written memo through their chain of command to the losing assistant chief.  
The memo must include:
  - 1. Purpose of the position;
  - 2. A brief job description;
  - 3. Any specialized needs (e.g., language requirement, technical skills, etc.);
  - 4. Working Conditions;
  - 5. Length of Special Assignment (up to six (6) months);
  - 6. The employee to be transferred.
- F. After approval, the requesting supervisor will submit a personnel action request (PAR) and forward it to the losing Org, and then to the Personnel Division. All special assignments must be documented via a personnel action request (PAR).
- G. Personnel may be removed from any special assignment at the discretion of any affected assistant chief as staffing needs dictate, the objective of the special assignment is achieved, or because of the performance of the assigned officer.

# Dallas Police Department General Order

## 408.00 Alternate Assignments

Revised 09/14/2020

### 408.03 Review of Special Assignments

- A. Bureau commanders will conduct a review of all special assignments under their supervision on an annual basis and forward the review to all affected Assistant Chief(s) no later than August 1st of each year.
  - 1. The purpose of the review will be to determine if the special assignments should be continued, revised, or eliminated. The review will include at a minimum:
    - a. A listing of all personnel on special assignment
    - b. The purpose of each special assignment
    - c. The length of each special assignment.
  - 2. Special assignments lasting longer than six months will require approval by both affected assistant chiefs. Any special assignments absent from the review will be immediately ended.
- B. Assistant Chiefs will forward a report of all special assignments that have been extended past six months to the Chief of Police prior to October 1<sup>st</sup> of each year. The review will include at a minimum:
  - 1. A listing of all personnel on special assignment beyond six months
  - 2. The purpose of each special assignment
  - 3. The length of each special assignment.

### 408.04 Specialized Positions

- A. Specialized positions are often characterized by increased levels of responsibility and specialized training, but within a given position classification. Examples of this type of position include, but are not limited to, the following:
  - 1. Federal Task Force
  - 2. State Task Force
  - 3. Regional Task Force
- B. Specialized position requests will be outlined in a memo to the Chief of Police through requester's chain of command and shall include the following information:
  - 1. Purpose of the position;
  - 2. A brief job description;
  - 3. Any specialized needs (e.g., language requirement, technical skills, etc.);
  - 4. Working Conditions;
  - 5. Length of specialized position.
  - 6. List of current specialized positions and the personnel assigned to them.
- C. Upon approval, a personnel action request (PAR) will be created to transfer the approved employee to the specialized position. Specialized positions will be documented as reassignments not special assignments.
- D. Personnel may be removed from a specialized position at the discretion of the Chief of Police, or their designee, as staffing needs dictate.
- E. The specialized position's division commander may remove personnel from a specialized position if the objective of the assignment is achieved or not being addressed because of the performance of the assigned officer.

### 408.05 Review of Specialized Positions

- A. Assistant Chiefs will conduct a review of all specialized positions under their supervision on an annual basis and forward the review to the Chief of Police no later than October 1<sup>st</sup> of each year.
- B. The purpose of the review will be to determine if the specialized position should be continued, revised, or eliminated. The review will include at a minimum:
  - 1. A listing of the department's specialized positions,
  - 2. A statement of the purpose for each listed position; and
  - 3. The evaluation of the initial problem or condition that required the implementation of the specialized position.



**Dallas Police Department General Order**

**409.00 Reserved**

Revised 01/30/07

**409.00** *RESERVED FOR FUTURE USE*



## Dallas Police Department General Order

### 410.00 Promotional Procedures

Revised 11/05/2021

#### 410.00 PROMOTIONAL PROCEDURES

As the Department director, the Chief of Police is authorized to implement the promotional procedures of the Dallas Police Department. The following procedure does not convey any property right to promotion nor limit the Chief of Police from considering other factors such as safety, supervisory recommendations, past performance, and cumulative discipline in determining whether to promote, delay, or deny a promotion.

#### 410.01 Disciplinary Actions Affecting Consideration for Promotion

- A. A career review of cumulative discipline will be used when promotion to any rank is being considered.
- B. Candidates for promotion who have had disciplinary suspensions or demotions during the one-year period prior to the date of promotion will not be considered for promotion. Disciplinary suspensions based on collisions involving City Equipment shall not solely prevent a candidate from interviewing or being considered for promotion.
- C. Candidates who are not promoted because of a suspension or demotion within the previous one-year period, may be considered for promotion at a later date if the promotional list is still current. The one-year period commences on one of the following:
  - 1. The effective date of demotion;
  - 2. The actual date of suspension time (or last date in multiple-day suspensions) as indicated by "Z" on the Exception Payroll and time card; or
  - 3. The date of the violation if so determined by the Chief of Police.
- D. The list of candidates for promotion is called the *Register of Eligibles* and will give the date of the exam and the *Final Results* date. The list will be valid from the *Final Results* date for the period indicated:
  - 1. One year for promotion to the rank of Senior Corporal.
  - 2. Eighteen months for supervisory grades in which a competitive assessment center is utilized.
- E. Candidates may or may not be promoted during an active investigation, including investigations by Internal Affairs, Public Integrity, the Office of Community Police Oversight, or any other active investigation which, at the sole discretion of the Chief of Police, warrants delay or denial of promotion. The decision whether to delay or deny a promotion during an active investigation will be at the discretion of the Chief of Police.
- F. Newly promoted employees may be subject to failing promotional probation during the six-month probationary period should an allegation be sustained, and the employee receives discipline of a Written Reprimand or higher.

#### 410.02 Promotional Interview Boards for Senior Corporals, Sergeants, and Lieutenants

- A. All candidates for promotion to the Civil Service ranks of Senior Corporal, Sergeant, and Lieutenant will participate in an oral Promotional Interview Board as part of the promotional process. The purpose of the Promotional Interview Board is to allow an opportunity for senior departmental officers to evaluate candidates eligible for promotion and make recommendations to the Chief of Police.
- B. The promotional process will be initiated by the Chief of Police. The Chief of Police or their designee will decide the number of positions to be filled, the targeted promotion dates, and will notify the Commander of the Personnel Division who will:
  - 1. Determine interview dates and location for the Promotional Interview Board and will immediately begin the selection process for representatives to serve on the board.
  - 2. Notify the Special Research Unit to begin processing promotional profile packages.
  - 3. Be responsible for notifying promotional candidates of the time and place of their scheduled appointments before the Promotional Interview Board.
- C. The candidates for promotion will select 3 board members with 2 alternates from a pool consisting of the Assistant Chiefs, Deputy Chiefs, and Majors.
  - 1. Selection of board members will be voted on by the candidates for promotion. The candidates for promotion will rank the Command Staff from highest to lowest on who they want on the interview board.
  - 2. The chair of the Promotional Interview Board will be picked by the Chief of Police or will be the highest-ranking member of the board.
  - 3. The board will have a minimum of three members.
- D. The Commander of the Personnel Division will provide copies of the promotional profile package to the members of the Promotional Interview Board.
- E. The Chief of Police or designated Chair will appoint a member of the board as recorder. The recorder is responsible for documenting the events of the Promotional Interview Board on a promotional interview form. Documentation should include:
  - 1. Location and date of the Promotional Interview Board.
  - 2. Name of Chair and board members.
  - 3. Start and ending time of each candidate's interview.
  - 4. Any other information deemed relevant by the board.
- F. After the board is convened and introductions have been made, the Chair will provide the candidate with a brief overview of the interview process.
  - 1. The promotional candidate will be asked to verbally present a brief statement of his or her professional background.
  - 2. The board members may ask the candidate about material contained in the promotional profile package previously described.
- G. At the conclusion of the interview, the candidate will be excused from the room.

# Dallas Police Department General Order

## 410.00 Promotional Procedures

Revised 11/05/2021

- H. After the candidate is excused from the room, the board will vote whether or not to recommend the candidate for promotion. Board recommendations will be based on a majority vote of the members using the below listed criteria but not limited to:
  - 1. Communication skills
  - 2. Adherence to rules and policies of the Department as demonstrated by the record of discipline listed in the Internal Affairs Resume/Concise History Report
  - 3. Past job performance
  - 4. Adherence to safety practices as demonstrated by the Vehicle Safety Record
  - 5. Supervisory/Management potential as demonstrated by the candidate during the interview
- I. The candidate will be called back into the interview room and informed of the recommendation. The final decision to promote or not to promote a candidate will be made by the Chief of Police.
- J. A form documenting the decision and recommendation of the board will be sent to the Chief of Police. If the board recommends that a candidate not be promoted, the reasons for the recommendation should be listed.
- K. A copy of the form will be forwarded to the Commander of the Personnel Division where a permanent file will be maintained.
- L. The Chief of Police or his designee will personally notify the candidates of his decision to promote or not to promote. Candidates who will be promoted will be notified of their effective promotion date. Candidates who will not be promoted will be told the reason the Chief of Police decided not to promote.

### **410.03 Promotional Profiles**

- A. The Commander of the Personnel and Support Bureau will notify the Special Research Unit to begin processing promotional profile packages.
- B. The Special Research Unit will prepare a promotional profile package on each candidate to be used in consideration for promotions and will forward the information to the Personnel and Support Bureau Commander. The promotional profile package will consist of the following information:
  - 1. Copies of a candidate's Internal Affairs Resume/Concise History Report
  - 2. Vehicle safety record
  - 3. Recommendations from the candidate's present and former supervisors and background information
  - 4. The candidate's performance evaluations for at least the past two evaluation periods
  - 5. A promotional interview form for recording the decisions and comments of the Promotional Interview Board
- C. Candidates will still be required to sign the respective rank Essential Functions memo which will be maintained in the candidate's Personnel File.

### **410.04 Assignments of Newly Promoted Personnel**

Assignments for newly promoted personnel will be determined by the Chief of Police.



# Dallas Police Department General Order

## 411.00 Performance Management System

Revised 11/29/10

### 411.00 PERFORMANCE MANAGEMENT SYSTEM

The City of Dallas initiated the Performance Management System to provide Departments with a common approach to performance management. Based on a fiscal year cycle, the system provides a variety of standardized performance procedures for supervisors to record, evaluate, and address job performance for all employees throughout the year. It does not substitute for daily, ongoing supervision.

#### 411.01 Performance Plans

There are four different types of performance processes utilized by the Dallas Police Department.

1. Patrol Response
2. Support, Administrative, Investigative, Deployment (all other Sworn – including Patrol supervision)
3. Civilian (plans/processes established by City of Dallas Human Resources)
4. Executive Sworn (plans/processes established by City of Dallas Human Resources)

#### 411.02 Patrol Response

Patrol Response performance will be based on activity averages in the sector each officer works in, and Compliance issues. The sector average is the total activity daily average of all the officers working within the sector. Compliance Issues are basic performance requirements expected of all employees and rated as either (Yes) – Meets Standard, or (No) – Does Not Meet Standard.

1. A rating of less than 80% of sector average is considered below satisfactory performance for sector activity and is rated "Does Not Meet Standard".
2. A rating of 80% or above of sector average is considered satisfactory performance and is rated "Meets Standard" for sector activity.
3. Three "NO" ratings at the end of the year assessment in the Compliance Issues Section will result in an overall job performance rating of "Does Not Meet Standard" regardless of the sector activity rating.
4. To be rated as "Meets Standard" in the final end of the year assessment, a Patrol Officer should have a "Meets Standard" in overall sector average and at least four "YES" ratings in the Compliance Issues Section.
5. Activity below satisfactory standards for two consecutive months should first be addressed between the supervisor and the employee through a Performance Improvement Plan (PIP) process.
6. Notification of unsatisfactory performance should be made to the employee immediately, or as soon as is reasonably possible. The PIP should identify 1) the unsatisfactory performance, 2) define what actions are necessary to obtain a satisfactory level of performance, 3) time allowed for improvement, 4) actions to be taken if performance requirement is not met, and 5) any other pertinent information. Whenever possible, notification of unsatisfactory performance should be made prior to 90 days before the end of the performance year. Consult the Personnel Services Unit in the Personnel and Development Division for assistance.
7. Unsatisfactory performance may also be cause for referral to the Employee Support Program in accordance with General Order 433.00.
8. Late year performance problems (within 90 days of the end of the performance year) should still be addressed through the PIP process.
9. If performance standards are not met, the employee is subject to disciplinary action, up to and including discharge.

#### 411.03 Patrol Response Performance Sessions/Scheduling

- A. A new Patrol Officer Performance Evaluation Planning Form should be completed by the end of October each year and filed in the employee's unit file. A performance year is a fiscal year (October through September).
- B. Patrol Response activity is evaluated on a monthly basis, as such, a mid-year review is not necessary. Additional reviews (coaching sessions) may be conducted as needed throughout the performance year.
- C. All documents become a permanent part of the employee's Performance Plan and are maintained in the employee's unit file.
- D. The end-of-year overall performance assessment should be completed by the end of October for the preceding year. Signatures should be obtained. The employee and supervisor may make comments on the end-of-year assessment, and a copy provided for the employee, if desired. The original end-of-year assessment should be filed in the employee's unit file.
- E. Supervisors should recognize and reward exceptional or outstanding performance through supplemental award programs as outlined in General Orders 413.00 and 414.00.
- F. The end-of-year assessment may also include career counseling issues such as training, advancement opportunities, or other related items.
- G. A Divisional memo should be forwarded to the Personnel Services Unit in the Personnel and Development Division confirming that all ratings have been completed. Attach a copy of only those overall performance plans (signature/comments page included) of employees rated as "Does Not Meet Standard".

# Dallas Police Department General Order

## 411.00 Performance Management System

Revised 11/29/10

### 411.04 Support, Administrative, Investigation, Deployment Sworn

- A. All other non-patrol performance will be based on established Goals/Objectives, Behavioral Competencies, and Compliance Issues. Goals and Competencies will be rated as either M – Meets Standard, or D – Does Not Meet Standard. Compliance Issues are rated as either (Yes) – Meets Standard, or (No) – Does not Meet Standard.
- B. The format of the performance plan can be a memo or any other document as best meets the needs of the individual operational unit. It must contain the 1) Goals and Objectives, 2) Behavioral Competencies, and 3) Compliance Issues. The performance plan must be communicated with the employee, signed by the employee and supervisor, with the original maintained in the employee unit file and a copy provided to the employee.
- C. The performance plan should contain a minimum of 3-5 Goals/Objectives, 5-7 Behavioral Competencies (plus 5 Supervisory Behavioral Competencies when applicable), and all Compliance Issues.
- D. Performance plans must also include applicable performance measures indicating what criteria will be utilized to assess an employee's performance in all areas.
  - 1. Three "NO" ratings in Compliance Issues Section will result in an overall job performance rating of "Does Not Meet" standard regardless of Goals/Objectives or Behavioral Competencies ratings.
  - 2. Performance that falls below satisfactory standards during the year should first be addressed between the supervisor and the employee through a performance improvement plan (PIP) process. Consult the Personnel Services Unit in Personnel and Development Division for assistance.
  - 3. Notification of unsatisfactory performance should be made to the employee immediately, or as soon as is reasonably possible. The PIP should 1) identify the unsatisfactory performance, 2) define what actions are necessary obtain a satisfactory level of performance, 3) time allowed for improvement, 4) actions to be taken if performance requirement is not met, 5) and any other pertinent information. Whenever possible, notification of unsatisfactory performance should be made prior to 90 days before the end of the performance year.
  - 4. Unsatisfactory performance may also be cause for referral to the Employee Support Program in accordance with General Order 433.00.
  - 5. Late year performance problems (within 90 days of the end of the performance year) should still be addressed through the PIP process.
  - 6. If performance standards are not met, the employee is subject to disciplinary action, up to and including discharge.

### 411.05 Support, Administrative, Investigative, Deployment Performance Sessions/Scheduling

- A. Performance plans for all other non-patrol sworn should be completed by the end of October of each year and filed in the employee's unit file. A performance year is a fiscal year (October through September).
- B. Supervisors must conduct a mid-year performance review before the end of April each year. Additional reviews (coaching sessions) may be conducted as needed throughout the performance year. The mid-year review should be signed by the employee and supervisor.
- C. All documents become a permanent part of the employee's Performance Plan and are maintained in the employee's unit file.
- D. The end-of-year overall assessment should be completed by the end of October for the preceding year. Signatures should be obtained. The employee and supervisor may make comments on the end-of-year assessment, and a copy provided for the employee, if desired. The original end-of-year assessment should be filed in the employee's unit file.
- E. Supervisors should recognize and reward exceptional or outstanding performance through supplemental award programs as outlined in General Orders 413.00 and 414.00.
- F. The end-of-year assessment may also include career counseling issues such as training, advancement opportunities, or other related items.
- G. A Divisional memo should be forwarded to the Personnel Services Unit in the Personnel and Development Division confirming that all ratings have been completed. Attach a copy of only those overall performance plans (signature/comments page included) of employees rated as "Does Not Meet Standard".

### 411.06 Civilian Performance Plans

- A. Civilian performance plans and processes are established by the City of Dallas Human Resources Department annually.
- B. Performance categories are normally pre-defined but supervisors have the option of adding additional responsibilities and projects, if applicable.

### 411.07 Civilian Performance Sessions/Scheduling

- A. The Personnel and Development Division, Personnel Services Unit, will communicate Civilian performance planning and processing requirements to the Dallas Police Department, as established by City of Dallas Human Resources. Generally, all performance evaluations for the prior fiscal year should be completed before the end of October, and new performance plans for the current year should be completed before the end of November.
- B. Supervisors must conduct a mid-year performance review before the end of April each year. Additional reviews (coaching sessions) may be conducted as needed throughout the performance year. The mid-year review should be signed by the employee and supervisor.
- C. All documents become part of the employee's Performance Plan and are maintained in the employee's unit file.
- D. The end-of-year overall performance assessment should be completed in accordance with established guidelines. These normally include an initial overall assessment of performance rating as determined by the immediate

# Dallas Police Department General Order

## 411.00 Performance Management System

Revised 11/29/10

supervisor (appraiser) and concurrence by the next level of supervision (reviewer) prior to the actual review with the employee.

- E. The end-of-year assessment may also include career counseling issues such as training, advancement opportunities, or other related items.
- F. The supervisor should then conduct the end-of-year final review with the employee and obtain the employee's signature. The employee and supervisor may make comments on the end-of-year assessment, and the employee should be provided a copy of the final assessment, if desired.
- G. The original, signed overall performance page must be forwarded to the Personnel and Development Division, Personnel Services Unit.
- H. Employees rated as "Unacceptable" or with two consecutive (including mid-year) ratings of "Needs Improvement" or below, are considered below the satisfactory performance standard.
- I. Unsatisfactory performance may also be cause for referral to the Employee Support Program in accordance with General Order 433.00.
- J. Performance below satisfactory standards should first be addressed between the supervisor and the employee through a performance improvement plan (PIP) process. If standards are not met, the employee is subject to formal disciplinary action, up to and including discharge.

### 411.08 Executive Sworn

- A. The Personnel and Development Division, Personnel Services Unit, will communicate Executive Sworn performance planning and processing requirements for Executive Sworn as established by City of Dallas Human Resources.
- B. Supervisors must conduct a mid-year performance review before the end of April each year. Additional reviews (coaching sessions) may be conducted as needed throughout the performance year. The mid-year review should be signed by the employee and the supervisor.
- C. All documents become part of the employee's Performance Plan and are maintained in the employee's unit file.
- D. Once the end-of-year assessment has been completed, the employee should be provided a copy of the final assessment, if desired.
- E. The original signed overall performance page must be forwarded to the Personnel and Development Division, Personnel Services Unit.
- F. Performance deemed to be below satisfactory standards should be addressed between the supervisor and the employee through a performance improvement plan (PIP) process. Unsatisfactory performance may also be cause for referral to the Employee Support Program in accordance with General Order 433.00.
- G. If standards are not met, the employee is subject to formal disciplinary action, up to and including discharge.

### 411.09 Final Overall Appraisal and Merit or Step Increase

- A. Patrol Response and all other Non-Patrol Sworn – in order to be eligible for a merit step, the employee must receive an overall final rating of "Meets Standard". Unless otherwise stipulated, merits become effective on the eligible employee's anniversary date.
- B. Civilian – merit amounts and effective dates are determined by City of Dallas Human Resources annually.
- C. Executive Sworn – qualifications for merit steps are determined by City of Dallas Human Resources annually. Unless otherwise stipulated, merit steps become effective on the eligible employee's anniversary date.
- D. Sworn personnel receiving formal discipline (one day suspension or greater) will not be eligible for their next step increase for a period of one year after the discipline is imposed.
  - 1. The date the discipline is imposed, rather than the date the rule violation occurred, will be used to determine which step increase will not be implemented.
  - 2. The next step increase an officer is scheduled to receive after discipline is issued will be withheld regardless of the officer's overall performance rating for the period in which the discipline is issued or for the period in which the incident occurred.
  - 3. Sworn personnel who receive a final overall rating of "Does Not Meet" standard solely as the result of formal discipline will not be made ineligible for more than one step increase. In this circumstance, the next step increase following either a final performance rating of "Does Not Meet" standard or the issuance of formal discipline (reprimand or above) will be denied.
  - 4. The fact that issued discipline is under appeal will not affect the denial of the step increase.
  - 5. If the discipline is later reduced to a level below a one day suspension, the officer will be entitled to back pay and the implementation of the previously denied step, retroactive to the date the step increase would have been implemented.
  - 6. Officers who have a step denied due to discipline and/or an overall performance rating of "Does Not Meet" standard, will not receive a double step increase during the next rating period to bring their pay to the level they would have been eligible for had they not received formal discipline.
- E. IAD and/or the Safety Unit (vehicle accidents) will notify the Personnel Services Unit in Personnel of any formal discipline of a one day suspension or greater within three days of issuance.
- F. IAD will notify Personnel and Development Division of disciplinary appeals that result in discipline being reduced to a level below that of a one day suspension.
- G. Personnel and Development Division will issue a memo to all officers who receive formal discipline of a one day suspension or greater notifying them they are not eligible to receive their next scheduled step increase.
- H. Personnel and Development Division will be responsible for notifying City of Dallas Human Resources of officers denied step increases and the date of the affected increase.

# Dallas Police Department General Order

## 411.00 Performance Management System

Revised 11/29/10

### 411.10 Rating/Appraising Supervisor

- A. The employee should be rated by the supervisor they are assigned to when reviews come due. The rating/appraising supervisor should seek feedback from an employee's prior supervisor(s) in order to arrive at a final overall assessment. If an employee changes performance plan format during the performance year, i.e., Patrol Response to a supervisory or non-Patrol Response assignment, the supervisor should use the format for the current assignment.
- B. Departures or Reassignments
  - 1. **Supervisor** – Prior to a supervisor's permanent reassignment, the supervisor will make a performance assessment on each assigned employee reflecting whether or not the employee currently M – Meets standard, or D – Does Not Meet standard (Patrol Response and all other Non-Patrol Sworn). For Civilian and Executive Sworn, a current assessment will be made in accordance with applicable requirements. The second level supervisor will make the assessments in the event of a demotion, termination, or death.
  - 2. **Employee** – prior to an employee's permanent reassignment, transfer, promotion, or demotion, the supervisor will assess an employee's overall performance reflecting whether or not the employee currently M – Meets standard, or D – Does Not Meet standard (for Patrol Response and all other Non-Patrol Sworn). For Civilian and Executive Sworn, a current assessment will be made in accordance with applicable requirements. The assessment, along with the employee's existing Performance Plan, will be forwarded to the gaining organization.
- C. Rating/Appraising Supervisors should send a memorandum to the Personnel and Development Division, Personnel Services Unit, listing only those employees who are "NOT" eligible for a merit anniversary step or a civilian merit due to:
  - 1. Final overall performance rating;
  - 2. Insufficient number of days worked to warrant a rating; or
  - 3. Any other qualifying circumstance, i.e., reinstatement, military, etc.

### 411.11 Performance Appraisal Appeals

A performance appeal allows an employee to appeal their "Final Overall Appraisal" rating only. Individual category ratings may not be appealed, and the appeal process is not a part of General Order 430.00 (Grievance Procedure). Performance plans, mid-year reviews, and final end-of-year performance assessments are not grievable.

- 1. **Patrol Response and all other Non-Patrol Sworn** – An employee who wants to appeal their final overall rating must make a written request for a hearing with their second level supervisor. If not resolved, the employee may make a written request for a final appeal with the Division Commander. If the Division Commander is the second level supervisor, the employee may make a final appeal to one level higher. Time requests for employee appeal requests and supervisory responses are all ten working days (Monday – Friday excluding observed Holidays).
- 2. **Civilian and Executive Sworn** – An employee who wants to appeal their final overall rating will follow applicable appeal guidelines as established by City of Dallas Human Resources annually.

### 411.12 Required Probationary Reports and New Patrol Response Performance Plans

- A. Monthly Performance Evaluation Following Promotion to Senior Corporal, Sergeant, or Lieutenant.
  - 1. Immediate supervisors will submit monthly evaluations on all probationary Senior Corporals, Sergeants, and Lieutenants under their command.
    - a. The Police Department *Monthly Probationary Performance Report* form will be used for these evaluations.
    - b. All monthly evaluations will be routed through the Bureau Commander to the Personnel and Development Division.
  - 2. If the overall performance for the six-month probationary period is below standard, a decision should be made on the retention status of the employee, and a memorandum prepared documenting the unsatisfactory performance and forwarded to the Personnel and Development Division through the Chief of Police.
- B. Patrol officers who complete the Field Training segment of their overall training will have their performance measured by activity averages in the sector each officer works, and Compliance Issues, until the beginning of the next fiscal year cycle. The Personnel Services Unit of the Personnel and Development Division will contact supervisors as needed on anniversary year assessments.
- C. Non-Sworn Employee Initial or Promotional Probation Reviews
  - 1. Non-Sworn employees should have their performance reviewed on a quarterly basis during the six month probationary period (no less than a minimum of two times) during an initial or promotional probationary period. Supervisors may review performance at more frequent intervals during the probationary period, as necessary. Probationary reviews should be documented on the performance plan itself or on a separate memorandum maintained in the employee's performance file.
  - 2. If it is determined that an employee fails to successfully complete probation, the employee should be immediately notified of the failure and
    - a. terminated, if serving an initial probation;
    - b. given an opportunity to retreat, if serving a promotional probation and a right to retreat exists; or
    - c. terminated, if serving a promotional probation and no right to retreat exists.
  - 3. Non-Sworn employees who reach the end of their initial or probationary period, including any applicable extensions, are deemed to have successfully completed probation. Supervisors should document the completion as part of the employee's performance file, but there is no need to forward any documentation to the Personnel and Development Division.

# Dallas Police Department General Order

## 411.00 Performance Management System

Revised 11/29/10

### 411.13 Non-Performance Related End-of-Year Documentation

All employees will utilize the annual performance review process to update important file documents. These documents will be updated in November of each year during the open enrollment process. These include, but are not limited to:

1. *Beneficiary Designation Form* (under "Forms" on the DPD Intranet). Ensures your designated beneficiaries receive benefits in accordance with your wishes. Original kept in personnel file in Personnel and Development Division.
2. *Beneficiary Form Group Life Insurance Form* (under "Forms" on the DPD Intranet). Ensures your designated beneficiaries receive life insurance benefits in accordance with your wishes. Original sent to insurance company, and a copy maintained in personnel file in Personnel and Development Division.
3. *Emergency Contact Information Form*. Ensures the Department is able to contact those you have designated in the event of an emergency (See General Order 428.14). This form should be maintained in the employee's unit file with a copy sent to the Special Records Team in Personnel and Development Division.



## Dallas Police Department General Order

### 412.00 Written Commendations

Revised 01/17/2020

#### 412.00 WRITTEN COMMENDATIONS

##### 412.01 Personal Commendation Forms (External Commendations)

- A. All supervisory officers and officers assigned to desk duty will be familiar with entering commendations in BlueTeam. This will be used to document commendations made in person or by telephone.
- B. Supervisory officers and desk officers are responsible for completing a commendation incident in BlueTeam when they receive a commendation by telephone or in person. Multiple employees may be submitted on a single commendation.
- C. The supervisory officer or desk officer accepting the commendation information will verify the employee's identity, complete the commendation entry, attach any documents, and forward the entry and all pertinent information to the Unit Commander for approval.
- D. Other officers (who are not supervisors or desk officers), when informed of a commendable act of another departmental employee, will report the information to their immediate supervisor. The supervisor will complete a commendation incident in BlueTeam and forward it to the Unit Commander.
- E. Two copies will be made. The Unit Commander will give one to the commended employee, and place a copy in the employee's unit personnel file. The entry will be forwarded to the Internal Affairs Division in BlueTeam.
- F. Upon receipt of an external commendation, the Unit Commander will ensure a standard *Thank You* note card (DPD-03914) is prepared and mailed to the citizen making the commendation. A copy of the note will be placed in the employee's unit personnel file.

##### 412.02 Internal Commendations

- A. The supervisor noting the incident, act, or condition will complete a commendation incident in BlueTeam and forward it to the supervisor to which the employee is assigned.
- B. The employee's immediate supervisor will approve and forward through the lieutenant to the Internal Affairs Division to be logged. A copy will be placed in the employee's unit file and a copy given to the employee. It is not necessary for the employee to sign the report when it is a commendation.
- C. Performance reviews and appraisals and memoranda recognizing employees for taking no sick time will be documented in a memorandum and filed in the employee's unit file. Copies will not be sent to the Internal Affairs Division and will not be recorded as a commendation.

##### 412.03 Personal Commendation Letters

- A. Employees receiving personal commendation letters will forward a copy to their immediate supervisor. The supervisor will enter the commendation into BlueTeam and forward it to the Unit Commander. The Unit Commander will approve and forward the entry to the Program Administrator and place a copy in the employee's personnel file.
- B. Upon receipt of a personal commendation letter, the Unit Commander will ensure a standard *Thank You* note card (DPD-03914) is prepared and mailed to the citizen making the commendation. A copy of the note will be placed in the employee's unit personnel file.



## Dallas Police Department General Order 413.00 Awards and Recognition Programs

Revised 12/02/2022

### 413.00 AWARDS AND RECOGNITION PROGRAMS

#### 413.01 The Meritorious Conduct Board

- A. The purpose of the Meritorious Conduct Board is to review nominations involving particularly meritorious service and to make recommendations to the Chief of Police for proper recognition of outstanding acts performed by employees of the Department.
- B. It receives nominations made by any Supervisory level employee of the Department for the presentation of awards.
- C. It approves or disapproves nominations not previously approved per G.O. 414.01 and, if merited, decides what type of award is to be given.
- D. Any supervisor who observes or receives information regarding the action of any sworn or non-sworn employee, which in the opinion of the supervisor would qualify the employee for an award, will submit a nomination to the Meritorious Conduct Board, Personnel Division, or the first Chief level officer in their chain of command if the award nomination is for a Certificate of Merit or Certificate of Civic Achievement.
  1. Any Chief-level officer, by virtue of rank and duty position held, will have authority to approve Certificate of Merit and Certificate of Civic Achievement awards based upon a valid recommendation from the employee's chain of command and/or personal observation. Once approved/denied by the Chief-level officer, the nomination will be forwarded to the Awards Recognition Coordinator for the issuance of a certificate and/or statistical tracking.
  2. The nomination will include a complete account of the incident, the names of all individuals involved in the incident, and all actions taken by each individual involved.
  3. The nomination will be submitted in a timely manner, except where there are internal investigations in progress, in which case the nomination will be submitted once the investigation is closed.
  4. Supervisors will submit all pertinent documentation supporting the employee's outstanding performance and action to receive the applicable meritorious award. Documentation includes police reports, internal affairs resume and references from citizens of their eyewitness reports.
  5. Sworn and non-sworn personnel that have an active internal affairs investigation, public integrity investigation, or a Police Oversight Board investigation are not eligible to participate in departmental award ceremonies. However, personnel under investigation may receive their award at the discretion of the Chief of Police. The Employee Relations Team will be responsible for contacting the Internal Affairs Division and Public Integrity Unit to determine if a recipient of an award has an active investigation.
- E. It is also the function of the board to approve recommendations and, in some cases, make the choice of sworn and non-sworn employees to receive awards from outside organizations or individuals.
- F. The Awards Recognition Coordinator will notify the Media Relations Unit, when appropriate, for department wide announcements regarding awards ceremonies.
- G. Composition of the Meritorious Conduct Board:
  1. The board will consist of a chairperson, six Lieutenants, and four non-sworn employees, with Supervisory Pay Grade H or higher. Each of the six Lieutenants will have an alternate at the rank of Lieutenant. Each of the non-sworn employees will have an alternate with the Supervisory Pay Grade H or higher. All members and their alternates will be appointed by the chairperson of the Meritorious Conduct Board with the concurrence of the respective Bureau Commanders.
    - a. The Personnel Division Commander will serve as permanent chairperson.
    - b. One Lieutenant and one alternate will be appointed from the Office of the Chief of Police.
    - c. Two Lieutenants and two alternates will be appointed from the Office of the Assistant Chief of Investigations and Tactical.
    - d. One Lieutenant and one alternate will be appointed from the Office of the Assistant Chief of Administrative.
    - e. Two Lieutenants and two alternates will be appointed from the Office of the Assistant Chief of Patrol.
    - f. The non-sworn employees will be appointed to represent all non-sworn personnel.
  2. Each member and each alternate will be appointed to a one-year term commencing January 15 each year.
  3. Upon completion of one year's service on the board, the alternate will become a regular representative. The new alternate will be appointed to a one-year term commencing January 15 each year.
  4. The chairperson of the Meritorious Conduct Board will make new appointments as needed to fill vacancies of sworn members created by promotions or transfers in order to ensure proper representation for the Offices.
  5. The chairperson of the Meritorious Conduct Board will make new appointments as needed to fill vacancies of non-sworn members created by promotions or transfers.
- H. The chairperson and six representatives or alternate representatives will constitute a quorum.
- I. The chairperson of the board will serve as the presiding officer and will not have voting power except in the case of a tie vote.
- J. It will be the responsibility of the chairperson to call special meetings when deemed necessary.
- K. The employee assigned as the Awards Coordinator will serve as secretary to the board and will be a non-voting member.

#### 413.02 Officer of the Year Award (*presented by the Friends of the Dallas Police*)

- A. Supervisors may submit the nomination of an officer from their individual commands to be considered for the John T. McCarthy Officer of the Year Award. Nominations should be submitted to the Meritorious Conduct Board.

# Dallas Police Department General Order

## 413.00 Awards and Recognition Programs

Revised 12/02/2022

- B. The Meritorious Conduct Board will review the nominations and place a vote. A selection for Bureau Officer of the Year will be made from nominations with the highest vote in each category. Each Bureau Officer of the Year will be forwarded to the Chief of Police for final review and selection of the Departmental Officer of the Year.
- C. Letters of nomination should include:
  - 1. Overall performance for the year
  - 2. Commendations and Departmental awards
  - 3. Specific incidents of exemplary performance
  - 4. Work on special projects
  - 5. Attendance record
  - 6. Internal Affairs Resume
  - 7. Civic activities (community involvement)
- D. The officer must have completed two years of service prior to September of the year for which the award is being given.
- E. The Officer of the Year will be awarded the Police Commendation. Bureau Awardees will receive a Certificate of Merit.
- F. The awards will be presented at the annual Friends of the Dallas Police Awards Banquet.

### **413.03 Supervisor of the Year Award (presented by the Friends of the Dallas Police)**

- A. Organizational Commanders may submit the nomination for a sworn or non-sworn supervisor to be considered for the Marvin R. Bullard Supervisor of the Year Award. Nominations should be submitted to the Meritorious Conduct Board.
- B. The board will review nominations and place a vote, and the three finalists will be selected from the nominations with the highest votes. Those names will be forwarded with nominating letters and supporting documentation to the Chief of Police for the final selection.
- C. Letters of nomination should include:
  - 1. Overall performance for the year
  - 2. Commendations and Departmental awards
  - 3. Specific incidents of exemplary performance
  - 4. Work on special projects
  - 5. Attendance record
  - 6. Internal Affairs Resume
  - 7. Civic activities (community involvement)
- D. The supervisor must have completed two years of service prior to September of the year for which the award is being given.
- E. The Supervisor of the Year will be awarded the Police Commendation. The runner-ups will receive a Certificate of Merit.
- F. The awards will be presented at the annual Friends of the Dallas Police Awards Banquet.

### **413.04 Field Training Officer of the Year (presented by the Friends of the Dallas Police)**

- A. Patrol supervisors may submit nominations for Field Training Officers from their division to be considered for the Field Training Officer of the Year. Nominations should be submitted through the chain of command to the Meritorious Conduct Board.
- B. The board will review nominations and place a vote, and the three finalists will be selected from the nominations with the highest votes. Those names will be forwarded with nominating letters and supporting documentation to the Chief of Police for the final selection.
- C. Letters of nomination should include:
  - 1. Overall performance for the year
  - 2. Commendations and Departmental awards
  - 3. Specific incidents of exemplary performance
  - 4. Work on special projects
  - 5. Attendance record
  - 6. Internal Affairs Resume
  - 7. Civic activities (community involvement)
- D. The Field Training Officer of the Year must have held the title of Principal Field Training Officer for a minimum of two years prior to September of the year for which the award is being given. Nominees should have trained a minimum of four full rotations of basic training classes with three recruit officers in each rotation.
- E. The Field Training Officer of the Year will be awarded the Police Commendation. The runners-up will receive a Certificate of Merit.
- F. The awards will be presented at the annual Friends of the Dallas Police Awards Banquet.

### **413.05 The Non-Sworn Employee of the Year Award (presented by the Friends of the Dallas Police)**

- A. Supervisors may submit a non-sworn employee from their individual command to be considered for the James C. Taylor Non-Sworn Employee of the Year Award. Nominations should be submitted to the Meritorious Conduct Board.
- B. The Meritorious Conduct Board will review the nominations, place a vote, and a selection for the Bureau Non-Sworn Employee of the Year will be made from nominations with the highest vote in each category. Each Bureau Non-Sworn Employee of the Year will be forwarded to the Chief of Police for final review and selection of the Departmental Non-Sworn Employee of the Year.
- C. Letters of nomination should include:

# Dallas Police Department General Order

## 413.00 Awards and Recognition Programs

Revised 12/02/2022

1. Overall performance for the year
  2. Commendations
  3. Specific incidents of exemplary performance
  4. Work on special projects
  5. Attendance Records
  6. Civic activities (community involvement)
  7. Internal Affairs Resume
- D. The employee must have completed one year of service prior to September of the year for which the award is being given.
- E. The Non-Sworn Employee of the Year will receive a Police Commendation and the remaining Bureau Awardees will receive a Certificate of Merit.
- F. The awards will be presented at the annual Friends of the Dallas Police Awards Banquet.

### **413.06 Reserve Officer of the Year**

Nominations for the Joe C. Jones Reserve Officer of the Year Award are made by supervisors and submitted through the Reserve Coordinator to the Meritorious Conduct Board. The Board will select one Reserve Officer from nominations received to be honored as Reserve Officer of the Year at the annual Friends of the Dallas Police Awards Banquet. The Reserve Officer of the Year will be awarded the Certificate of Merit.

### **413.07 Rookie of the Year Award (presented by the Dallas Junior Chamber of Commerce)**

- A. Nominations for the Johnny Sides Rookie of the Year Award are made by supervisors. The nominations must be submitted through the chain-of-command to the Meritorious Conduct Board.
- B. Letters of nomination should include:
1. Overall performance
  2. Overall incidents of exemplary performance
  3. Commendations and Departmental awards
  4. Work on special projects
  5. Attendance record
  6. Civic activities (community involvement)
  7. Internal Affairs Resume
- C. The Board will review all nominations and place a vote. Three finalists will be selected from the nominations with the highest vote. The three finalists' names will then be forwarded with the nominating letters to the Dallas Junior Chamber of Commerce (DJCC).
- D. The Johnny Sides Rookie of the Year will be selected from the three finalists by the Dallas Junior Chamber of Commerce (DJCC). The Rookie of the Year and two runners-up will be recognized at the annual Johnny Sides Rookie of the Year Banquet.
- E. The Rookie of the Year will be awarded the Police Commendation and the two runners-up will be awarded the Certificate of Merit by the Meritorious Conduct Board.

### **413.08 Citizen's Certificate of Merit**

- A. All persons whose actions exemplify excellence in performance of civic responsibilities, show unselfish devotion to their fellow men and the community where they live, and/or bring honor to themselves and recognition to the City through their actions are eligible for this award.
- B. Any employee who has knowledge of an incident involving a meritorious act by a citizen will submit, through channels to the Division Commander, a recommendation that the Citizen's Certificate of Merit be awarded. The recommendation should include the home or business mailing address of the prospective recipient. The Division Commander will then forward the report to his/her Assistant Chief/Executive Assistant Director who will determine, through consultation with the Chief of Police, if such award is to be made.
- C. The Employee Relations Team will coordinate with the nominating Division, to determine whether the citizen is willing to accept the award and will arrange with the administrative aide of the Chief of Police a suitable time for the presentation ceremony.

### **413.09 Officer of the Month Award (Dallas Community Police Awards Committee)**

- A. The Officer of the Month Award is to recognize sworn employees whose duty performance over a period of time has been exemplary and outstanding in the areas of community and civic activities, or overall duty performance as a Dallas Police Officer.
1. Nomination letters for civic activities and community involvement should cite and detail the impact the officer's involvement has had on the community. This should include a description of the activity, number of volunteer hours, out of pocket costs, the specific impact on the community and citizens benefitting, and any recognition to the City of Dallas, Dallas Police Department, and officer involved as an example.
  2. Nomination letters for overall duty performance or specific projects and assignments should cite and detail how these activities went above and beyond the expectations, requirements, or duty description for the officer, benefitted the community through crime reduction or quality of life issue(s), and any recognition by the City of Dallas, Dallas Police Department, citizens impacted or the local media as an example.
  3. Nominations must include Internal Affairs Resume
- B. Supervisors may submit nominations through their Organizational Commanders to the Personnel Division.
- C. The Dallas Community Police Awards Committee is comprised of twelve organizations from the community who meet during the even months of the year and make the selection for the Officer of the Month. The nominations are

# Dallas Police Department General Order

## 413.00 Awards and Recognition Programs

Revised 12/02/2022

- presented to the committee from the Awards Liaison in the Personnel Division who will be available to answer questions.
- D. Once the committee makes the selection, the Awards Liaison will notify the recipient, the officer's Chain of Command, and the Chief of Police.
  - E. The officer will be honored at a ceremony with a plaque, an Officer of the Month Bar, and any other awards. The officer will have his/her name on display in the Police Library located on the 2<sup>nd</sup> Floor of Jack Evans Police Headquarters for the month chosen.
  - F. Any officer not selected by the committee for the first month submitted will be eligible for consideration of the award during each of the following five months.
  - G. At the beginning of each year, the twelve officers selected the previous year are voted on by the Dallas Community Police Awards Committee, to determine which officer will be recognized as the committee's Officer of the Year. The officer will be honored at the Prestonwood Country Club and they will receive a plaque, Officer of the Year Bar, and any other awards that are presented.

### **413.10 Non-Sworn Employee of the Month Award**

- A. The Non-Sworn Employee of the Month Award is intended to recognize non-sworn employees whose duty performance over a period of time has been exemplary and outstanding. Letters of nomination may cite overall duty performance, specific projects and assignments, attendance, commendations, Internal Affairs Resume, and civic activities/community involvement.
- B. The employee must have completed one year of service in the Department.
- C. Supervisors may submit nominations through their Organizational Commanders to the Meritorious Conduct Board. Nomination memos must reach the Meritorious Conduct Board by the 15<sup>th</sup> of the month preceding the month for which the employee has been nominated.
- D. The Meritorious Conduct Board will make the selection of the Non-Sworn Employee of the Month.
- E. Once the board makes the selection, the board secretary will notify the Chief of Police and the employee's Organizational Commander.
- F. The employee selected will be honored by presentation of a plaque during a ceremony.
- G. An employee not selected by the board for the first month submitted will be eligible for consideration of the award during each of the following five months.

### **413.11 Detective of the Year (presented by the Friends of the Dallas Police)**

- A. Supervisors may submit the nomination of a Detective from their individual commands to be considered for the James R. Leavelle Detective of the Year Award. Nominations should be submitted to the Meritorious Conduct Board.
- B. The Meritorious Conduct Board will review the nominations, place a vote, and the three finalists will be selected from the nominations with the highest votes. Those names will then be forwarded with nominating letters and supporting documentation to the Chief of Police for the final selection.
- C. Letters of Nomination should include:
  - 1. Overall performance for the year
  - 2. Commendations and Departmental awards
  - 3. Specific Incidents of exemplary performance
  - 4. Work on special projects
  - 5. Attendance Records
  - 6. Internal Affairs Resume
  - 7. Civic Activities (community involvement)
- D. The Detective must be responsible for criminal investigations and must have completed two years of service in their position prior to September of the year which the award is being given.
- E. The Detective of the Year will be awarded the Police Commendation. The two runners-up will receive a Certificate of Merit.
- F. The awards will be presented at the annual Friends of the Dallas Police Awards Banquet.



## Dallas Police Department General Order

### 414.00 Departmental Decorations

Revised 4/5/2023

#### 414.00 DEPARTMENTAL DECORATIONS

##### 414.01 Presentation and Issuance of Awards

The first 10 of the Department's overall 30 decorations (from The Police Medal of Honor to The Theodore Roosevelt Award) are listed in the order of precedence that follows, and will be presented by the level of command as indicated below:

- A. The Chief of Police may personally direct the issuance of awards as warranted.
- B. The Police Medal of Honor, The Police Cross, and The Police Medal of Valor will be presented by the Chief of Police.
- C. The Meritorious Conduct Bar and the Police Commendation Bar can be immediately approved by any Assistant Chief for circumstances that meet the criteria of such award. These awards will be presented by any Assistant Chief or during an awards ceremony by the Chief of Police.
- D. The Lifesaving Bar, The Police Shield, The Certificate of Merit, and The Certificate of Achievement can be immediately approved by any Chief-level officer. These awards will be presented by any Chief-level officer or during an awards ceremony by the Chief of Police.
- E. All remaining Departmental Decorations will not be listed in order of precedence, but are specific to the proficiency, category, or achievement as described in the applicable criteria. These awards may be presented by the recipient's Division or Section Commander or during an awards ceremony by the Chief of Police.
- F. For an award that is being considered for approval by a Chief-level officer, the Meritorious Conduct Board will be available to answer any questions and provide recommendations to ensure that approval of the nominated award is consistent with similar awards given in the past.
- G. Any award that is immediately issued outside the normal guidelines of the Meritorious Conduct Board will be reported to the Personnel and Support Division for issuance of a certificate and statistical tracking.

##### 414.02 Wearing of Awards

The wearing of awards by uniformed personnel is depicted in Section 802.29.

##### 414.03 Eligibility of Reserve Officers

Each member of the Dallas Police Reserve is eligible for all awards, while on assigned duty under supervision of the Dallas Police Department.

##### 414.04 The Police Medal of Honor

- A. The highest award in the Department.
- B. To be awarded to an officer who voluntarily distinguishes himself/herself conspicuously by gallantry and extraordinary heroism. The act must be in excess of normal demands and of such a nature that the officer was fully aware of the imminent threat to his or her personal safety, and acted above and beyond the call of duty at the risk of his or her life.
- C. The term *above and beyond the call of duty* in the qualifications for the Police Medal of Honor disqualifies all acts of courage, no matter how great, performed in the course of carrying out verbal or written orders.

##### 414.05 The Police Cross

- A. Ranked next in prominence to the Police Medal of Honor.
- B. To be awarded where an officer loses his/her life in performance of duty under honorable circumstances. The Police Cross may be awarded in addition to any other award the officer may be entitled to in making the supreme sacrifice.

##### 414.06 The Police Medal for Valor

- A. Ranked next in prominence to the Police Cross.
- B. To be awarded for exceptional bravery at imminent risk of serious bodily injury, with the recipient having demonstrated exceptional courage by performing a voluntary course of action in an extremely dangerous situation.
- C. The term *voluntary course of action* in the qualification for the Police Medal for Valor disqualifies all acts of courage, no matter how great, performed in the course of carrying out verbal or written orders.

##### 414.07 The Meritorious Conduct Bar

- A. Ranked next in prominence to the Police Medal for Valor.
- B. To be awarded for a heroic deed and exceptional meritorious conduct involving exemplary courage, risk and danger to an officer's personal safety.
- C. May be awarded to an officer for meritorious service in a duty of great responsibility, the duty reflecting excellence in such performance, and whereby the officer distinguishes himself or herself and the Department in carrying out such performance.

# Dallas Police Department General Order

## 414.00 Departmental Decorations

Revised 4/5/2023

### 414.08 The Police Commendation Bar

- A. Ranked next in prominence to the Meritorious Conduct Bar.
- B. To be awarded to an officer for outstanding performance involving great risk to his or her personal safety while performing his duties.
- C. May be awarded to any officer for outstanding contributions to law enforcement through the success of difficult police projects, programs or situations, with such contributions being made in a highly professional degree of accomplishment.
- D. The Police Commendation Bar may be awarded to any officer, upon recommendation of his or her supervisor, who has received three or more Certificates of Merit or three or more Certificates of Civic Achievement. One year must have elapsed after the awarding of the third such award before an officer is eligible, and recommendations must justify such continuous performance before the award will be made.

### 414.09 The Life Saving Bar

- A. Ranked next in prominence to the Police Commendation Bar.
- B. To be awarded to any officer directly responsible for the saving of a human life.
- C. This award may also be made where evidence indicates an officer's actions prolonged a human life at least six hours following the release of the victim into the care of medical authorities, even though the victim expires at a later time.
- D. The saving or prolonging of a human life must occur under one of the following circumstances in which:
  - 1. The victim has sustained a life-threatening injury or is experiencing life-threatening medical distress.
  - 2. The individual is in a life-threatening situation and is rescued by an officer who has placed him or herself in imminent physical danger.
- E. Nomination letters must include documentation and supporting evidence to substantiate the award, such as statements from witnesses, physicians, paramedics, or supervisors.
- F. The award may be approved in addition to the awarding of a higher medal where the facts show the recipient is entitled to such award.
- G. Meritorious actions not meeting the criteria outlined above may be considered for the award of a Certificate of Merit.

### 414.10 The Police Shield

- A. Ranked next in prominence to the Life Saving Bar.
- B. To be awarded to any Police Officer or other uniformed employee of this Department who is seriously injured in the line-of-duty due to an assault.
- C. May be awarded to any Police Officer or other uniformed employee of this Department who is seriously injured in the line of duty as a result of fires, explosions, etc.
- D. May be awarded in addition to the awarding of a higher award where the facts show the recipient is entitled to such award.
- E. The injury must not be the result of or concurrent with any conduct of the recipient that is less than acceptable by all standards.
- F. The board may not consider injuries sustained from falls on ice, motor vehicle accidents and the like, unless the evidence clearly indicates the employee had exhausted all reasonable safety precautions and had no control over the circumstances.

### 414.11 The Certificate of Merit

- A. Ranked next in prominence to the Police Shield.
- B. For excellence in police work. Also a bar for police personnel who receive such award.
- C. To be awarded to Police Officers of any rank for outstanding performance of duties under unusual, complicated, or hazardous conditions over any period of time.
- D. To be awarded to non-sworn police personnel, as well as officers, for outstanding or superior performance of any assignment over a prolonged period of time, but such performance to be clearly defined as exceptional, placing them well above other officers or civilians of equal rank or grade.
- E. May be awarded to field officers assigned to patrol or traffic duties who permit Law Enforcement Explorers to participate in ride-along activities as outlined in Section 426.02, and the field officer accumulates 200 hours of participation time.
  - 1. The hours of ride-along time will be tracked for each occasion on a form submitted by the participating officer to the Explorer Advisor on the watch or at the Division where the officer works.
  - 2. The form will be filed and maintained by the Advisor who will log the hours earned onto a summary sheet.
  - 3. When an officer has accumulated 200 hours, the Advisor will prepare a memo for the signature of the officer's immediate supervisor for submission to the Division Commander. The summary sheet for the officer being nominated will be attached as the supporting document.
  - 4. Only one Certificate of Merit may be earned per officer through participation in the Explorer Ride-Along program.
- F. May be awarded (without bar) to any Police Officer from another law enforcement agency qualifying under the above mentioned conditions if earned while aiding, assisting, or working with any officer of the Dallas Police Department.
- G. Under no circumstances will the Certificate of Merit be awarded in conjunction with another award for the same service or deed.
- H. May be awarded to any distinct work group of employees when the actions of the group as a whole meet the qualifications. One certificate will be awarded and it will remain with the unit. Individual employees will not receive a certificate or bar. However, an employee may be recommended for a separate Certificate of Merit based on his or her individual merit.

# Dallas Police Department General Order

## 414.00 Departmental Decorations

Revised 4/5/2023

### 414.12 The Certificate of Civic Achievement

- A. Ranked next in prominence to the Certificate of Merit.
- B. To be presented to sworn and non-sworn employees of the Department who bring favorable recognition to the Department through their involvement in civic affairs while acting in the capacity of an employee and representative of the Dallas Police Department.
- C. May be awarded as a one-time presentation to sworn and non-sworn employees who were employed by the Department and:
  - 1. Activated by the Governor to "State Active Duty" in response to natural or man-made disasters or Homeland Defense missions or:
  - 2. Activated under Title 32 orders "Full-time National Guard Duty" by the Governor with the approval of the President or Secretary of Defense under 32 USC (US Code) 502 (f), 091, or 902.
- D. To be eligible for the one-time presentation of the Certificate of Civic Achievement under Subsection C, the employee must provide documentation verifying activation to the Military Liaison.

### 414.13 The Theodore Roosevelt Award

- A. Ranked next in prominence to the Certificate of Civic Achievement.
- B. Awarded by the Theodore Roosevelt Association to the Police Officer of any rank who has overcome an adversity whether injury, illness or other disability, and who have rendered, and continue to render, outstanding and praiseworthy service to the Dallas Police Department.

### 414.14 The FBI National Academy Bar

- A. To be awarded to sworn supervisors (Lieutenants and above) who have successfully graduated from the FBI National Academy.
- B. The sworn officer will notify the Personnel and Support Division that they have graduated, and present the graduation certificate.

### 414.15 The Caruth Police Institute Bar

- A. To be awarded to sworn personnel who have successfully completed a Caruth Police Institute (CPI) supervisory or leadership series.  
This bar will not be awarded to sworn personnel who have completed various CPI sponsored seminars only.
- B. CPI will notify the Personnel and Support Division by memo of which DPD sworn personnel have successfully completed the series and have been presented the bar by CPI.

### 414.16 The Institute for Law Enforcement Administration (ILEA) Bar

- A. To be awarded to sworn personnel who have successfully completed the Management College series. This bar will not be awarded to sworn officers who have only attended the course and not received a passing grade under TCOLE regulations.
- B. The sworn officer will notify the Personnel and Support Division that they have completed the courses and produce the certificate awarded at graduation. The bar will be provided by ILEA.

### 414.17 The Leadership Command College Bar

- A. To be awarded to sworn supervisors who have successfully graduated from the Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT).
- B. The sworn supervisor will notify the Personnel and Support Division that they have completed three separate training modules and produce a certificate of graduation. The bar will be provided by LEMIT.

### 414.18 The Field Training Officer Bar

- A. All officers of the Department who are designated Field Training Officers will be authorized to wear this bar.
- B. The bar can be worn if the officer has ever been designated as principal or primary FTO by the Division Commander. Division Commanders will be responsible for certification of an officer's FTO status. This award procedure will be retroactive to May 1, 1982.
- C. Issuance of the Field Training Bar will be accomplished via a memorandum sent by the Division Commander to the Commander of the Personnel and Development Division. Officers who are awarded the Field Training Bar but have less than 5 years as a Field Training Officer will be authorized a bar with a green and gold background with F.T.O. in the center. Any officer who has been a Field Training Officer for 5 years but less than 10 years will be authorized to wear the Senior FTO bar which is a blue and gray bar with two gold vertical stripes and F.T.O. in the center. Any officer who has been a Field Training Officer for 10 or more years will be authorized to wear the Master FTO bar which is a light blue bar with two gold stripes and F.T.O. in the center. A copy of each issuance of the award will be placed in the officer's personnel file.
- D. An officer's time in the Field Training Oversight Unit will be counted towards Field Training Status Time.
- E. It is the responsibility of the FTO's Division Commander to ensure that officers holding FTO status are issued the appropriate bar.
- F. Time of Field Training Status will be determined by payroll code. Officers who receive Field Training pay will be considered a designated Field Training Officer. Time of service as a Field Training Officer does not have to be consecutive and will be calculated as one sum.
- G. The Field Training Bar will not be worn and will be revoked if an officer is removed from training status due to discipline or for failure to train.

# Dallas Police Department General Order

## 414.00 Departmental Decorations

Revised 4/5/2023

### 414.19 The Officer of the Month Bar

- A. To be awarded to a Police Officer of any rank who is selected by the Dallas Community Police Awards Committee as its Officer of the Month.
- B. Criteria for nomination and selection as the Officer of the Month are contained in Section 413.08.
- C. Award of this bar is retroactive to February 1972 for active members of the Department.
- D. The officer selected as the Officer of the Year is authorized to wear a gold-colored, five-point star centered on the original bar awarded.

### 414.20 The Safe Driver Award

- A. All members of the Department, who are currently or have been assigned to a position which requires driving City vehicles or vehicles on City business as part of the daily function of the position, are eligible for this award. An employee may be assigned to a position wherein he or she does not actually drive a City vehicle each day, yet the responsibilities will require frequent use of a City vehicle during the period of assignment as directed by the supervisor or commanding officer. In such instances, the assignment will not render the employee ineligible to accumulate time toward this award.
- B. The method for calculation of an award will be based upon the following guidelines:
  - 1. The date of appointment is the initial starting date for all employees.
  - 2. This award is based upon five-year increments. The years are to be consecutive, that is, to receive a five-year award, a person must have five consecutive years without a preventable accident. To receive a ten-year award, a person must have ten consecutive years without a preventable accident. To receive a fifteen-year award, a person must have fifteen consecutive years without a preventable accident, etc. No previously issued award will be canceled. When an employee has been charged with an accident, the day following the accident a new increment is begun.
  - 3. The following times will be deducted from the timeframe used to calculate eligibility dates:
    - a. Time spent on non-driving status
    - b. Suspensions
    - c. Leave without pay
    - d. Time that the employee was not in compliance with Administrative Directive 3-3.
- C. Records of each employee's driving record will be maintained by the Safety Team. When an employee becomes eligible for a Safe Driving Award, the award will be processed and the recipient's Division will be notified when it is ready for pick-up. All awards recognizing 20 or more years of safe driving will be presented at a Departmental Award Ceremony unless the recipient requests other arrangements. All awards must be picked up and signed for in the Safety Team office unless presented at an awards ceremony, where the recipient would sign for the Award after the presentation.
- D. To be eligible for the Safe Driver Award, an employee must be currently in compliance with Administrative Directive 3-3, which requires Primary Drivers to have a physical once every two years. All drivers must complete a Defensive Driving Class once every three years.

### 414.21 The Marksmanship Award

- A. The Marksmanship Award will be awarded automatically to officers who distinguish themselves as outstanding marksmen by obtaining a firearm proficiency score of 90 or better for three consecutive times during their scheduled firearms training and proficiency qualification.
- B. An officer who qualifies for the Marksmanship Award more than once will be issued a suitable gold numeral to denote the number of times the award has been earned. The numeral will be affixed in the center of the bar.
- C. The Training Section is responsible for maintaining a firearms proficiency record system and forwarding the Marksmanship Award to the recipient's commanding officer for presentation.

### 414.22 The Patrol Rifle Bar

- A. The Patrol Rifle Bar will be awarded automatically to officers who distinguish themselves by passing the Dallas Police Department's Patrol Rifle School and are active patrol rifle officers.
- B. The Firearms Training Center is responsible for maintaining the list of active patrol rifle officers and will issue the bar at the conclusion of each patrol rifle school.
- C. Once an officer becomes inactive, the Patrol Rifle bar will be returned to the Firearms Training Center.

### 414.23 The Public Safety Diver Bar

- A. The Public Safety Diver Bar will be awarded to members of the Dallas Underwater Recovery Team (DURT) who have attained the ranking of Public Safety Diver through the International Association of Nitrox and Technical Divers (IANTD) or equivalent certification.
- B. If this bar is being worn on an officer's uniform, then the Dallas Underwater Recovery Unit Member Bar will not be worn.

### 414.24 The Dallas Underwater Recovery Team Member Bar

- A. The Dallas Underwater Recovery Unit Member Bar will be awarded to any certified member of the Dallas Underwater Recovery Team (DURT).
- B. If this bar is being worn on an officer's uniform, then the Public Safety Diver Bar will not be worn.

# Dallas Police Department General Order

## 414.00 Departmental Decorations

Revised 4/5/2023

### 414.25 The Fitness Bar

- A. The Dallas Police Department encourages everyone to maintain a level of fitness that is necessary to perform the essential needs of their job function. There are voluntary fitness programs for all personnel which include Commitment to Fitness, functional training and group workouts. These programs are coordinated by trained professionals and address fitness education, goal setting, support, and evaluation. Personnel are encouraged to obtain medical advice from their physician prior to participating in any fitness program.
- B. The Fitness Bar will be awarded to any officer who has completed the Commitment to Fitness program and has passed the Fit Force test by the third attempt.

### 414.26 The Drug Recognition Expert Bar

- A. All officers of the Department who are designated Drug Recognition Experts will be required to wear this bar. The bar will have a blue and gold background with *D.R.E.* in the center.
- B. The DRE Bar will be worn as long as the officer is designated as a DRE officer by the Division Commander. The DRE Bar will become a permanent award for any officer who remains certified for any consecutive five-year period. The Department DRE Coordinator will be responsible for certification of an officer's DRE status over the required time period for purposes of making the DRE Bar a permanent award. This award procedure will be retroactive to November 1, 1990.
- C. Permanent award of the Drug Recognition Expert Bar will be accomplished via a memorandum sent by the DRE Coordinator through the individual's Division Commander to the Commander of the Personnel and Development Division. The memo will document the five consecutive years of service as a DRE officer. A copy will be placed in the officer's personnel file.
- D. It is the responsibility of the Department DRE Coordinator to ensure that officers holding DRE status are issued a bar; and that the bar is returned to the DRE Coordinator should the officer be removed from DRE status either voluntarily or by the DRE Coordinator or the individual's Division Commander.

### 414.27 The Perfect Attendance Award

- A. The Perfect Attendance Award will be awarded to all sworn and non-sworn employees of the Police Department who distinguish themselves by perfect attendance. A bar will be awarded to sworn personnel and uniformed non-sworn personnel.
- B. This award is based upon five-year increments. The years are to be consecutive; that is, to receive a five-year award, an employee must have five consecutive years without taking any sick leave. To receive a ten-year award, an employee must have ten consecutive years without taking any sick leave, etc. No previously issued award will be canceled. When an employee has taken sick leave, the day following the sick leave begins a new increment.
- C. Any break in service or leave without pay will require the employee to begin a new increment.
- D. Annually in February, the Personnel and Support Division will conduct a review of sworn and non-sworn time cards. Organizational Commanders will be notified of those employees who will become eligible for the Perfect Attendance Award in the coming year. Upon the date of the employee's eligibility for the award, the immediate supervisor will forward a copy of the employee's time card to the Personnel and Support Division with a memo indicating the dates and number of years of perfect attendance the employee has completed. The Personnel and Support Division will then forward the award to the Division or Section Commander for presentation.
- E. To be eligible for the Perfect Attendance Award (with bar), Reserve Officers are required to work at least 300 hours each year for five consecutive years. Additional awards for 10, 15, 20 years, etc. are earned by working the 300-hour minimum each year.
  - 1. The Reserve Coordinator will review the activity hours of those Reserve Officers eligible for the Perfect Attendance Bar and submit the information to the Personnel and Support Division upon the date of the officer's eligibility for the award.
  - 2. Reserve Officers and Supervisors may not count more than 100 hours of administrative or other non-field work toward each year's minimum activity requirement for this award.

### 414.28 The Explorer Advisor Bar

- A. All officers of the Department who are designated Explorer Advisors or Associate Advisors will be authorized to wear this bar. The bar will have a blue field with one gold vertical stripe near each end and the Explorer emblem in the center.
- B. The bar will be worn as long as the officer is designated as an Advisor by the Division Commander. Appointment and termination of Advisor status will be by the Division Commander in a memo to the officer. The Explorer Advisor Bar will become a permanent award for any officer who trains for any consecutive five-year period. Division Commanders will be responsible for certification of an officer's Advisor status over the required time period for purposes of making the Advisor Bar a permanent award. This award procedure was retroactive to January 1, 1990.
- C. Permanent award of the Explorer Advisor Bar will be accomplished via a memorandum sent by the Division Commander to the Commander of the Personnel and Support Division. The memo will document the five consecutive years of service as an Advisor. A copy will be placed in the officer's personnel file.
- D. It is the responsibility of the Advisor's Division Commander to ensure that officers holding Advisor or Associate Advisor status are issued a bar; and that the bar is returned to the Division Commander should the officer be removed from Advisor or Associate Advisor status either voluntarily or by the Division Commander.

### 414.29 The Choir Bar

The Dallas Police Choir Bar will be awarded to members of the Dallas Police Choir who:

- A. Are choir members in good standing for two years.
- B. Attended at least 33% of all Choir functions during that time.

# Dallas Police Department General Order

## 414.00 Departmental Decorations

Revised 4/5/2023

### 414.30 The L.E.T.S. Instructor Bar (Currently in Suspension)

- A. All officers of the Department who are designated active L.E.T.S. instructors will be authorized to wear this bar. The bar will have a red field with the letters *L.E.T.S.* in gold in the center.
- B. The bar will be worn as long as the officer is designated as an active L.E.T.S. instructor by the L.E.T.S. program supervisor. Certification as a L.E.T.S. instructor will be awarded as a result of successful completion of a L.E.T.S. instructor course. The L.E.T.S. Instructor Bar will become a permanent award for any officer who teaches a minimum of two classes per session for a minimum of three years. The L.E.T.S. program supervisor will be responsible for certification of an officer's instructor status over the required time period for purposes of making the L.E.T.S. Instructor Bar a permanent award. This award procedure was retroactive to September 1, 1996.
- C. Permanent award of the L.E.T.S. Instructor Bar will be accomplished via notice to the Commander of the Personnel and Development Division. The notice will document three years of service as a L.E.T.S. instructor. A copy will be placed in the officer's personnel file.
- D. The L.E.T.S. supervisor is responsible for ensuring that officers certified as active L.E.T.S. instructors are issued the bar, and that the bar is returned to him/her should the officer be removed from active L.E.T.S. instructor status.

### 414.31 The Kids and Cops Trading Cards Bar

- A. The Kids and Cops Trading Cards Bar will be awarded to members of the Department who:
  - 1. Are selected as participants in the annual Kids and Cops trading cards program; and
  - 2. Who attend at least 50% of the scheduled card-signing events during the calendar year for which they were selected.
- B. Award of this bar is retroactive to the program's inception with the 1<sup>st</sup> Edition.

### 414.32 The State Fair Bar

- A. All sworn or non-sworn police personnel who complete three years of satisfactory assignment to the State Fair of Texas will be authorized to wear this bar.
- B. Satisfactory assignment is achieved by working the State Fair Police Detail for the complete operational time period (excluding any normally assigned days or approved absences for exigent circumstances).
- C. Award of the State Fair Bar will be accomplished via memorandum sent by the employee to the Field Services Division Commander thru the Tactical Support Unit. The memorandum will document the three years worked by the employee. Once approved, the Field Services Division Commander, or designee, will forward the approved memo and award to the employee's Division Commander. The awarded employee's chain of command will ensure a copy of the approved memorandum is placed both in the employee's personnel file and submitted to the Internal Affairs Division for inclusion in the employee's IAD resume.
- D. Award of this bar is retroactive to September 1999.

### 414.33 The Honor Guard Bar

- A. All officers of the Department who are active members of the honor guard will be authorized to wear this bar. The bar will be blue with a gold stripe in the middle. 'HONOR GUARD' will be displayed in black writing within the gold stripe.
- B. The bar will be authorized for wear as long as the officer is designated a member of the Dallas Police Honor Guard by the Honor Guard Commander. The Honor Guard Bar will become a permanent award for any officer who is a member of the Dallas Police Honor Guard for any consecutive five (5) year period.
- C. The award of this bar is retroactive since the Honor Guard's inception in 2008.
- D. Permanent award of the Honor Guard Bar will be accomplished via memorandum sent by the Honor Guard Commander to the Commander of the Personnel and Support Division.
- E. It is the responsibility of the Honor Guard Commander to ensure that officers in the Honor Guard are issued a bar; and that the bar is returned to the Honor Guard Commander should the officer be removed from the Honor Guard either voluntarily or by the Honor Guard Commander.

### 414.34. The United States Military Veteran Award

- A. Awarded to any sworn or non-sworn employee who has been honorably discharged from any branch of the United States Armed Forces.
- B. To be eligible for the one-time presentation of the United States Military Veteran Award, the employee must provide a copy of a DD214 verifying service. Approval and verification of this award is through the Department's Military Liaison Officer.
- C. Employees who were previously or currently in a Reserve Component of the Armed Forces and who were/are subsequently deployed while employed by the Department under "Active Duty" orders under 10 USC (US Code) 12301, 12302, 12304, or 12406 will be awarded and authorized to wear the gold-colored, five-point star centered on the original bar awarded.
- D. This award is retroactive to all personnel sworn and non-sworn who are currently employed by the Dallas Police Department.

### 414.35 The Recruiting Award

- A. Awarded to any sworn or non-sworn employee who is assigned to the Recruiting Unit for 3 years.
- B. Awarded to any sworn or non-sworn employee that is not assigned to the Recruiting Unit that meets the following criteria:
  - 1. Recommends three people to join the Dallas Police Department; and
  - 2. The individual puts the officer's name on their City of Dallas Civil Service application; and
  - 3. The individual completes the hiring process and starts the Basic Training Academy

**Dallas Police Department General Order**  
**414.00 Departmental Decorations**

Revised 4/5/2023

- C. The Applicant Processing Sergeant will maintain the list of officers that have successfully recommended someone who joined the Dallas Police Department. The award will be issued by the Employee Relations Unit.
- D. The bar will be black with gold trim with gold "RECRUITER" in the center.
- E. This award will be effective January 1, 2020 and is not retroactive.

**414.36 The Active Bystandership in Law Enforcement (ABLE) Bar**

- A. The ABLE bar will be awarded to sworn officers who successfully complete the eight-hour block of Active Bystandership in Law Enforcement instruction.
- B. This bar will be effective immediately and is retroactive to all sworn officers, who have completed the Active Bystandership in Law Enforcement Training.
- C. The In-Service Training Academy is responsible for maintaining the records for officers completing ABLE training and will issue the bar upon successful completion of training.



## Dallas Police Department General Order

### 415.00 Training Advisory Board

Revised 01/30/07

#### 415.00 TRAINING ADVISORY BOARD

- A. In compliance with Texas Commission on Law Enforcement (TCOLE) guidelines, the Chief of Police will appoint a minimum of three individuals to the Training Advisory Board to advise on the development of curriculum. The Chief of Police may remove an appointed member at any time; however, appointments will normally be for a three-year period.
- B. Law enforcement personnel may be assigned to the Training Advisory Board; however, at least one-third of the members must be private citizens. The Chief of Police and the Police Training Manager will be ex-officio, non-voting members. Decisions will be made by a majority vote.
- C. The Police Academy will furnish a stenographer to keep minutes of the meetings and records of the membership.
- D. The Training Advisory Board is generally responsible for advising on curriculum development and must:
  1. Effectively discharge its responsibilities and otherwise comply with TCOLE rules.
  2. Provide information concerning needs for training, advise on the type of training courses to be offered and the effectiveness of training, and provide other information that may be useful to the Academy or the Police Training Manager.
  3. Meet at least once each calendar year. More frequent meetings may be called by its chairperson, the Chief of Police, or the Police Training Manager.
  4. Comply with the Open Meetings law and keep written minutes of all meetings. The minutes must be retained for a period of five years at the Academy. Copies of the minutes will be distributed as follows:
    - a. One copy placed on file at the Academy.
    - b. One copy to Board members.
    - c. One copy to the Commission (TCOLE).



## Dallas Police Department General Order

### 416.00 Field Training

Revised 4/19/2024

#### 416.00 FIELD TRAINING

##### 416.01 Field Training Officer

- A. The main responsibility of a Field Training Officer (FTO) is to train a police officer who can work in a safe, skillful, and professional manner through on-the-job training and evaluation.
- B. Field Training Officers will also be expected to assist with In-Service and Basic Academy training when required.
- C. Qualifications to become a Principal FTO or a relief FTO are outlined in the *Field Training Program Manual*.
- D. The minimum allocation of Principal FTO positions at each division are set by the Field Training Oversight Unit.
- E. Compensation for FTOs is addressed in General Order 206.14.
- F. Field Training Officer, Senior Field Training Officer, and the Master Field Training Officer bars are addressed in General Order 414.

##### 416.02 Recruit Officer Training and Probationary Period

- A. Length of Training
  - 1. The standard length of the field-training program will be 24 weeks. The length of training may be extended based upon need.
  - 2. Lateral Police Officer Trainee IIs (Lateral Recruit Officers) will start with the standard-length Field Training Program but may be accelerated as detailed in Patrol SOP 110.
  - 3. Recruit officers who commit a gross violation of Departmental rules of conduct may be recommended for termination at any time.
  - 4. The Personnel and Development Division will be notified of any change in the status of a recruit officer.
- B. Length of Probationary Period
  - 1. There will be a probationary period of six months after a recruit officer is removed from training status. Two months of the six-month probation will require the probationary officer to be assigned with a senior officer. The two-month assignment may be waived upon recommendation of the First Assistant Chief or a Patrol Bureau Commander.
  - 2. Under no circumstances will the probationary period end less than one year from the recruit officer's date of appointment.
- C. Recruit officers will not be eligible for vacation or sick leave until six months from their date of appointment however, they are eligible for sick leave with approval from a Training Section Supervisor.
- D. Appeal Procedure
  - 1. Although a recruit officer has no right of appeal (as stated in the Civil Service Rules), any recruit officer recommended for termination for failure of field training may discuss the termination recommendation with anyone in the chain-of-command up to the level of Bureau Commander.
  - 2. All recommendations to terminate a recruit while on field training will be fully documented and forwarded through their Division Commander to the Patrol Bureau Commander. The Patrol Bureau Commander will conduct a review and forward his/her recommendation to the Chief of Police who will make the final decision whether to terminate the recruit.



## Dallas Police Department General Order

### 417.00 In-Service Training

Revised 07/29/2020

#### 417.00 IN-SERVICE TRAINING

##### 417.01 Assignment to Advanced Training Courses

- A. Policy - Organizational Commanders will be responsible for the continuing training of personnel under their command, to include:
  - 1. Identifying advanced training needs so that all personnel may receive adequate specialized training to effectively carry out their respective assignments.
  - 2. Staying informed as to upcoming schools that may satisfy training needs.
  - 3. Effectively assigning personnel to attend training.
  - 4. Ensuring personnel under their command meet training requirements through the use of periodic reports furnished by the Training Section.
- B. Procedures
  - 1. The Training Section will be responsible for providing staff assistance to Organizational Commanders in carrying out their continuing training responsibilities. This includes but is not limited to:
    - a. Identifying and evaluating schools that may satisfy Departmental advanced training needs and developing advanced training unavailable through established schools.
    - b. Keeping Organizational Commanders informed of upcoming schools.
    - c. Coordinating all requests for assignment to schools.
    - d. Announcing, via memorandum, the starting and ending dates for TCOLE training cycles at the beginning of the two-year cycle.
  - 2. At the midpoint and six months before the end of the TCOLE cycle, the Training Section will forward to each Organizational Commander a list of officers under their command who are not in compliance.

##### 417.02 In-Service Training Order Procedures

- A. Thirty days prior to an in-service course, the Training Section will issue a Training Order announcing the course. This Training Order will include:
  - 1. A brief synopsis of course content.
  - 2. Specific dates, times and locations.
  - 3. A suspense date for the return of personnel nominations.
  - 4. An organizational allocation sheet listing the maximum attendees allowed per organizational number.
- B. Final selection of personnel to attend courses will be determined by the In-Service Training Team. Two weeks prior to a course, the Training Section will issue a Training Order supplement announcing course attendees. Organizational Commanders and their Training Coordinators will receive copies of the Training Order and will be responsible for notifying the affected personnel:
  - 1. Course attendance is a duty assignment, and classes are held from 8 a.m. to 5 p.m., unless otherwise specified. Employees scheduled to attend training courses are required to be on time. An employee who is tardy will document the reason for being late on a form supplied by Training Section personnel. This form will be forwarded to the employee's supervisor for further consideration and a copy placed with the training records for the class attended. Any employee who is more than 30 minutes late for class will be considered absent and may not be allowed to remain in class. The employee will be advised to contact an on-duty supervisor at the organizational level for reporting assignments. Any adjustments to schedules and personal leave will be handled at the organizational level.
  - 2. Personnel are required to attend all hours of training. Personnel leaving the class for any reason, temporarily or otherwise, while class is in session, must inform the class instructor, training class coordinator or training supervisor. Personnel will be required to sign out upon their departure on the In-Service Training roster where indicated, citing the reason. They will be required to sign in upon their return. Failure to do so will result in the individual's chain of command being contacted and could result in possible disciplinary action.
  - 3. With approval of an In-Service Training Coordinator, an employee who misses part of the class may receive credit for the course if: the employee misses no more than 10% of the class course, is not tardy, and completes all performance evaluation measures. Failure to successfully complete required hours or to demonstrate written or skills proficiency in courses requiring a certain competence will result in a recommendation that the officer repeat the course before credit may be awarded.
  - 4. All training courses are considered duty assignments. Personnel are expected to dress in a professional manner. (Personnel will not be permitted to wear shorts, mini-skirts, excessively revealing clothing or sloppy, torn, or dirty clothing.) Exceptions to wearing shorts and T-shirts will be made for classes that require physical activity, defensive tactics training, or firearms training. Personnel who arrive for training courses dressed inappropriately will be subject to being sent home to change or being returned to their duty assignment.
  - 5. All personnel attending classes at the Training Section must display an authorized badge or identification card on their outer clothing.
  - 6. Personnel unable to attend a course should notify their immediate supervisor as soon as possible. The immediate supervisor will notify the Organizational Training Coordinator. If time permits, the Organizational Training Coordinator will submit a memorandum to the Training Section stating that the employee will be unable to attend the course and include the name of any substitute, if substitutions are permitted. If there is insufficient time to submit a memorandum, the Organizational Training Coordinator will notify the In-Service Training Team

# Dallas Police Department General Order

## 417.00 In-service Training

Revised 07/29/2020

by telephone. Substitutions may be determined by Training Section personnel based upon available seating and course nominations. The reason for failure to attend must be documented in memo form and be forwarded to the Training Section; In-Service Training Unit, stating the reasons and who was contacted at the Training Section.

7. Personnel, arriving to attend a class for which they are not scheduled, will be subject to being returned to their duty assignments. Any adjustments to schedules and personal leave time will be handled at the organizational level.
  8. To ensure proper TCOLE and/or Departmental credit, each person must sign their initials on the attendance roster each day of the course.
- C. Officers attending courses sponsored by other agencies should notify their Organizational Training Coordinator to ensure proper credit is received. In order to receive TCOLE credit for training provided by a non-TCOLE licensed provider, a copy of the certificate of completion of training, showing the dates, times and course name, must be submitted to the Training Section within 15 days of the completion of the training. Information received after the TCOLE deadline will be eligible for Department credit only and will not be reported to TCOLE. It will not count toward satisfying the 40-hour in-service training requirements. Outside agency courses will be credited for in-service training on a case by case basis.
- D. Failure of a TCOLE licensed employee to attend the required training in a two-year cycle will be documented at the end of the training cycle. The documentation will be forwarded to the Chief of Police for further action.
- E. Failure of TCOLE licensed employees to attend mandated training within the two-year cycle of training will subject the employee to appropriate disciplinary action, up to, but not limited to, the suspension or revocation of the TCOLE License.

### 417.03 Organizational Training Coordinators

- A. To facilitate training record documentation, each Organizational Commander shall appoint a Training Coordinator for liaison with the In-Service Training Team of the Training Section.
- B. The responsibilities and procedures to be followed by the Organizational Training Coordinators are incorporated in the Standard Operating Procedures of the Training Section. Each appointed Training Coordinator will be issued a copy of job duties and responsibilities from the Training Section. Training Coordinators will be held accountable to the procedures established for the position.
- C. It shall be the responsibility of the In-Service Training Team Supervisor to schedule quarterly meetings with the Organizational Training Coordinators to ensure good working relationships and to provide information that will assist them in carrying out their job duties.

### 417.04 Defensive Tactics In-Service Training

- A. The Training Section will conduct Defensive Tactics In-Service Training on a continuing basis. No Defensive Tactics Training will be conducted by Dallas Police Department personnel outside of the Training Section program outlined below.
  1. All sworn personnel are required to attend this training.
  2. Other uniformed non-sworn personnel may be assigned at the discretion of their Division Commander to the Empty Hand Course (No Baton).
  3. Required Defensive Tactics In-Service Training courses for each TCOLE training cycle are one of the following:
    - a. Defensive Tactics with Straight Baton/Expandable Baton Course - 8 hours
    - b. Defensive Tactics with PR24 Baton Course - 8 hours
    - c. Defensive Tactics - Empty Hand Course (No Baton) - 8 hours
    - d. Defensive Tactics - Administrator Course (Lieutenants and above) - 4 hours.
  4. Employees with medical conditions, certified by a Physician's Statement, that prohibit them from engaging in defensive tactics training may be exempted until they return to full duty status. Organizational Commanders or Organizational Training Coordinators will ensure personnel returning from light duty receive the required training.
- B. Assignment of Defensive Tactics Instructors
  1. Any Certified Defensive Tactics Instructor may be temporarily assigned, on a rotating basis, to assist the Training Section.
  2. The Training Section will maintain a roster of certified Defensive Tactics Instructors and will request their assistance through the instructor's Organizational Commander. Every effort will be made to assign Defensive Tactics Instructors when requested.

### 417.05 Employee Responsibilities for TCOLE Certification

- A. All sworn employees, including Reserve Officers, are required to attend in-service training classes in order to satisfy the 40-hour training requirement mandated by TCOLE.
- B. All personnel will attend, within the stated time frames, those departmentally mandated courses that directly affect their job duties and responsibilities.
- C. Sworn employees, including Reserve Officers, who due to extraordinary circumstances are unable to attend and satisfactorily complete the required 40-hours of training within a two-year cycle, must request a waiver from TCOLE in order to maintain their certification. The waiver will be initiated by the employee in a Special Report addressed to the Chief of Police outlining the circumstances that prevented the employee from obtaining the required training. The Chief of Police will make the final determination as to what disciplinary action or administrative action will be taken and whether to endorse the request for waiver.

### 417.06 Adjunct Instructors

# Dallas Police Department General Order

## 417.00 In-service Training

Revised 07/29/2020

The Basic and In-Service Academies depend on the use of Adjunct Instructors to facilitate training. Instructors are only to be requested by the Class Coordinators through official documentation. These Instructor requests are duty assignments. Due to staffing needs of the Department, the following rules apply for Adjunct Instructors:

- A. Divisions should recognize the importance of training and shall assist the Academy in providing instructors as they are requested.
- B. Instructors below the rank of sergeant must obtain approval from their 2<sup>nd</sup> level supervisor in order to teach. Division Commanders will be notified by the training section when their personnel are requested to teach.
- C. Instructor requests must be returned to the training section whether approved or denied
- D. If denied, the reason for denial will be explained on the instructor request.
- E. Compensation for those instructors that work on their off days will be at the discretion of the instructor's division.
- F. Instructors that are on their regular workday will be required to return to their regular duty assignment and complete their tour of duty for that day, if the block of instruction is less than eight hours.
- G. Specific permission must be obtained from the instructor's Watch Commander, ahead of the date of instruction, to use personal time off for the remainder of the shift, if the instructor does not wish to stay at work. This will allow the Watch Commander to effectively manage manpower.

### 417.07 Departmental Training

- A. In addition to the State legislative requirements, which all employees must comply with, the Department will provide annual training for employees as it relates to their required job functions.
- B. All employees of the Dallas Police Department are required to attend training to which they have been assigned.
- C. This training will be completed according to the time frame set forth by state law and Departmental need.
- D. The Departmental training may include the following courses that directly affect the employee's job function, but are not limited to:
  1. Use of Force
  2. Bias Based Policing, Cultural Diversity
  3. Legal Updates
  4. Ethics and Integrity
  5. Departmental policies and procedures to include updates
  6. Review of case law affecting law enforcement operations
  7. Report writing and records management
  8. Emergency operation plans
  9. New investigative techniques or methods.
  10. Accreditation Process
  11. Other such subjects as required or needed.

### 417.08 Non-Sworn Orientation Training

- A. All new non-sworn employees are required to attend the 2-day City of Dallas New Employee Orientation prior to reporting to the Dallas Police Department. This does not apply to those who are transferring from one Department to another Department in the City of Dallas. This training includes but is not limited to:
  1. Payroll Processing AD 3-01
  2. Sexual Harassment AD 3-61
  3. Workplace Violence AD 3-63
  4. Current Environmental Management Consent Decree
  5. Customer Service Training
  6. Personnel Rules and Benefits
- B. Public Service Officers (PSO's) are required to attend and successfully complete the Public Service Officer class within one year of employment.
- C. The immediate supervisor of a new non-sworn employee to the Police Department is responsible for the employee's training to an acceptable level of competency in the assigned position.
- D. The immediate supervisor of a new non-sworn employee shall provide training to include:
  1. The assigned office's role, purpose, goals, policies and procedures
  2. Working conditions and regulations
  3. Responsibilities and rights of the employee
- E. The employee shall be provided a current copy or provided access to:
  1. Unit's Standard Operating Procedures (SOP)
  2. Departmental General Orders
  3. Code of Ethics.
- F. The immediate supervisor will make sure that the new employee is provided the information for the following items within thirty days of hiring:
  1. Code of Conduct
  2. Rank and Structure
  3. Purpose of the Accreditation Process
- G. All non-sworn employees regardless of assignment will take at a minimum the 8 hour NCIC/TCIC training class and recertify every two years or as mandated by State Law.
- H. Upon completion of the orientation training of the new non-sworn employee, a form titled Non-Sworn Orientation will be signed by the non-sworn employee and the immediate supervisor and forwarded to the Division Commander for approval and a copy placed into the employee's Unit file. The original will be forwarded to the Employee Records and Special Research Unit of the Personnel and Development Division. The form can be located on the N:\Drive – Forms - Personnel\Non-Sworn Orientation.

**Dallas Police Department General Order**  
**417.00 In-service Training**

Revised 07/29/2020

**417.09 Non-Sworn Required Training**

- A. The non-sworn positions requiring specialized pre-service or in-service training include:
  - 1. Crime Scene Technicians
  - 2. Academy Training Instructors (TCOLE Instructor Training)
  - 3. Public Safety Officers (PSO Basic Course)
  - 4. Police Dispatchers
  - 5. Promotion to any First Line Supervisory Capacity
- B. The specialized pre-service and/or in-service training should include the development and advancement of skills, knowledge, abilities, and performance standards of that area of specialization. Departmental policy, procedures, rules and regulations should be addressed as they pertain to that specialty. This includes the management, administration, supervision, and support services of that function.
- C. Non-Sworn positions not requiring specialized training shall be given documented, on-the-job training within the first 6 months of hiring or promotion.



## Dallas Police Department General Order

# 418.00 Weapons Training and Safety

Revised 9/27/2023

### 418.00 WEAPONS TRAINING AND SAFETY

#### 418.01 Primary Weapons, Specialty Weapons, and Ammunition

- A. The Glock 9mm semi-automatic pistol is the primary duty weapon issued by the Department. Approved Glock semi-automatic pistols to include MOS (Modular Optic System) pistols may be purchased by officers at their own expense and carried as a primary duty weapon if:
  1. The specific Glock model MOS (Modular Optic System) is included on the current list of authorized weapons maintained in the Firearms Training Center (FTC).
  2. The officer purchases and maintains the approved holsters, magazine pouch, and necessary leather gear under Section 802.21 to carry the weapon as a primary duty weapon.
  3. The officer attends and passes a Pistol Red Dot weapon transition course at the Firearms Training Center.
- B. Glock pistols purchased by the City of Dallas will be issued to the officer with the City retaining ownership of the pistol.
- C. A current list of **all** makes and specific models of weapons authorized by the Chief of Police for carry as a primary weapon will be maintained in the Firearms Training Center and submitted to the Chief of Police no later than October 1 of each fiscal year. Specialized units utilizing weapons other than those authorized in the Firearms Training Center will submit their list of approved weapons and ammunition to the Chief of Police no later than October 1 of each fiscal year.
- D. Only factory ammunition issued by the Firearms Training Center or the same type **ammunition** purchased by an officer will be carried in the primary weapon.
  1. The duty ammunition will be the 9mm
  2. 357 ammunition is no longer authorized
- E. No modification, alteration, or changes of parts may be made to any weapon carried by any member of the Department without prior approval of the Rangemaster. This includes the installation of after-market grips. Approval of any changes to the weapon will be generally limited to optional accessories approved by the weapon manufacturer.
- F. All repairs, modifications, or alterations of weapons will be performed by or coordinated through the Firearms Training Center. Weapons not repaired on-site will be referred to a warranty repair station authorized by the weapon manufacturer. After repairs are completed and the weapon is returned, it must be inspected and test-fired by Firearms Training Center personnel.
- G. Officers who choose to use a pistol-mounted light on their primary weapon may do so only if the following criteria are met:
  1. It is an approved light, authorized by the Rangemaster, which are Streamlight, Surefire, and Insight Technology.
  2. The pistol must be specifically designed to accommodate the light.
  3. The officer has attended a pistol low light class with the light mounted on the weapon, utilizing an approved holster that accommodates the weapon with the light mounted at the FTC.
  4. Pistol-mounted light will **NOT** be controlled (activated or deactivated) with any part of the firing hand.
  5. Pistol-mounted lights will remain affixed to the weapon at all times. Officers will not remove the light from the weapon for any reason other than routine cleaning and maintenance and only after the weapon has been rendered safe (**unloaded**).
  6. **Pistol-mounted lights will not be used for general illumination purposes.** Pistol-mounted lights will **ONLY** be deployed when an officer is justified in deploying his or her weapon.
  7. Pistol-mounted lights will have the following characteristics:
    - a. Constant off.
    - b. Be controlled by a switch that is actuated by the off-hand thumb with the following modes:
      - I. Constant off.
      - II. Constant on.
      - III. Momentary on.
    - c. The switch is located to the rear of the light so that it is just forward of the trigger guard when mounted to the weapon.
    - d. All lights will have a black housing.
  8. The following features are PROHIBITED on a pistol-mounted light system:
    - a. Any type of pressure switch, pressure pad, or similar device such as the Surefire DG pressure switch.
    - b. Laser sighting capability.
    - c. Colored lenses or filters.

#### 418.02 Firearms Proficiency

- A. Firearms proficiency will be scheduled no less than once each year. All firearms will be inspected annually by a designated and certified armorer for proper functioning. All personnel required to carry a firearm must attend. TCOLE requires all officers to be qualified with any weapon carried in an official capacity while on or off duty.
  1. Weapons include primary-duty handguns, backup/off-duty handguns, shotguns, and patrol rifles. Officers electing not to carry a shotgun may sign a waiver at the Firearms Training Center exempting them from qualifying with a shotgun. Once the waiver is signed the officer may not carry or deploy a shotgun under any circumstances. This waiver may be rescinded at any time by contacting the Firearms Training Center and qualifying with the shotgun.
  2. Qualification and record keeping for specialized weapons, such as MP5s and rifles, will be the responsibility of the individual units who use these weapons (i.e.: Tactical and Narcotics).
- B. Qualification requirements will be established by the Rangemaster and approved by the Training Commander. These requirements will be continually updated to reflect the needs of the Department regarding deadly force situations.

# Dallas Police Department General Order

## 418.00 Weapons Training and Safety

Revised 9/27/2023

- C. Should any member of the Department fail to meet the minimum standards during a standard qualification period, the following steps will be taken:
  - 1. First failure to qualify - Officers will be scheduled to qualify on the next relay or the next qualification day. If an officer has to be scheduled for the next qualification day, his or her Division will be notified by telephone and faxed a memorandum from the Rangemaster. The original memorandum will be given to the individual officer to hand deliver to his or her Division.
  - 2. Second failure to qualify
    - a. Officers who fail to qualify on their second attempt will take the "second failure" memo to a supervisor on their watch.
    - b. The supervisor receiving the "second failure" memo will **immediately disarm** the officer and notify the officer's Organizational Commander. Remedial training will be scheduled by the Firearms Training Center.
    - c. The Firearms Training Center will notify a supervisor on the officer's watch by telephone immediately after an officer fails to qualify on the second attempt or during remedial training. Additionally, the officer's Organizational Commander will be notified by memo on the next workday. This memo will include the date, time, and name of the supervisor contacted by the Firearms Training Center.
  - 3. When an officer fails to qualify after their second attempt they will be disarmed and placed into a handgun remedial training program. The officer will be given intensive remedial training for a period of four hours and then be given two additional attempts to qualify. If the officer is still unable to qualify the officer will be given a second four-hour block of intensive remedial instruction. The officer will then be given two additional opportunities to qualify. If the officer is still unable to qualify after eight hours of remedial training and six qualification attempts then a recommendation for disciplinary action up to termination will be made by the officer's chain of command. This recommendation will be based on the officer's prior qualification history and disciplinary action.
- D. All officers successfully completing remedial training will be placed into a Firearms Proficiency Improvement Program.
  - 1. Officers must report to the Firearms Training Center monthly, draw 50 rounds of ammunition, and practice with the assistance of a FTC Firearms Instructor.
  - 2. Officers will remain in the program until the next qualification period.
- E. While on duty, each sworn member of the Department will carry a sidearm with which he or she has qualified. The authority to carry a specific sidearm extends from the date of qualification for one calendar year or until the end of the next scheduled Department qualification.
- F. The Training Section will notify the officer's Organizational Commander when an officer qualifies.
- G. Department Scheduled Qualification
  - 1. The Qualification Training Order will be sent to each of the Bureau Commanders with a 30-day suspense date.
  - 2. Each unit will supply names of officers with the dates and times that they have been assigned according to the training order.
  - 3. If an officer is unable to attend for any reason, the officer's supervisor will contact the Firearms Training Center to set up another qualification date. If the officer fails to attend the second scheduled qualification, a memo will be sent to the officer's chain of command. It will be up to each officer's chain of command to determine what form of discipline is warranted for failing to show up for their assigned qualification.
  - 4. If an officer fails to qualify during spring qualifications and does not have an approved exemption on file with the Firearms Training Center, a memo of non-compliance will be sent to the officer's chain of command. The supervisor receiving the non-compliance memo will **immediately disarm** the officer and notify the officer's Organizational Commander.
  - 5. During primary weapon qualifications, officers will be scheduled to qualify with only one primary weapon.
  - 6. TCOLE requires that officers qualify with fifty rounds for each handgun used. All qualifications will be fired using approved factory-loaded ammunition. The only ammunition that will be approved is the duty ammunition issued by the Firearms Training Center during the previous departmental qualification. No reloaded or custom-loaded ammunition will be permitted. During primary weapons qualification, ammunition for one primary weapon will be furnished. Fifty rounds per weapon of approved ammunition will be provided by the officer for backup/off-duty weapons. Officers will call the Firearms Training Center for an updated list of all duty and off-duty ammunition.
  - 7. Officers, who due to job assignment need to qualify with a weapon in addition to their departmental primary weapon, must contact the Rangemaster to get approval for weapon and schedule qualification. In these instances, officers must supply their own ammunition, and it must be of the same type as issued by the Firearms Training Center.
  - 8. Officers who have transitioned to semi-automatic pistols may not qualify with a primary weapon of a different brand unless permission is obtained from the Rangemaster, and the officer attends and passes a weapon transition course at the Firearms Training Center.
  - 9. Officers qualifying with backup/off-duty weapons must provide appropriate equipment such as holsters and magazines or reloaders.
  - 10. When an officer's non-qualification status due to a short-term illness or injury exceeds one calendar year qualification period, the officer's supervisor will schedule a make-up qualification and verify that the officer qualified **before** the officer is allowed to return to full duty status.
  - 11. Officers must notify their supervisor when they become aware that they will not be able to attend a qualification period for **any reason** (i.e. medical or injury). The supervisor will, upon notification, submit a memorandum documenting the reason to the Firearms Training Center through their Assistant Chief/Executive Assistant Director. This documentation is necessary at the beginning of the qualification period and for each qualification period not attended.
  - 12. Computerized records shall be maintained in all cases to record who has qualified along with the weapons/ammunition that were utilized during qualification by the FTC.

# Dallas Police Department General Order

## 418.00 Weapons Training and Safety

Revised 9/27/2023

### 418.03 Weapons, Ammunition, and Proficiency Guidelines for Officers in Specialized Units

- A. Officers assigned to covert operations or specialized assignments may carry weapons and ammunition other than those listed in the Firearms Training S.O.P. only if one of the conditions below is met:
  - 1. It is not practical to carry an approved weapon.
  - 2. The Chief of Police approves in writing.
  - 3. The officer qualifies with the weapon.
  - 4. The Firearms Training Center is made aware of the approved weapon/ammunition.
- B. Nothing in this order will prohibit officers engaged in tactical operations from using specialty weapons as delineated in their divisional S.O.P.
- C. Officers in specialized units that utilize additional or specialized weapons shall qualify with those weapons as required by the unit's standard operating procedures. In all cases, every officer in a specialized unit shall qualify at least once a year with every weapon an officer intends on using while on duty. Remedial training procedures for officers assigned to specialized units that fail to qualify will be outlined within the unit's standard operating procedures.
- D. The regular maintenance and annual inspection of weapons utilized by specialized units will be the responsibility of the individual unit.

### 418.04 The Johnnie T. Hartwell Firearms Training Center

- A. The primary mission of the Johnnie T. Hartwell Firearms Training Center is the training and qualifying of members of the Dallas Police Department in the safe and effective use of authorized firearms.
  - 1. No person, including members of the Dallas Police Department, will use the Firearms Training Center except in the presence or with the permission of qualified Firearms Training Center personnel.
  - 2. Other governmental law enforcement agencies may use the Firearms Training Center. Such scheduling, however, will be secondary to the firearms training program of the Dallas Police Department.
  - 3. Citizen and private law enforcement agency use of the Firearms Training Center may be authorized by the Training Commander.
- B. All weapons fired or equipment used at the Firearms Training Center must be approved by the Rangemaster.
- C. All safety measures and instructions of the Department or the Rangemaster concerning use of the Firearms Training Center will be strictly obeyed.

### 418.05 Weapons Prohibited In Restricted Areas

- A. Weapons will not be carried into a prisoner-processing area, jail facility, or jail elevator. Where provided, officers will secure their weapons in lockers or with security personnel.
- B. Prior to testifying in federal court, officers will give their weapons to the U.S. Marshall's office in R16E1 at 1100 Commerce Street.

### 418.06 Firearms Safety

- A. Officers are responsible for the proper maintenance, operation, storage, and safe handling of all weapons they are assigned to use. The following basic safety rules will be strictly observed when handling any firearm:
  - 1. Always assume the firearm is loaded.
  - 2. Keep the muzzle pointed in a safe direction so that no human injury will occur and only minor property damage would result if the weapon discharged.
  - 3. Keep your finger off the trigger and outside the trigger guard until you are on target and intend to fire.
  - 4. Be sure of your target and background.
- B. Weapons will not be loaded or unloaded in or around any police building except at a designated area, i.e. clearing barrels. Maintenance, repairs, cleaning, and inspections will be conducted with unloaded weapons. Loaded weapons, other than officers' sidearms, will not be carried into any police facility.
- C. Non-uniformed officers will carry their sidearms in a holster when on duty, except when working an undercover assignment, and then only with permission of the Division Commander.
- D. Officers are responsible for the safe and proper storage of any weapon they are qualified to carry – both on-duty and off-duty. The following guidelines should be considered when determining the proper way to store any weapon:
  - 1. All firearms should be stored in an area that is not openly accessible, and be kept under locked conditions to protect its unauthorized use or theft.
  - 2. Never leave a firearm unattended if there is a possibility that someone other than the officer could handle the firearm.
  - 3. Secure all weapons in the home. Rifles, handguns, shotguns, and ammunition should be secured in a locked safe, cabinet, closet, or drawer.

### 418.07 Shotguns, Shells, and Cleaning Schedules

- A. Shotguns
  - 1. Only officers who have qualified with the departmental shotgun will be allowed to carry a shotgun while on duty.
  - 2. Shotguns will not be loaded or unloaded inside any building or vehicle.
- B. Personally Owned Shotguns
  - 1. Officers may purchase their own shotgun for on-duty carry if it meets the following criteria:
    - a. Must be a Remington Model 870 "Police Magnum" 12 gauge shotgun, Benelli M4, or Beretta 1301 Tactical Gen 2.
    - b. The barrel length must be 18" or 20".
    - c. Must have a standard 4-round magazine tube. Factory-extended tubes are authorized.

**Dallas Police Department General Order**  
**418.00 Weapons Training and Safety**

Revised 9/27/2023

- d. The officer's shotgun must be inspected by the Firearms Training Center Staff and approved for duty carry by the Rangemaster. Each officer must attend a familiarization class at the FTC
- e. The officer must qualify with the personally owned shotgun prior to carrying the shotgun in an on-duty capacity.
2. The following accessories will be approved for the officer's personally owned shotgun:
  - a. Surefire Forend, Streamlight Rackerlight kit, or any approved weapon-mounted light.
  - b. V-Tac Sling
  - c. Collapsible stock manufactured specifically for use on the Remington 870 Police Magnum Shotgun or any approved semi-automatic shotgun.
3. All modifications to the shotguns or installation of accessories must be done by the Firearms Training Center Staff.
4. Officers will qualify with their personally owned shotgun and have it inspected each year during annual shotgun qualifications.
- C. Shotgun Shells
  1. Only duty ammunition authorized by the Firearms Training Center will be carried in the personally owned shotguns.
  2. Shotgun shells will be examined before each tour of duty.
  3. Shells in need of replacement will be turned in to the appropriate supervisor or logistics officer for exchange.
  4. The supervisor or logistics officer will forward the returned shells to the Firearms Training Center for examination and disposition.
- D. Cleaning Schedules
  1. The Firearms Training Center will be responsible for scheduling shotgun cleaning for the uniformed Operations Divisions and the Traffic Section.
  2. All other divisions and sections will be responsible for scheduling shotgun cleaning on an as-needed basis with the Firearms Training Center.

**418.08 Secondary Weapons**

- A. Secondary weapons, both off-duty and backup, must meet a serviceability inspection by Firearms Training Center personnel and are limited to departmentally approved Glock 9mm weapons.
- B. Officers wishing to carry a secondary weapon other than the one with which they have qualified for on-duty use under Section 419.02 must first qualify with the weapon.
- C. Each officer must qualify with the secondary weapon at least once each year in a manner prescribed by the Rangemaster.



## Dallas Police Department General Order

# 419.00 Driving and Vehicle Safety

Revised 4/19/2024

### 419.00 DRIVING AND VEHICLE SAFETY

#### 419.01 Policy

- A. The purpose of this order is to initiate an organized effort, involving the participation of all personnel, to reduce the events of motor vehicle collisions and personal injuries. Legality will not be the sole determinant in assigning responsibility. All incidents of City equipment collisions will be reviewed, and responsibility assigned according to their preventability. Furthermore, corrective measures may be introduced whenever an employee's safety record or actions justify concern. It should be pointed out, however, that the major thrust of this order is directed toward preventing the occurrence of future collisions by motivation and training rather than by punitive action for those that have already occurred.
- B. The Dallas Police Department is dedicated to the principle that injury and damage reduction is an essential part of efficient and effective police operations. It will be Departmental policy to conduct all operations with a minimum of hazard to people, vehicles and other property, and support comprehensive programs designed to prevent or reduce injuries and property damage.
- C. The reduction of personal injuries and vehicle damage is recognized as a command responsibility. Commanding officers will put forth every effort to ensure that Departmental goals regarding the reduction of injury and damage are met. The commander who abandons his or her responsibilities in the injury and damage reduction effort will not fulfill that obligation to the Department or subordinates.
- D. The Department will place on non-driving status all Primary and Non-Primary drivers who have not taken or renewed the basic driver safety training (Defensive Driving Course, every three years) and/or, if a primary driver, a driver physical (every two years). All drivers will remain on non-driving status until *DDC* is completed. A primary driver who fails any portion of the driver physical is immediately on non-driving status. Failure of the driver physical includes being placed on a "medical hold status" and asked to return at a later date for retesting. The primary driver will notify his/her supervisor of the non-driving status, and if the primary driver was operating a city vehicle at the time of the driver physical, request assistance in transporting the city vehicle back to the assigned unit. A primary driver will remain on non-driving status until a Driver Safety Program physical is taken and passed at the City's Medical Provider.
- E. An employee must attend a departmental Remedial Driver Training course, if within the preceding 24-month period, the employee accumulates either three non-preventable collisions, two preventable collisions, one preventable collision that results in three cumulative points.
- F. An employee who does not successfully complete the Remedial Driving Training course will be placed on non-driving status until the course is successfully completed.

#### 419.02 Definitions

- A. COLLISION is an unplanned event definite as to time and place involving the operation of City equipment in which contact is made. This also includes cargo or objects falling from City equipment.
- B. CITY EQUIPMENT is a licensed or unlicensed apparatus, vehicle, or machine, which is:
  - 1. owned by, leased, rented, loaned, or donated to the City;
  - 2. Driven, ridden, operated or controlled by an employee, reserve police officer, or reserve specialist;
  - 3. privately owned vehicles driven in the course and scope of City business.
- C. PREVENTABLE COLLISIONS are collisions in which the driver or other employee:
  - 1. Failed to take reasonable action which could have avoided or prevented the collision;
  - 2. Violated a City or Departmental rule, policy, or procedure, which contributed to the collision and/or,
  - 3. Committed moving traffic violation(s), whether cited or not.
- D. NON-PREVENTABLE COLLISIONS are collisions which occur despite the driver having taken reasonable action to avoid or prevent the collision or which do not meet any part of the definition of a preventable collision.
- E. INCIDENT is an event in which City equipment:
  - 1. Makes contact with another person, object, or vehicle and results in no bodily injury or property damage. If upon later investigation, damage or injury is reported, the incident will be reclassified accordingly.
  - 2. Sustains damage from vandalism, acts of nature or unavoidable road hazards.
  - 3. Sustains superficial damage from unforeseen or uncontrollable hazards that are not caused by driver inattention, faulty driving, evasive maneuvers, or violations of state traffic laws and which does not result in bodily injury or property damage.
  - 4. Sustains damage while legally parked according to state traffic laws or parked in accordance with the Department's standard operating procedures.
  - 5. Properly equipped for police or fire department use, sustains damage or causes damage to another vehicle while in the act of utilizing push bumpers to push a vehicle from the roadway in accordance with General Orders. In the interest of public safety, police and fire department drivers are not required to get authorization before moving a vehicle in the roadway.
- F. EMPLOYEE SAFETY RECORD is a database that reflects an employee's involvement in any collision, as defined in General Order 419.02 A, regardless of whether the employee is acting as a driver, passenger, pedestrian, cyclist, or equestrian.
- G. INCIDENT REVIEW COMMITTEE is a body within the Office of Risk Management that makes the initial findings regarding preventability classification and point assessment in connection with all Incidents involving City Equipment.
- H. INCIDENT APPEALS BOARD is the body overseen by the Office of Risk Management that is responsible for hearing employees' appeals regarding the Incident Review Committee's preventability classification and/or point assessment related to Incidents in which employees are involved.

# Dallas Police Department General Order

## 419.00 Driving and Vehicle Safety

Revised 4/19/2024

### 419.03 Point Value and Disciplinary Procedure

- A. In an effort to make employees and their chain-of-command aware of an employee's driving status, the following point value system applies for assessment of disciplinary action related to vehicle collisions while operating City equipment.
  - 1. All Incidents involving City Equipment shall be classified according to the Incident Classification Table located in the City of Dallas Administrative Directive 3-3 (AD 3-3).
  - 2. Points assigned are cumulative for a period of eighteen consecutive months following the City equipment collision. Each subsequent preventable City equipment collision adds to the cumulative point total. Employees accumulating a total of four (4) points within an 18-month period will be placed on restricted driving status. A driver placed on restricted driving may not drive a City vehicle except in an emergency. Employees accumulating a total of five (5) points or higher within an 18-month period will be placed on non-driving status. Regardless of their point total or number of incidents, employees may be restricted from driving status or may be removed from driving if the department director determines that the employee would pose a safety risk should the employee continue driving. The City Safety Manager may recommend an employee be restricted from driving status due to safety or liability exposure concerns unrelated to employee discipline points.
  - 3. The Department shall be consistent when administering discipline resulting from preventable collisions. Disciplinary action issued by the department to the employee should be in accordance with the Personnel Rules of the City of Dallas. Employees found to be operating city equipment after they have lost driving privileges are subject to immediate disciplinary action as per the Personnel Rules of the City of Dallas. The Department must use the following Minimum Disciplinary Action Table to assign discipline. Where circumstances warrant, the Department may impose discipline above the mandatory minimum disciplinary actions listed in the table below, up to and including discharge. However, the Department may not impose discipline below the mandatory minimum disciplinary actions listed in AD 3-3.
    - a. Once preventability has been established, any departmental disciplinary action must be reported to and maintained by the Safety Team.
    - b. After the 3<sup>rd</sup> preventable collision within 24 months, employees will be placed on non-driving status for a minimum of eighteen months or until the preventable collision points are removed.

### 419.04 Command Responsibility

- A. Bureau Commanders are responsible for:
  - 1. Developing and implementing effective safety programs within their Bureaus.
  - 2. Establishing sufficient controls to assure that maximum command effort is expended toward supporting, implementing, and enforcing all programs designed to reduce collisions and injuries within their Bureaus.
- B. Organizational Commanders below the Bureau Commander level are responsible for:
  - 1. Setting an example in accord with the Department's and their Bureau's safety efforts.
  - 2. Reviewing reports of motor vehicle collisions and personal injuries that occur within that organizational level, to include determining their seriousness and preventability.
  - 3. Ensuring that all collisions under their command are investigated by the employee's supervisor.
  - 4. Ensuring that the employee's chain of command has viewed the in-car video of the incident, when applicable.
  - 5. Periodically reviewing injury and damage records of supervisors and the personnel under their command.
  - 6. Designing programs to reduce the event of collision or injury within their organizational level.
- C. Supervisors or Acting Supervisors are responsible for:
  - 1. Setting an example in accordance with the Department's and their Bureau's safety efforts.
  - 2. The immediate investigation and reporting of motor vehicle collisions or personal injuries.
  - 3. Ensuring in-car video is preserved and forwarded for review by the Safety Team and investigators.
  - 4. Injury and damage reduction to the same extent that they are responsible for the efficient accomplishment of crime prevention.
  - 5. Adequate inspection and prompt maintenance of equipment and facilities.
  - 6. Detection and prompt correction of hazardous conditions and unsafe practices.
  - 7. Vigorous and continual training toward injury and damage reduction through individual employee contacts.
  - 8. The driver's supervisor will respond to the scene of a city equipment collision. If the driver's supervisor is not available, a supervisor from the driver's org number will respond to the scene. If a supervisor from the driver's org number is not available, then a supervisor from the driver's bureau must respond to the scene. The supervisor will be responsible for the removal of all equipment from the vehicle if it is going to be towed. This will include but not be limited to the following:
    - a. Removable Air Card
    - b. Gate Opener
    - c. Body Microphone
    - d. Cell Phones
    - e. Fire Extinguisher
    - f. Family Violence Camera
    - g. Cones
    - h. Shields
    - i. Air Masks
    - j. Stop Sticks
    - k. ETS control head from dash
    - l. ETS control box from the trunk
- D. All Departmental employees will:
  - 1. Wear safety belts or other restraint devices when the vehicle is in motion and require all occupants of the vehicle to do the same.
  - 2. Report in writing to their supervisor any moving citations or DWI arrests received on or off the job.

# Dallas Police Department General Order

## 419.00 Driving and Vehicle Safety

Revised 4/19/2024

3. Be subject to disciplinary action for failing to notify or concealing the subsequent suspension, revocation, or withdrawal of Texas driving privileges.
4. Be responsible for immediately removing any City vehicle from service if it appears to be unsafe to operate.
5. Report to their immediate supervisor any changes in health status or medication being taken that may affect the ability to safely operate City equipment.
6. Ensure that the video camera, if available, is operable and has recording time available. Record the time available on the equipment check sheet.
7. Download video daily.
8. Immediately report all City equipment collisions that occur while driving on duty or while driving City equipment (with or without apparent damage), to an immediate supervisor and a collision investigator.

### 419.05 Safety Team

The Safety Team will assist the Bureau and subordinate Organizational Commanders in fulfilling their safety responsibilities by coordinating and directing the safety activities of the Department. Their duties are:

- A. Receiving, maintaining, and reviewing collision reports, statistics and damage events. These records are maintained in order to ensure consistency when classifying collisions.
- B. Informing command personnel of safety problems within the Department.
- C. Assisting in the development of departmental safety training.
- D. Promoting voluntary compliance to departmental safety regulations.
- E. Ensuring that a collision's classification is consistent with other departmental collisions.
- F. Maintaining a database to record disciplinary action administered by the Department to an employee once preventability has been established.
- G. Ensuring that all personnel are in compliance with Administrative Directive 3-3 and departmental policy regarding defensive driving training, mandatory physical, and remedial driving training, when applicable.
- H. Maintaining a safety record on each employee.
- I. The departmental Safety Officer is the Safety Team Sergeant, and it is the Safety Officer's responsibility for classification of collisions, representing the Department at City Collision Review Committee appeals to the City Manager, or employee appeals to the Incident Appeal Board (IAB).

### 419.06 Police Equipment Collision Guidelines

All incidents or collisions involving City vehicles must be investigated by the Office of Risk Management and/or by the Traffic Division. During the investigation, the involved employee will complete the Employee Statement Form (ORM-FRM-705); the first line supervisor will complete the Supervisor Statement Form (ORM-FRM-707); and witnesses will complete the Witness Statement Form (ORM-FRM-706). Incidents involving found or discovered damage will immediately notify Communications and a supervisor.

- A. The Incident Review Committee will render a decision on the point assessment and preventability classification. A Safety Specialist from the Office of Risk Management will notify the involved employee and their first line supervisor of the IRC assessment and ruling. Employees and Supervisors have ten (10) business days to sign and acknowledge their IRC Ruling and return to the Office of Risk Management and/or the Safety Team.
- B. An employee must submit a request for an appeal of the Collision Review Committee's decision within ten (10) working days from the date of such notification to request an appeal with the Incident Appeal Board (IAB). This appeal should be heard within thirty (30) calendar days from the date the employee received the initial notification from the Incident Review Committee. Decisions of the IAB shall be final; however, the City Manager may remand decisions of the IAB.

### 419.07 Reporting City Vehicle Incidents/Collisions

- A. All employees shall immediately report all incidents/collisions to their immediate supervisor and notify Communications.
- B. The Office of Risk Management will request a copy of in car video by submitting an email request to [DLDPDVideoCoordinators@dallascityhall.com](mailto:DLDPDVideoCoordinators@dallascityhall.com).
- C. All damage of City equipment must be reported to the Office of Risk Management. Damage estimates are administered by the Department of Equipment and Fleet Management and are to be requested by the Office of Risk Management.

### 419.08 Incident Appeal Board (IAB)

- A. All City drivers shall have the right to appeal a preventable collision classification ruling by submitting a request in writing to the Director of the Office of Risk Management, City Hall, Room 6AS, within ten (10) working days after having received, in writing, the ruling from the Incident Review Committee. It is recommended that the appellant hand-deliver the request. All appeal request must include: Employee name and ID number; Assigned work location; Incident number; Desired classification with detailed justification; and the name of immediate supervisor and supervisor contact information. No appeals will be accepted after 5:00PM on the 10<sup>th</sup> working day of the appeal deadline. If no appeal is received, The Incident Review Committee decision will be final.
- B. The Incident Appeal Board (IAB) will hear appeals from City drivers who do not agree with the Incident Review Committee ruling. The Incident Appeals Board should, to the extent possible, hear all appeals of the Incident Review Committee's preventability classification and point assessment within thirty calendar days from the date the employee signed his/her notification letter from the Incident Review Committee. Decisions made by the Incident Appeals Board shall be final; however, the City Manager may remand decisions back to the Incident Appeals Board for reconsideration.

# Dallas Police Department General Order

## 419.00 Driving and Vehicle Safety

Revised 4/19/2024

### 419.09 Non-Driving Status

- A. By Departmental policy, when an employee accumulates five or more points within an eighteen-month period, the employee will be placed on non-driving status for a minimum of 6 months or until the accumulated point total drops below five, whichever is longer. Employee will be required to attend remedial training and pass before they resume driving privileges.
  - 1. When a collision occurs that is believed to place the employee at five or more points, his or her supervisor will immediately place the employee on non-driving status and prepare a memorandum to the employee that includes the following:
    - a. A statement instructing the employee not to operate a motor vehicle for the City of Dallas until removed from non-driving status.
    - b. A statement instructing the employee to inform any departmental personnel of the non-driving status when requested or ordered to operate a motor vehicle for the City of Dallas.
  - 2. The supervisor will file a copy of the memorandum in the employee's unit personnel file and forward a copy to the Safety Team.
- B. Per AD 3-3, Minimum Disciplinary Action Table, Points assigned are cumulative for a period of eighteen consecutive months following the City Equipment collision. Each subsequent preventable City equipment collision adds to the cumulative point total. Employees may be restricted from driving status, regardless of accumulated safety points, and may be removed from driving when the department director determines the employee poses a safety hazard. The City Safety Manager may recommend an employee be restricted from driving due to safety or liability exposure concerns.
- C. A Commander may reclassify an employee to non-driving status or place the employee in an assignment where the operation of a motor vehicle for the City of Dallas is not required. A change in driving status or assignment may involve the employee remaining at the present organizational level or transferring to another unit, section, or division.
  - 1. If the Commander allows the employee to remain in the Bureau, a memorandum to this effect will be directed to the Safety Team. The memorandum will state that the employee is to remain at the same Bureau, and it will identify the employee's assignment. The Safety Team will reclassify the employee's assigned Position Identification Number as non-driving. The non-driving position will not prevent the employee from riding as a passenger in a motor vehicle for the City of Dallas.
  - 2. If the Commander transfers the employee to a position designated as non-driving outside the employee's Bureau, a memorandum documenting this change will be directed to the Safety Team from the losing Bureau. A Change of Assignment form will also be submitted by the losing Bureau.
- D. Prior to the employee's non-driving status expiring, the Safety Team will direct a memorandum to the employee through the employee's chain-of-command, informing the employee of the time and location of his or her mandatory remedial driving training (Refer to G.O. 419.12). Once the remedial driving training is successfully completed, the employee may return to a driving status.
- E. Per AD 3-3, Employees found to be operating City Equipment after they have lost driving privileges are subject to disciplinary action up to and including discharge.

### 419.10 Non-Driving Status Due to Medical Reasons

- A. The Safety Team will be notified in writing by the City Medical Provider, that the employee has a medical condition which prohibits the employee from operating a motor vehicle for the City of Dallas.
- B. The Safety Team will notify the employee's chain-of-command in writing that the employee is to be placed on non-driving status pending further medical review.
- C. The employee's immediate supervisor will order the employee by memorandum not to drive until the employee's medical condition is resolved.
- D. Any correspondence received by the Safety Team from the City Medical Provider regarding the employee's medical condition will be forwarded for inclusion in the employee's unit medical records. The Safety Team will make a note in the Officer's Safety Record that the Officer is on "non-driving status due to medical reasons, see Officer's Medical File.
- E. Any employee on non-driving status for medical reasons will be required to undergo a driver's physical biennially to determine if the medical condition still exists. If the employee's condition has not been resolved, the employee will remain on non-driving status.

### 419.11 Discipline Related to Motor Vehicle Collisions

Discipline assessed to employees involved in motor vehicle collisions will be within the guidelines set out in A.3-3. The Department's Internal Affairs Division will not conduct any investigations related to motor vehicle collisions (G.O. 505.05 A.6). When the collision is classified as a preventable incident, Division Commanders shall use the Minimum Disciplinary Action table when assigning discipline.

- A. The Incident Review Committee will classify the collision. A memorandum by the assigned Safety Specialist from the Office of Risk Management will be directed to the employee advising the classification. The employee will be required to sign the memo, acknowledging the classification and the procedure for appeal. The original memo will be given to the employee, and a copy of the memo, along with the Collision Packet, will be sent to the Safety Team.
- B. The employee has ten (10) working days to request an appeal of the classification through the City's Risk Management. Per Administrative
  - 1. If the employee does not request an appeal, the appropriate discipline may then be administered following the guidelines in Section C below.
  - 2. Should the employee request an appeal of the classification within the ten (10) working day deadline, the discipline recommendation will be placed on hold until all departmental appeal processes have been completed. Once a final classification has been assigned by the Incident Appeal Board (IAB), the Safety Team will notify the Division Commander of the final classification. The Commander will then follow the procedures set out in section C below.

# Dallas Police Department General Order

## 419.00 Driving and Vehicle Safety

Revised 4/19/2024

- C. The Safety Team will provide the Division Commander the Request for Discipline Packet to be completed with the Commander's recommended discipline. The Commander will then forward the completed form to the Assistant Chief. If the discipline is going to be a Written Reprimand or higher, the Assistant Chief will forward the Discipline Packet to the Safety Team. Internal Affairs will prepare all Letters of Reprimand. Internal Affairs will forward the Letter of Reprimand to the Division Commander for the employee's signature. In cases of suspension, demotion, or termination G. O. 511.05 and Personnel Rules Article VI (Discipline, Grievance and Appeal Procedures) will apply. Once the appeal process is exhausted and the discipline is final, Internal Affairs will forward a copy of the Discipline Packet to the Safety Team.
- D. Once the Chief of Police, or their designate, assigns discipline in accordance with A.3-3, the Safety Team will be notified of such discipline and record the discipline.
- E. Nothing in this policy will prohibit any supervisor from requesting a control number from the Internal Affairs Division to investigate any allegation of a violation of a rule or policy by the employee that did not directly affect the classification of the collision. The Internal Affairs Division will investigate such allegations in the normal manner as any other investigation.

### 419.12 Remedial Driving Training

- A. In compliance with Administrative Directive 3-3 and the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) Standards 33.1.5, the Safety Team will provide and document Remedial Driving Training. This training is mandatory for all departmental employees who accumulate any of the following:
  - 1. Three Non-Preventable collisions within the preceding 24 month period;
  - 2. Two Preventable collisions within the preceding 24 month period.
  - 3. One Preventable collision that results in three cumulative points.
- B. Remedial training will be provided within 6 months of the above conditions being met. Failure to comply with the Remedial Driving Training will result in the employee being removed from primary driving status until completed.

### 419.13 Safety/Risk Management Committee

- A. The primary goal of the Safety/Risk Management Committee will be the reduction of risk and injury to employees and the citizens of Dallas. The purpose of the committee will be to examine the adequacy of Departmental policy, training, procedures, and equipment. The Safety/Risk Management Committee will meet on at least a monthly basis. The committee will be chaired by a Deputy Chief, assigned to a patrol division, selected by the First Assistant Chief of Police. Each patrol division will assign the following personnel to the committee:
  - 1. One Lieutenant and an alternate as a voting member
  - 2. The FTO/Training sergeant as a voting member
  - 3. The division Vehicle Coordinator as a voting member
  - 4. One non-supervisory rank officer who is concerned with officer safety in an advisory capacity
- B. The committee will also include but not be limited to the following members:
  - 1. The Safety Team Sergeant who will act as the committee facilitator and be a voting member.
  - 2. The Lieutenant over the Safety Team as a voting member.
  - 3. Safety Team personnel, as designated by the Safety Team Sergeant, as advisors.
  - 4. The Fleet Manager or their designated representative as a voting member.
  - 5. The supervisor or designated member from Workers Comp Team as an advisor.
  - 6. One designated member of each employee association may attend as advisors.
- C. The committee will actively seek risk complaints which may arise from an employee, employee association, supervision, equipment manufacturer or Fleet. The committee will only consider identifiable risks that can be reduced through committee action. When it is necessary and based on critical need the committee will be called together within 24 hours' notice, at the discretion of the committee chairperson. The committee is to be customer service oriented and will be tasked with problem solving, and developing policies and procedures that have a direct impact on the following areas:
  - 1. Reduction of motor vehicle collisions
  - 2. Reduction of on the job injuries.
  - 3. Reduction in identifiable risks or hazards to employees and citizens.
  - 4. Reduction of departmental risk through critical incident assessment.



## Dallas Police Department General Order

### 420.00 Court Attendance

Revised 09/03/2019

#### 420.00 COURT ATTENDANCE

#### 420.01 Subpoenaed and Requested Court Appearance in Criminal Cases

##### A. Definitions

1. *Subpoenas* are legal summonses directly issued by a court or attorney as set forth in the Texas Code of Criminal Procedure or Texas Rules of Civil Procedure. Legal subpoenas must be served in person to the individual named and honored as directed.
  - a. An *instanter* subpoena requires a person's immediate appearance. If the court day is over, the person reports at the start of the next court day.
  - b. A *Duces Tecum* subpoena requires the person named to appear in court and bring any document or evidence specified in the subpoena.
2. *Court Notices* are requests for employees to appear in court. Court notices will be transmitted by the Court Notification System (CNS), telephone, or inter-office mail. Employees will honor court notices.
3. *Court Attendance Documents* are all subpoenas, notices, ledgers, details, time cards, comp/overtime cards, check-in sheets, Court Attendance Receipts and other documents that might bear on court notification or attendance.
4. *Inspection of Employee's Compliance with Court Attendance Procedures* requires the review of all documents related to court attendance.
5. A *Motion for Continuance Request Form* is used to request a motion for continuance in a Municipal Court case. If the motion is approved, Court Services will generate another court notice advising the officer of the new date.
6. An *Emergency Situation* is a situation deemed such by a Lieutenant, Civilian Manager equivalent or above.
7. A *Critical Assignment* is an assignment deemed such by a Lieutenant, Civilian Manager equivalent or above which depends on specific employees for its success. Removal of these employees for court would jeopardize the critical assignment.

##### B. Basic Responsibilities

1. The Legal Services Unit will:
  - a. Monitor CNS and serve as liaison with the District Attorney's Office and Court Services.
  - b. Upon notification that an employee has received a subpoena/notice outside of normal process, will:
    - i. Create a CNS docket.
    - ii. Contact the issuing party when a subpoenaed person or record is unavailable.
  - c. Issue an *Inspection of Employee's Compliance with Court Attendance Procedures* to investigate possible non-compliance.
  - d. Issue Motion for Continuance Request (MCR) numbers.
  - e. Prepare Audit Reports identifying:
    - i. officers who fail to appear,
    - ii. officers who appear in court without a court notice/subpoena,
    - iii. total time spent in court,
    - iv. reporting late to court, and
    - v. other management reports as directed.
2. Employees will:
  - a. Open their DPD electronic mail each calendar day they are in an on-duty status and acknowledge all messages received via CNS.
  - b. Keep track of their notices and ensure that requested leave does not conflict with scheduled court.
  - c. Ensure that all requested leave is entered in CNS.
  - d. Ensure that Municipal Court is notified by memo of all approved leave.
    - i. Leave may be scheduled after receiving a Municipal Court subpoena if the request is made within seven calendar days of receiving the subpoena.
    - ii. The employee must deliver a *Motion for Continuance Request Form* within this seven calendar day period to the Legal Services Unit.
  - e. Appear in court or be on authorized standby, unless disregarded, when they receive:
    - i. A legally processed subpoena formally served in person. Only the person named in the subpoena will accept it.
    - ii. A court notice as defined in Section 420.01 A.2.
  - f. When receiving a court notice or subpoena outside of CNS for any court or hearing other than Municipal Court:
    - i. Immediately notify their supervisor.
    - ii. Hand deliver or fax a copy to the Legal Services Unit and the Criminal Law and Police Unit within eight hours of receipt or before the hearing, whichever is earlier.
  - g. Comply with Frank Crowley Courts Building Check-in / Check-out procedures.
    - i. Employees will report to the 10<sup>th</sup> floor Officer Waiting Area to check in. The employee's identification card will be used to swipe into the Subpoena Management Program.
    - ii. Employees will note the court(s) they are called to, report to the court prosecutor and follow the prosecutor's instructions. In the event of multiple court settings, the court with the highest pending charge (felony, appeals, misdemeanor, preliminary hearing, etc.) will be primary.

# Dallas Police Department General Order

## 420.00 Court Attendance

Revised 09/03/2019

- (1) Employees who are allowed to leave their primary court without being formally dismissed by the prosecutor or court personnel, must return to their primary court or the 10<sup>th</sup> Floor Officer Waiting Area within one hour of listed court time and remain there.
- (2) Dismissal notifications will be received at one of these two locations.
- iii. Employees will check out for lunch and check in upon return.
- iv. Employees will check out in the 10<sup>th</sup> Floor Officer Waiting Area upon dismissal from court. The employee will use his/her identification card to enter the check-out information in the database. Court Attendance Receipt information is electronically recorded showing the date and times of check-in/check-out and the primary court the officer attended. This receipt, also available on line, along with the court notice or subpoena, will serve as the basis for the comp/overtime calculation.
- h. Comply with Municipal Court Check-in / Check-out Procedures
  - i. Employees will report to the Subpoena Administrator. The employee's department identification card will be used to swipe into the Subpoena Management Program.
  - ii. Employees will note the court(s) they are called to, report to the court's prosecutor and follow the prosecutor's or court's instructions.
  - iii. Employees who are allowed to leave a court without being formally dismissed by the prosecutor or court personnel will return to the court within thirty minutes, or as soon as possible, to obtain further instruction.
  - iv. Employees will check out for lunch and check in upon return.
  - v. Employees will check out with the Subpoena Administrator upon dismissal from court. The employee will use their identification card to enter the check-out information in the database. Court Attendance Receipt information is electronically recorded showing the date and times of check-in/check-out and the primary court the officer attended. This receipt, also available on-line, along with the court notice or subpoena will serve as the basis for the comp/overtime calculation.
- i. Correctly annotate lunch breaks when requesting earned comp/overtime. For comp/overtime calculation, the standard lunch break is one hour, unless reduced by court direction (signed documentation required), regardless of Court Attendance Receipt inscription.
- j. Comply with Section 420.04 if unable to attend county or city court.
- k. Not communicate directly with anyone from the county courts or the District Attorney's Office regarding a court appearance unless the court or D.A.'s office initiates contact. Employees notified to appear in court who feel their presence is not needed may ask their supervisor to contact the court and request that the court disregard them or place them on standby. The change to disregard or standby is not official until the court changes the employee's 'request type' in CNS.
- l. Not honor verbal requests to appear. All verbal requests to appear will be referred to the Legal Services Unit.
3. Supervisors will:
  - a. Keep CNS chain-of-command listings current and adopt new subordinates within three working days of reassignment.
  - b. Approve or disapprove all leave requests. Leave will not be approved if a prior obligation exists.
  - c. Ensure that the Legal Services Unit is notified when an employee receives a notice or subpoena outside normal process.
  - d. Review all court attendance related documents and complete an *Inspection of Employee's Compliance with Court Attendance Procedures* when requested by the Legal Services Unit. This includes:
    - i. Comparison of comp/overtime application to actual court notice or subpoena and Court Attendance receipt.
    - ii. Examination of standby information for accuracy.
    - iii. Investigating reports of failure to appear in court, failure to properly check in/check out, appearing in court without court notice/subpoena, reporting late to court and other reports requested by Legal Services.
  - e. Forward the completed *Inspection of Employee's Compliance with Court Attendance Procedures* report through their Bureau Commander to the Legal Services Unit within 10 days of the initial request.
  - f. Compare all court related applications for comp/overtime with Court Attendance Receipts and court notices or subpoenas before approval.
  - g. Comply with responsibilities outlined in Section 420.04 for employees unable to attend county or municipal court.
  - h. Ensure that employees acknowledge court notices, making personal acknowledgement or acknowledgement with exception when necessary.
4. Organizational Commanders will:
  - a. Keep CNS chain of command listings current by ensuring that all organizational supervisors adopt new subordinates within three working days of reassignment.
  - b. Designate and notify the Legal Services Unit Commander of a supervisor and alternate with administrative hours to act as liaison for court-related problems.
  - c. Ensure that employees acknowledge court notices.
  - d. Ensure follow-up investigation on all *Inspection of Employee's Compliance with Court Attendance Procedures* reports, and taking appropriate corrective action when necessary.

### 420.02 County Court Standby System

- A. CNS notices list request types as:
  1. Not set
  2. Appear
  3. Standby

# Dallas Police Department General Order

## 420.00 Court Attendance

Revised 09/03/2019

4. Disregard
- B. *Appear* notices require court attendance. Employees will not attend court if the request type is *not set* or *disregard*.
- C. Employees will respond to legally processed and served subpoenas. Standby is not allowed.
- D. On-Duty Standby
  1. On-duty employees will be on standby unless the CNS request type states *Appear* or they are otherwise informed.
  2. The District Attorney's Office will notify the Legal Services Unit of the personnel needed. The Legal Services Unit will call the employee's work location and have the employee report to court.
  3. Employees will report to court within 90 minutes of notification.
  4. Duration of Standby
    - a. Court notices set before noon will automatically terminate at 12:00 noon unless otherwise notified.
    - b. Court notices set after noon will automatically terminate three hours after the time indicated on the notice unless otherwise notified.
    - c. Special provisions imposed by the court pertaining to standby status will be noted on the court notice. Employees will abide by such provisions.
  5. Employees who receive court notices that extend standby status from on-duty to off-duty will either continue standby or report to court.
  6. If a trial continues into the following day and the court has not excused the officer, the District Attorney's office will notify the officer that he/she needs to appear or be on standby. An original notice binds employees for five business days, excluding the initial appearance date
- E. Off-Duty Standby
  1. Off-duty employees will report to court or be on standby.
  2. Employees desiring standby will, prior to the court setting, list a telephone number in CNS, phone position #1, where they can be personally contacted by the Legal Services Unit. Employees may use the time as they desire provided they can appear in court within time and in compliance with the General Orders and Code of Conduct.
  3. After notification from the court, the Legal Services Unit will call phone #1 twice and alternate #'s 2 and 3 once in a fifteen-minute period. If contact cannot be made, the Legal Services Unit will notify a supervisor at the employee's work location. The supervisor has five minutes to notify the employee. The supervisor will immediately notify the Legal Services Unit of the results. An employee will be listed as "no-show" if contact cannot be made during this time period. The Legal Services Unit will note the contact results in the CNS comments section and make a return call to the requesting court advising the court of the results.
  4. Employees will report to court within 90 minutes of notification.
  5. Duration of Standby
    - a. Court notices set before noon will automatically terminate at 12:00 noon unless otherwise notified.
    - b. Court notices set after noon will automatically terminate three hours after the time indicated on the notice unless otherwise notified.
    - c. Special provisions imposed by the court pertaining to standby status will be noted on the court notice. Employees will abide by such provisions.
  6. If a trial continues into the following day and the court has not excused the officer, the District Attorney's office will notify the employee that he/she needs to appear or be on standby. An original notice binds employees for five business days, excluding the initial appearance date.

### 420.03 Municipal Court Standby System

There is no Standby system for Municipal Court. All on-duty and off-duty officers are required to attend their Municipal Court assignments as mandated in their subpoena.

### 420.04 Employees Unable to Attend County or Municipal Court

- A. Employees enroute to court who become delayed will notify a divisional supervisor who, if agreeing the delay is necessary, will notify the affected court(s) of the delay. The employee will continue to court as soon as possible.
- B. Employees unable to attend court due to illness, emergency situation, critical assignment, or other exigent circumstances, will notify a divisional supervisor who will:
  1. For legally processed subpoenas - Personally notify the involved court and abide by the court's instructions.
  2. For CNS notices - Notify the involved court and document the circumstances in a memo to the employee's Division Commander by the next business day.
  3. For Municipal Court notices: - Notify the Municipal Court Subpoena Administrator and document the circumstances in a memo to the employee's Division Commander by the next business day.

### 420.05 Evidence Related to Court Appearances

- A. An officer receiving a legal subpoena or court notice requesting that evidence be brought to court is responsible for
  1. Picking up the evidence at the Property Unit and transporting it to court.
  2. Maintaining custody of the evidence until the Court Reporter or Assistant District Attorney signs for it.
  3. Returning the evidence or a signed property receipt form to the Property Unit. The receipt form must be returned to the Property Unit the same day that the court retains the evidence.
- B. Evidence not retained by the court in a continuing trial will be returned to the Property Unit daily and subsequently brought back to court until otherwise instructed.

### 420.06 Court Appearances in Counties in Which the City of Dallas Is Located Other than Dallas County

# Dallas Police Department General Order

## 420.00 Court Attendance

Revised 09/03/2019

- A. The City of Dallas extends into Collin, Denton, Kaufman, and Rockwall Counties.
- B. All courts in these counties are *no standby*.

### 420.07 Verbal or Written Recommendations for Case Dismissal

Employees will not make verbal or written recommendations to judicial or prosecutorial employees regarding case dismissal or suspension of penalty except as follows:

- A. Detention Services Unit and Legal Services Unit supervisors may recommend dismissal of charges in conjunction with mental illness cases, errors in booking, insufficient evidence, and other unusual cases that reflect the best interests of the Department.
- B. Other employees may make written recommendations as follows:
  - 1. The employee's Division Commander will prepare a memo to either the District Attorney's Office or the Chief Prosecutor of the Municipal Court giving: the arrest number, name of the arrestee, type of offense, location and date of offense, name of arresting officer, and reason for recommending dismissal.
  - 2. The Division Commander will transmit the request to the D.A.'s Office or the Chief Prosecutor of the Municipal Court at least five working days prior to the court setting. The request must be walked through if less than five working days remain prior to the court setting.

### 420.08 Voiding or Dismissing Citations

- A. Voiding Citations
  - 1. This general order establishes uniform guidelines for recommending a dismissal of a citation prior to a judicial hearing and submitting voided citations to Court and Detention Services for record keeping purposes. Only division commanders or higher have the authority to request dismissal of a citation from the Prosecutor's office if warranted.
- B. Reasons for requesting voids/dismissals
  - 1. The charge cited by the issuing officer does not exist.
  - 2. The charge cited by the issuing officer is incorrect.
  - 3. The name, location, or date on the citation is incorrect.
  - 4. The violator has died.
  - 5. The dismissal is in the best interest of justice and the Department.
- C. Citations will be voided for the following reasons:
  - 1. The cited person was placed in jail for the charge on the citation and all four copies of the citation were retrieved.
  - 2. The citation was defective in original production (insufficient number of copies, print job, etc.).
  - 3. The citation book was lost. A Lost/Stolen Property report must be made for a lost citation book.
  - 4. An officer will retrieve all four copies and void a citation if a person being cited for No Proof of Liability Issuance or No Operator's License is able to produce the proper document while still detained.
  - 5. A request to void a citation must be approved by a supervisor.
- D. The supervisor will address a void memo to the Data Entry Supervisor of Court Services. The signature will be of a watch commander or higher rank. The memo will contain the following:
  - 1. Citation number(s).
  - 2. Name of the violator (when applicable).
  - 3. Type of offense (when applicable).
  - 4. Location of the offense (when applicable).
  - 5. Name of the involved officer.
  - 6. Reason for recommending that the citation(s) be voided.
  - 7. Arrest number (when applicable).
  - 8. VOID will be written across the original citation. All four copies will be stapled to the memorandum and forwarded to the Department of Court Services.
  - 9. The originating Unit/Watch will retain a copy of the memo.
  - 10. In circumstances other than described in this section, division commanders or higher may void citations when in the best interest of justice and the Department. They must sign the voiding memorandum.
- E. A divisional supervisor will prepare a dismissal memo for the signature of a divisional commander or higher, addressed to the Chief Prosecutor of the Municipal Court. The memo will contain the following:
  - 1. Citation Number.
  - 2. Name of the violator.
  - 3. Type of violation or offense.
  - 4. Location of the violation or offense.
  - 5. Name of issuing officer.
  - 6. Reason for recommending that the citation not be prosecuted.
  - 7. The original citation, if available, will be stapled to the memorandum and forwarded to the Department of Court Services.
  - 8. A copy of the memo will be retained in the files of the Division Commander.
- F. The Officer/PSO will complete the Void/Dismissal Citation Memo or the Parking Citation Disposition memo as appropriate and attach the original citation within 1 business day.
  - 1. If the citation is voided prior to issuance, the Officer/PSO shall write "**VOID**" across the entire front of the citations.
  - 2. The Officer/PSO shall submit the appropriate memo and original citation to the Supervisor for review and approval.
  - 3. The Supervisor shall sign the Void/Dismissal Citation Memo or the Parking Citation Disposition Memo, if approved. If denied, the memo will be given back to the requestor to provide additional information, justification or proceed with enforcement on the case.
  - 4. The supervisor shall send the Void/Dismissal Citation Memo or the Parking Citation Disposition Memo and original citation to the second/watch station sergeant for review and approval.

# Dallas Police Department General Order

## 420.00 Court Attendance

Revised 09/03/2019

5. The Void/Dismissal Citation Memo or the Parking Citation Disposition Memo **shall not** be forwarded directly to Court and Detention Services without the appropriate review and approval from the Division Commander.
6. The second watch station sergeant reporting to the Division Commander shall send the Void/Dismissal Citation Memo, or the Parking Citation Disposition Memo and original citation to the Chief Prosecutor or his/her designee in Court and Detention Services for further processing.
7. The second watch station sergeant reporting to the Division Commander shall make a copy of the Void/Dismissal Citation Memo or the Parking Citation Disposition Memo for tracking and record keeping purposes.
8. In the event that an unissued citations or citation books must be destroyed, a Void/Dismissal Citation Memo shall be completed by the second watch station sergeant. The sergeant will ensure that this is documented in InCode and the memorandum.

**Note: The officer/PSO is responsible for all citations in their book.**

- G. All criminal and v-ticket citation books will be tracked in InCode. It is the officer's/PSO's responsibility to ensure that all citations are turned in (voided, dismissed, or issued) in a timely manner. A copy of the citation shall also be forwarded to Court and Detention Services. A monthly audit of the ticket books issued will be conducted by the second watch station sergeant.

### **420.09 Accountability of Citation Books**

- A. This general order establishes a uniform policy for control and distribution of Citation books (criminal, v-ticket and parking) and provides uniform guidelines for the tracking and auditing of all citations issued by the Dallas Police Department.

#### **DEFINITIONS:**

Distribution Personnel: Includes station sergeants, Training Sergeants, Public Service Officers or station personnel assigned to provide front desk coverage at a patrol station during normal business hours.

Incode: A computer database that holds citation information and records the status of a citation.

Designated staff: Consists of the second watch station sergeant at each patrol division and the Field Training Sergeant.

**EXCEPTION:** Extra Citation Books may be obtained due to enforcement initiatives, special projects, etc. A memo or an email must be given at least two (2) days in advance to the Division Commander. The memo must **include** the date and type of event (sweep, special project, etc.), the officer's name and badge number and the number of Citation Books requested. The memo and/or email must be signed by the Division Commander.

- B. Distribution Personnel shall issue Citation Books 24 hours a day, 7 days a week at any patrol station.
  1. One (1) criminal. One (1) parking citation and /or one (1) V-Ticket book shall be issued to sworn police officers and one (1) parking citation book shall be issued to Public Service Officers.
  2. Each Officer/PSO must personally sign the Criminal, V-Ticket, and/or Parking Citation Book Distribution Log for Citation Books issued and returned.
- C. The Distribution Personnel shall:
  1. Maintain the Criminal, V-Ticket, and Parking Citation Book Distribution Log of all Citation Books to be distributed. All logs are kept on file at each station.
  2. Ensure that all Criminal, and V-Ticket Books are entered into Incode for tracking purposes.
  3. Store all Criminal, V-Ticket, and Parking Citation Books in a secured file cabinet at each patrol station.
  4. Maintain a file of all Police Reports of lost or stolen books for future audits. A copy of the Police Report will also be filed in place of the lost/stolen citation book. If the lost book is recovered, the Distribution Personnel shall document on the Police Report that the book was recovered/found. Employees shall refer to General Order 805.00 for the lost/stolen city-property procedure.
  5. The station sergeant shall prepare a memo to void out all remaining citations in the lost or stolen book.
  6. All Criminal, V-Ticket, and Parking Citation books will be kept for a minimum of 1 year by the individual officer.
  7. It will be the responsibility of each patrol station sergeant on each watch to ensure that E-Citation device updates are properly downloaded and e-citations are uploaded. This is accomplished by ensuring that the device is properly synced immediately after being turned in by an officer and on a weekly basis if the device has not been used.
- D. For lost or stolen Citation Books and retrieval of Citation Books from employees terminated or resigned the Division Commander shall:
  1. Ensure that a Police Report is made by the Officer/PSO when a Citation Book is lost or stolen. A copy of the Police Report is to be delivered to the Station Sergeant within 10 days of completion of the Police Report.
  2. Retrieve, sign, date and return all completed and/or incomplete Citation Books to the Distribution Personnel due to the resignations, terminations, etc. of an officer or PSO. (These Citation Books shall never be reissued).
  3. Officers/PSOs leaving the department shall return all Citation Books to the respective station sergeants and sign/date the Criminal, V-Ticket or Parking Citation Book Distribution Log. The individual stations will keep the physical citation book until the appropriate records retention time period has been met and subsequently destroyed when applicable laws permit.
  4. The Distribution Personnel shall confirm all Citation Books issued have been returned and shall complete the Citation Book Return Checklist form, obtain the officer's/PSO's signature, sign the form, make a copy for the

# Dallas Police Department General Order

## 420.00 Court Attendance

Revised 09/03/2019

- officer/PSO and obtain a copy for their records. This form shall be kept with the Citation Distribution Logs and updated in Incode.
5. A memo shall be created to "VOID" any remaining citations that are in the book.
  6. The officer/PSO shall return the Citation Book Return Checklist to his or her Supervisor as proof that all Citation Books have been returned.
  7. If a book is lost or stolen, refer to General Order 805.00

**Note: The officer/PSO are responsible for all citations in their book.**

E. Ordering of Criminal Citations

1. It is the Distribution Personnel's responsibility:
  - a. Request criminal citation books from the Dallas Police Quartermaster.

F. Ordering of V-Ticket Citations

1. It is the Distribution Personnel's responsibility when the supply is at 50 to inform designated staff to pick books up from Community Courts located at:
  - a. South Oak Cliff Community Court (South Central) 2111 South Corinth Street  
Dallas, TX 75203
  - b. West Dallas Community Court (South West) 2828 Fish Trap Rd.  
Dallas, TX 75212
  - c. South Dallas Community Court (South East) 2922 Martin Luther King  
Jr. Blvd  
Dallas, TX 75215
  - d. Northeast Dallas Community Court (Northeast/Northwest & North Central)  
9451 LBJ Freeway, Ste. 125  
Dallas, TX 75243
  - e. Night Community Court (Central) 2014 Main Street  
Dallas, TX

**Auditing of Citation Books**

- G. Designated staff approved by a Division Commander shall contact the Director of Court Services or their designee to request a Security Authorization Request form (SAR) to gain access to Incode.
- H. Designated staff within the Dallas Police Department shall only be granted access to book track profile for the entering and tracking of citations and running missing citations reports.
- I. A Missing Citation Report (Computer Generated from InCode) for all criminal and V-tickets will be generated on a monthly basis by the second watch station sergeant. This report will be completed and forwarded to the Patrol Bureau Commander on a monthly basis.
- J. The second watch station sergeant or his or her designee shall review the Missing Citation Report for missing citations and notate any missing citations from completed or currently assigned books on the Citation Accountability Spreadsheet.
- K. If citations are found to be missing from the Missing Citation Report, the second watch station sergeant or his or her designee shall contact the respective officer's supervisor if a memo is pending final review and approval.
- L. If a memo is awaiting signature, the second watch station sergeant or his or her designee shall make a notation on the Citation Accountability Spreadsheet and follow-up within 7 business days to determine if the Citation Void/Dismissal Memo was approved or denied.
- M. If citations are missing from the Missing Citation Report and a Citation Void/Dismissal Memo is not pending, the second watch station sergeant or his or her designee shall contact the sergeant and/or watch commander via email for a response within 10 working days.
- N. If a response is not received on the 10<sup>th</sup> working day, the Citation Accountability Spreadsheet shall be escalated to the Division Commander and Bureau Commander for resolution.
- O. The Division Commander and or Bureau Commander shall take appropriate action and forward a response to second watch station sergeant or his or her designee.
- P. If a response is received, the second watch station sergeant shall notate the response on the Citation Accountability Spreadsheet for tracking purposes.
  1. If the employee indicates that the citation is currently being reviewed by his or her chain of command, a notation is made on the Citation Accountability Spreadsheet and follow-up is conducted within 10 business days to determine if the citation has been submitted to Court Services.
  2. If a citation was voided and remains in the citation book (active or completed), the officer/PSO shall be directed to complete a Citation Void/Dismissal memo for review and approval by the Division Commander. A notation shall be made on the Citation Accountability Spreadsheet and follow-up is conducted within 10 days to determine the status.

# Dallas Police Department General Order

## 420.00 Court Attendance

Revised 09/03/2019

3. **All Citation Void/Dismissal (Criminal) memos must be signed by the Division Commander.**
- Q. **Citation Void/Dismissal shall not be forwarded to Court Services prior to the Division Commander's review and approval. Memos without the appropriate signatures will be returned to the department by Court Services.**
1. If the citations cannot be accounted for, the second watch station sergeant shall immediately notify the Division Commander to take the appropriate action.
  2. If a citation has been issued at large and needs to be voided, the officer shall provide the second watch station sergeant with a copy of the citation and forward to Court Services for processing.
- R. The Missing Citation Report (Computer Generated from Incode) and Audit Accountability Spreadsheet shall be maintained in a locked file cabinet for a period of three (3) years until the City of Dallas' retention period has expired.
1. Police officers and public service officers leaving the department shall return all citation books to a patrol station and sign/date the Criminal and V-Ticket Citation Book or Parking Distribution Log.
  2. Distribution Personnel shall complete the Citation Book Checklist form, obtain the officer's/PSO's signature, sign the form, make a copy for the employee's records and obtain a copy of the form with the citation book for audit and records retention purposes.
  3. The officer or PSO shall return the Citation Book Checklist to his or her supervisor as proof that all citation books have been returned.
  4. If an officer or PSO leaves the department and leaves blank citations in his or her book, the officer's supervisor or the second watch station sergeant shall prepare a memo to void out all the remaining citations in the book. Documentation of the destruction of remaining citations will be included in the Void Citation Memo if allowed by the records retention schedule.
    - a. The memo and the voided citations shall be submitted to the Division Commander for review and approval.
    - b. Upon approval, the memo shall be delivered to Court and Detention Services (Records Division) for processing. The citations will be maintained or destroyed by the respective division.
    - c. The second watch station sergeant or his or her designee can confirm that all citations have been processed via the next month's citation accountability report or [www.municipalrecordsearch.com/dallastx](http://www.municipalrecordsearch.com/dallastx).
- S. On a bi-annual basis or as needed, the second watch station sergeant or his or her designee shall request a report from CIS listing all active police officers and public service officers in InCode. .
- T. The second watch station sergeant or his or her designee shall review the list and compare it to the departments Personnel Roster to determine if access is still needed.
- U. Officers or Public Service Officers whose names no longer appear on the departments Personnel Roster shall be highlighted on the spreadsheet provided by CIS and returned to be placed in an inactive status in Incode.

### 420.10 Requests from Criminal Defense Attorneys

- A. No employee will give any statement, affidavit, or deposition to any criminal defense attorney except by permission of the Chief of Police or court order. Depositions may be given to military officials, either trial counsel or defense counsel, upon request.
- B. Employees will notify the Criminal Law and Police Unit by memo when they receive subpoenas to give depositions to criminal defense attorneys. This memo will be submitted through the employee's Division Commander. A city attorney will determine whether it is necessary to file a motion or accompany the employee to the deposition.
- C. Employees who receive *Duces Tecum* subpoenas must notify the Criminal Law and Police Unit of the subpoena by memo before releasing any documents. An attorney may file a motion to quash or modify the subpoena to prevent the release of police documents.

### 420.11 Civil Court Cases and Civil Suits

- A. The Dallas Police Department has jurisdiction in criminal cases only. No employee of the Department will render aid or assistance in civil cases except to prevent an immediate breach of the peace or to quell a disturbance actually occurring.
  1. This rule is not intended to prevent an employee from informing any citizen of the steps necessary to institute a civil suit.
  2. Citizens requesting information regarding attorneys will be referred to the Dallas Bar Association Lawyer Referral Service, (214) 220-7444. Employees will not recommend specific attorneys to citizens they contact through official duties.
- B. Employees will not file a civil suit regarding any police incident without first notifying the Chief of Police in writing.
- C. Employees will submit a written report to the Chief of Police when they become involved in any criminal or civil action, other than divorce or adoption proceedings, not arising out of their official duties.
- D. Civil Cases Arising from Departmental Duties:
  1. Employees will respond to all CNS court notices.
  2. Employees will respond to legally processed and personally served subpoenas in civil cases and only the person named in the subpoena will accept the subpoena.
  3. No employee will give any statement, affidavit, or deposition to any insurance adjuster, investigator, or attorney in any civil case pertaining to any police matter except by permission of the Chief of Police or court order.
    - a. Employees will notify the Criminal Law and Police Unit by memo when they receive subpoenas to give depositions to attorneys in civil cases. This memo will be submitted through the employee's Division Commander. An attorney will determine whether it is necessary to file a motion or accompany the employee to the deposition.

**Dallas Police Department General Order**  
**420.00 Court Attendance**

Revised 09/03/2019

- b. Employees who receive *Duces Tecum* subpoenas must notify the Criminal Law and Police Unit of the subpoena by memo before releasing any documents. An attorney may file a motion to quash or modify the subpoena to prevent the release of police documents.
4. Officers receiving notice of civil action pending against them arising from their official duties will report to the Criminal Law and Police Unit upon receipt of *Service of Process*. They will report at 8:30 a.m. on the next regular working day with any papers served on the weekend or after 5:00 p.m. The Criminal Law and Police Unit will prepare the paperwork requesting representation for the officer by the City Attorney's Office.



## Dallas Police Department General Order

# 421.00 Off-Duty Employment

Revised 4/19/2024

### 421.00 OFF-DUTY EMPLOYMENT

#### 421.01 Procedure

**Working off-duty employment is a privilege and not a right.** The purpose of this procedure is to establish guidelines to manage off-duty employment for both sworn and non-sworn members of the department. Employees working off-duty employment are held to the same standards of conduct and performance that apply during on duty hours. Employees must adhere to all department rules and procedures including those related to the use of force.

#### 421.02 Definitions

- A. Off-Duty Employment: Any employment, including self-employment, that is not part of an employee's normal duties as an employee of the City of Dallas.
  1. For the purpose of this section, it may be either of the following:
    - a. Irregularly scheduled off-duty employment by an employer for the duration of a single event or series of related events that are performed at a single work location.
    - b. Off-duty employment regularly scheduled by an employer that is performed at a single work location.
  2. Off-duty employment can either be performed on or off City of Dallas premises, but is always performed for the benefit of an outside employer.
- B. Off-duty employment includes:
  1. Off-Duty Police Job: Any employment that is conditioned on the actual or potential use of law enforcement powers by the off-duty officer. Off-duty police job includes both paid and unpaid services. All off-duty police jobs will be submitted through the special duty request form in Intelligent Workforce Management (IWM).
  2. Off-Duty Non-Police Job: Any employment including self-employment that will not require the use or potential use of law enforcement powers by the employee. All off-duty non-police job requests will be submitted on a *Request for Permission for Outside Employment, Other Than Police Duty* form.
  3. Off-Duty Traffic Control Job: Sworn and non-sworn members may perform this work. All off-duty traffic control job requests will be submitted in Intelligent Workforce Management (IWM).
  4. Non-recurring Off-Duty Job: Any employment for an employer who employs off-duty Dallas Police Department employees only once in any 60-day period.
  5. Special Events Jobs: sworn officers may work special events permitted under Chapter 42A of the Dallas City Code ("Special Events Ordinance") and will do so in an off-duty capacity.
    - a. On-duty sworn personnel may work special events if the following conditions are met:
      - i. The Parties may agree that certain types of special events regulated under the Special Events Ordinance may be staffed with on-duty sworn personnel, with the approval of the Police Chief, the Fire Chief, or the City Manager.
      - ii. The types of special events where on-duty sworn personnel may be used include, but are not limited to, community-oriented events such as parades; events with a scheduled duration of four hours or less; events with fewer than 1,000 participants/spectators; and/or events that do not involve the consumption or sale of alcohol.
- C. On-Duty: For the purposes of General Order 421.00, on-duty means an officer's compensable work performed for the City of Dallas, including assistance provided to other City departments, and does not include Off-Duty work.
- D. Accrued Leave: Approved paid leave from the department including but not limited to Vacation leave, Attendance Incentive Leave, and Compensatory leave.
- E. Split workday: Prohibited practice of using accrued leave to work off-duty employment in the middle of an on-duty workday.
- F. Off-duty Job Request: The electronic method for requesting off-duty employment in Intelligent Workforce Management (IWM).
- G. On-duty and Off-duty Hours: A combination of all hours worked for the City while on duty, and all hours worked in off-duty employment, including regular work hours, overtime hours worked for the City, hours worked for the City for another employee, and hours worked in any off-duty employment.
- H. Intelligent Workforce Management (IWM): The computer software system used by the Dallas Police Department members to submit off-duty job requests. All off-duty police and traffic control requests are submitted in IWM.
- I. Off-Duty Employment Coordinator: An officer or supervisor who schedules other departmental personnel to work off-duty employment.
- J. Free or Reduced Rent: Off-duty employment where the employee is compensated with a free or reduced cost rental residence. This residence includes, but is not limited to, a rental home, an apartment, or a townhome.
- K. Primary Residence: The primary location that the Dallas Police Department employee resides, also known as a principal residence. This is determined by spending most of one's personal time at this location. **Each employee may only have one primary residence at any given time.**

#### 421.03 Prohibitions Applicable to All Off-Duty Employment

Working off-duty employment is a privilege and not a right. The following prohibitions apply to all off-duty employment.

- A. Total on-duty and off-duty hours are limited to a maximum of **16** hours in any consecutive 24-hour period and may not exceed **80** hours in a single work week (Wednesday - Tuesday). Exceptions to the above guidelines are as follows:

# Dallas Police Department General Order

## 421.00 Off-Duty Employment

Revised 4/19/2024

1. As directed by the Chief of Police, or an Assistant Chief of Police;
  2. Non-standby court and regular work hours combined may exceed the total work hours permitted in a day; or
  3. Late relief and regular work hours combined may exceed the total work hours permitted in a day.
- B. Employees are prohibited from working any off-duty employment within 24 hours from the beginning of the shift in which they fail to report for duty due to personal illness, injury, any other use of sick time, or leave taken pursuant to the Family Medical Leave Act (FMLA)- This includes FMLA, paid parental leave, or sick leave used to care for a third party, as well as preventative care such as physicals, routine check-ups, dental care, etc. This also includes situations in which an employee is using vacation leave, AIL, compensatory time, or any other paid or unpaid leave because the employee has used all of their accrued sick leave.
- C. Supervisors are prohibited from working in any off-duty capacity where they report directly to a departmental subordinate or are placed in a position of working for any lower-ranking officer. The term supervisor does not include senior corporals. Police officer trainees (including POT I, POT II, or POT III) are not authorized to work off-duty employment. Exception: POT III may work off-duty employment only when approved by their division commander.
- D. At no time will an officer solicit off-duty employment from any private citizen or organization.
- E. No member of the department shall engage in any off-duty employment or serve in a voluntary capacity as an expert witness for a litigant in a civil case or for a criminal defense attorney or defendant in a criminal case in any jurisdiction without approval from the Chief of Police.
- F. No member of the department will engage in any off-duty employment where his/her official position might be used to advance private interests or damage the department's credibility.
- G. A request for off-duty employment will be denied if any of the following apply:
1. The procedures listed in this General Order are not met or followed.
  2. The work involves collecting bills or checks.
  3. The work involves domestic difficulties.
  4. The off-duty employment (off-duty police or traffic control) is outside the city limits of Dallas.
  5. The officer is on limited duty status (exceptions to this prohibition will be evaluated on a case-by-case basis and may be granted at the discretion of the Chief of Police).
  6. The number of on-duty and off-duty work hours would exceed the total number of hours permitted by this General Order.
  7. The work would interfere with the employee's assigned duties within the police department.
  8. The employee's on-duty performance falls below satisfactory standards.
  9. The location of the off-duty employment is frequently visited by convicted felons.
  10. There is a suspicion of illegal activity being conducted at the location of off-duty employment.
  11. The nature of the activity at the place of off-duty employment has a tendency to bring discredit to the police department.
  12. The off-duty employment is adversely affecting the employee's on-duty performance.
  13. The request is to perform off-duty employment during the employee's lunch hour while working an administrative work day.
  14. The division commander determines that participating in the off-duty employment would limit the officer's effectiveness in discharging his/her official duties, negatively impact their health or well-being, or adversely affect the department.
  15. The off-duty employment is with a person or entity engaged in a labor dispute or in a political or ideological controversy where the officer's off-duty employment may reasonably be construed as an endorsement or condemnation by the department of a position taken by either party to the dispute or controversy.
  16. The off-duty employment would require a member of the department to work directly or indirectly for any public utility corporation holding a franchise with the City of Dallas, except as authorized by City Ordinance No. 16388.
  17. The off-duty employment conflicts with previously scheduled court or grant overtime.
- H. An officer must immediately report to the Chief of Police in writing any incident arising from off-duty employment that might adversely affect the police department or the City of Dallas. This includes any incident that would require the presence of a police supervisor if it had occurred while the officer was on duty.
- I. Employees are prohibited from owning, operating, or working in a place of business in any off-duty employment capacity where the principal purpose or activity is the dispensing or sale of alcoholic beverages.
- J. An employee working off-duty employment shall not:
1. Use his/her employment with the City of Dallas to obtain or provide to any off-duty employer any information to which the general public would not have access or for which the general public would be required to make a formal request through appropriate City of Dallas channels. Should an off-duty employer request a member of the department provide information or services described in this subsection or which could reasonably be construed to create the appearance of a conflict of interest, the employee shall:
    - a. Advise the employer of the potential conflict and that he/she cannot provide the information or services requested;
    - b. Refer the requestor to the employee's division commander; and
    - c. Refer the requestor to the proper office (Records Section, Legal Services Section, etc.) within the department to make a formal request.
  2. Enforce company policies or house rules of the off-duty employer unless the enforcement constitutes a law enforcement activity.
  3. Drink alcoholic beverages or other refreshments, which may appear to be alcoholic beverages, while in public view.
  4. Remain present when a private security and/or an investigative agency or a private individual is conducting a civil or criminal investigation.
  5. Assist in an investigation by a private security or investigative agency or a private individual.
  6. Use departmental identification/forms which include, but are not limited to, departmental letterhead, records, insignia, badges, and logos to seek off-duty employment unless approved by the Chief of Police. This does not

# Dallas Police Department General Order

## 421.00 Off-Duty Employment

Revised 4/19/2024

- prevent an officer from stating that he/she is a Dallas police officer and providing his/her curriculum vitae to a prospective employer.
7. Use accrued leave to work off-duty employment when the off-duty employment is on a regularly scheduled daily, weekly, or monthly basis or anytime it splits the workday. An officer may use accrued leave to work a non-recurring, one-time only off-duty employment.
  8. Accept any compensation from an off-duty employer to testify in court. The officer will be compensated by the City of Dallas pursuant to General Order 206.10.
  9. Engage in any work involving surveillance for any private business or agency, any private investigative or security company, or any private individual.
    - a. In this context, surveillance means the act of following a person(s) or vehicle(s) for the purpose of tracking or recording their movement, for a possible criminal or civil case or matter. Surveillance as used here does not prohibit:
      1. An officer from monitoring, either personally or via television camera, an individual's movement within a place of business where the officer has been hired to provide theft, burglary, robbery, or vandalism protection.
      2. An officer hired to house sit a residence by a private individual from monitoring any movement on the grounds of the residence.
- K. No member of the department will own or accept employment with any private investigative or security company which is or would be governed by the Private Investigators and Private Security Agencies Act, except that officers may accept off-duty employment:
  1. With those private security companies contracted with the City of Dallas to provide security and traffic control at city facilities;
  2. To work at businesses to prevent theft, burglary, robbery, vandalism, or to provide traffic control services; or
  3. With approval from their Assistant Chief.
- L. Employees of the department shall not wear the uniform of any private security company.
- M. Employees of the department shall not assist in any manner, for pay or gratis, in an investigation, interrogation of witnesses or suspects, or in the recording of any conversations by private investigative agencies, except as expressly authorized by the Dallas Police Department chain of command.
- N. No member of the department will be present, either on duty or off duty, when any private investigator or investigative agency is conducting any criminal or civil investigation, interrogating any witnesses or suspects, or recording any conversations unless serving as a representative of the Dallas Police Department.
- O. Reserve Officers
  1. A reserve officer or applicant to the Reserve Battalion whose primary employment is governed by the Private Security Agencies Act is allowed, as a condition of his/her employment, to work at businesses to prevent theft, burglary, robbery, vandalism or to provide traffic control. A reserve officer or an applicant is prohibited from conducting private investigations or engaging in any work outlined in section K. 9 above as a means of primary employment.
  2. Reserve officers who are licensed peace officers are permitted to work off-duty 3<sup>rd</sup> party traffic-related jobs only.

### 421.04 Officer's Responsibilities for Requesting Off-Duty Police or Traffic Control Job

- A. Requesting Permission to Work an Off-Duty Police Job
  1. An officer requesting to perform an off-duty police job shall submit a special duty request in IWM to his/her supervisor for approval prior to working the off-duty police job. Submission to the supervisor must be at least 24-hours prior to working the off-duty employment.
  2. Late notice jobs may be approved by on duty supervisor from the employee's division who will document the circumstances requiring approval with less than 24 hours' notice.
  3. The officer shall:
    - a. Complete all sections of the off-duty job request on IWM;
    - b. Notify his/her supervisor or an on-duty supervisor from the employee's division that an off-duty job request was submitted on IWM;
    - c. Indicate in the "Request Note" section whether the job will require the use of a city vehicle. (If so, a supervisor must indicate approval on the request when approved; and
    - d. Prior to performing the off-duty employment, the officer shall confirm that the supervisor approved the off-duty job request. If the request was not approved, the off-duty employment cannot be worked until the request is approved by an on-duty supervisor from the officer's division. Under no circumstances may an officer work an off-duty employment until and unless the request has been approved prior to performing the off-duty employment.
- B. An employee of the department is held accountable for monitoring his/her total hours worked in a day, including a combination of on-duty and off-duty work hours. When submitting an off-duty employment request in IWM for off-duty employment, the employee is expected to verify the following:
  1. That the off-duty employment does not conflict with any scheduled court and/or granted overtime;
  2. That the off-duty employment would not cause the employee to exceed the maximum allowable 16 total hours of on-duty and off duty work hours per a 24-hour period; and
  3. That the total combination of on-duty and off-duty work hours will not exceed 80 hours in a single work week (Wednesday - Tuesday.)
- C. Recurring or Permanent Off-Duty Job
  1. Off-duty employment requests must be submitted on or before the first day of the month during which the off-duty employment is to be worked.
  2. If an employee will work dates not listed on the original off-duty job request, he/she must submit a separate request for those dates as soon as the employee becomes aware of the need to work additional dates.

# Dallas Police Department General Order

## 421.00 Off-Duty Employment

Revised 4/19/2024

- D. Any officer requesting to work an off-duty police job in plain clothes must submit a memorandum to their Assistant Chief describing, in detail, the type of off-duty employment to be performed. The officer's bureau commander will approve or deny the request.

### 421.05 Off-Duty Employment at a Business Whose Principal Purpose or Activity is to Dispense/Sell Alcoholic Beverages

- A. An officer requesting to work an off-duty police job at such an establishment will submit a completed *Application for Off-Duty Employment at Businesses Whose Principal Specialty is Dispensing/Selling Alcoholic Beverages* Form (long form). This form will reflect coordination with the Vice Unit and the Nuisance Risk Property Team.
1. The form will be routed through the requesting officer's chain-of-command to the division commander for approval; and
  2. It will then be forwarded to the division commander of the patrol division in which the business is located. The division commander will:
    - a. Be the final approving authority for the request before an officer is allowed to perform the off-duty police job.
    - b. Maintain the original approved or denied long form as required by the Records Retention Schedule.
- B. The officer will submit an off-duty job request in IWM indicating:
1. Whether the officer has previously submitted an off-duty employment request for the same location and whether that request has previously been approved, along with the date of the approved application (from the long form). Any prior approval expires three months following the date of approval indicated on the long form.
  2. The names of the other officers working at the same off-duty employment location.
- C. The division commander of a geographical area will notify all division commanders and the Safety Team of any location where off-duty employment has been suspended.
- D. The Assistant Chief of Patrol will suspend, revoke, or deny any previously granted approval to work at an off-duty location when he/she determines any of the following apply:
1. Such employment is not in the best interest of the department;
  2. There are overriding safety considerations; or
  3. Any of the following conditions exist in connection with the business, management, or owner:
    - a. There is an investigation by the department for the improper operation or management of the business as required by law.
    - b. Charges are pending.
    - c. There is a conviction on any such charges.
- E. Requirements for Off-Duty Police Employment at Businesses Where Alcoholic Beverages Are Dispensed or Sold.
1. Two officers will work at each approved location. If the second officer fails to show, the first officer may not work the job without a replacement for the absent officer.
  2. The officers may only patrol the parking lot area associated with the establishment.
  3. The officers may enter the establishment only if immediate police action is required. After which, they will return to the parking lot.
  4. The officers may enter the establishment to notify the off-duty employer that they have reported for work or ended work.
  5. All alcohol related violations will be strictly enforced, and intoxicated individuals will be prevented from driving.
  6. The officers will adhere to uniform regulations in General Order 800.00.
- F. Restrictions for Off-Duty Police Employment at Businesses Where Alcoholic Beverages Are Dispensed or Sold.
1. An officer working an off-duty police job in the employment of a business whose principal purpose or activity is the dispensing or sale of alcoholic beverages for either on or off premises consumption is restricted to the following:
    - a. Working in the business' parking lot – the area utilized for the parking of vehicles for patrons of an alcohol dispensing business. These lots are usually adjacent to the business' physical structure and must be owned or leased by the business.
    - b. Performing traffic control for the location.
  2. An officer will not work an off-duty police service job at a business where alcoholic beverages are dispensed or sold if the business establishment is in the officer's assigned sector.
  3. The officer may not stand at or near the entrance to the establishment (including any location where it gives the appearance the officer is working the door) unless immediate police action is required. The officer should devote his/her attention to the security of the parking lot area.
  4. During the off-duty employment, an officer may enter the establishment only if immediate police action is required. After which, he/she will return to the parking lot.
  5. The officer may not enter the establishment to eat or take breaks.

### 421.06 Approving Supervisor's Responsibilities

- A. The approving supervisor will review the requesting employee's scheduled and requested sick leave along with the off-duty employment request(s) prior to approving each individual off-duty employment request.
- B. If an officer is required to remain at an off-duty employment beyond the hours originally listed on the approved off-duty job request, he/she must contact an on-duty supervisor for verbal authorization to remain at the location. This will ensure the employee follows the procedure if an incident occurs after the times listed on the special off-duty job request. The supervisor giving the verbal authorization to remain at the off-duty employment will document the supplemental approval in IWM indicating *Telephone Approval* in the "Request Note" section.

### 421.07 Officer's Duties While Working an Off-Duty Police Job

- A. An officer working an off-duty police job or traffic control job will carry a police radio. The officer will utilize the police radio to:

# Dallas Police Department General Order

## 421.00 Off-Duty Employment

Revised 4/19/2024

1. Mark-out with the dispatcher of the patrol division where the off-duty job is located and provide his/her badge number and the address of the off-duty employment.
  2. Continuously monitor the police radio channel where the off-duty employment is located.
  3. Provide immediate assistance to emergency calls or assist officer calls in proximity to the off-duty employment when possible.
  4. Notify the dispatcher at the conclusion of the off-duty employment.
- B. An officer working off-duty employment is required to take immediate action to protect life and property at the off-duty employment location and all areas within the officer's view, when objectively reasonable. The officer must respond to crimes in progress, vehicle collisions, or breaches of the peace. If time allows, this may be done after ensuring on-duty officers are called for assistance.
- C. An officer working an off-duty police job will wear the proper uniform, carry a citation book and a flashlight (at nighttime).
- D. When an officer receives a request for assistance concerning a non-emergency situation occurring away from the off-duty job location, the officer will provide assistance by the most practical means available, whether it is assisting the citizen in calling 9-1-1, personally investigating the incident, completing a collision report, etc. The officer's guiding principle in any situation will be to ensure the citizen receives proper and prompt assistance.
- E. Officers providing traffic control services must wear their reflective vest and issued police headgear or other approved headgear per General Order 802.00.
- F. An officer working an off-duty police job is responsible for completing all reports associated with the off-duty police job before the end of each instance of the off-duty employment, unless otherwise directed by an on-duty supervisor.
- G. After completing the arrest report on an MDC, the arresting officer will contact a Detention Services supervisor for review and approval. On-duty officers will transport prisoners.
- H. When two or more officers are working an off-duty employment, the highest-ranking sworn member will be in charge. If the highest rank is held by more than one officer, the most senior officer will be in charge.
- I. All officers and non-sworn personnel are required to notify a supervisor whenever they learn, through personal observation or report, of any violation of the off-duty employment procedure by any departmental employee.
- J. Whenever an officer performs an off-duty police job, the officer will ask the off-duty employer to submit a Tax Form 1099 or a W-2 Form to the U. S. Internal Revenue Service for the duty performed.

### 421.08 Off-Duty Non-Police Job

- A. Any member of the Dallas Police Department who owns or operates any private business, works on a commission, percentage, or salary, or receives compensation of any kind from any person, firm, or corporation other than the City of Dallas, will submit a request to his or her immediate supervisor to engage in the business. The request must be approved or denied by the employee's chain-of-command through the division commander. The form used for this purpose is the *Request for Permission for Outside Employment, Other Than Police Duty*.
- B. An application requesting permission to operate a business or perform services not pertaining to police duty will be filed prior to entering such business and must be renewed each January 1 and July 1 thereafter.
- C. The organizational unit will maintain a file of these applications in accordance with the Records Retention Schedule.
- D. Any officer who teaches law enforcement courses in an off-duty capacity will give a verbal disclaimer prior to any instruction that the subject matter being taught does not necessarily constitute the views and opinions of the Dallas Police Department but is based on the opinion and experience of the instructor.
- E. Off-duty employers are permitted to provide Dallas police officers' biographical information on official correspondence as it relates to a law enforcement course of instruction. This information can contain the officers' name, title, and position on the department.

### 421.09 Off-Duty Employment Verification

- A. Division commanders or their designees are responsible for performing at least weekly verifications of all special duty requests from IWM that were approved during the preceding week to ensure compliance with this General Order.
- B. All verification of off-duty employment will be reported on the *Off-Duty Employment Verification Form*.
1. The supervisor conducting the verification shall:
    - a. Complete the information with the date and time the verification was conducted.
    - b. Include the name of the business, address, type of business, and division/beat where the off-duty employment is located.
    - c. Speak with the officers at the off-duty job and obtain their names and badge numbers.
    - d. Include the name and badge number of the ranking officer and any supervisory personnel at the scene.
    - e. Determine if all officers have an approved off-duty job request in IWM.
    - f. If the business is where alcoholic beverages are sold or dispensed, determine if the business has an approved, unexpired long form.
    - g. Indicate whether officers were operating within the guidelines and document any observed violations, as well as any corrective action taken or recommended.
    - h. If observing a violation, complete a Blue Team entry and route a copy of the *Verification Form* to each employee's division commander.

### 421.10 Supervisor Off-Duty Employment Audits

- A. All first line supervisors shall utilize the *Off-Duty Employment Audit Form* to audit every off-duty employment worked by their direct subordinates every month and submit the forms through their chain of command. The supervisor shall provide an explanation for any discrepancies.
- B. The supervisors shall route the audit forms where sworn and non-sworn employees were *in compliance* with this General Order through the chain of command to the division commander. These forms are stored at the division level in accordance with the Records Retention Schedule.

# Dallas Police Department General Order

## 421.00 Off-Duty Employment

Revised 4/19/2024

- C. The supervisors shall route the audit forms where sworn and non-sworn employees were *not in compliance* with this General Order through the chain of command to the assistant chief's office.
- D. Division commanders shall submit a memorandum to the assistant chief's office attesting the off-duty employment audits were performed and list any violations.

### 421.11 Off-Duty Police Employment Requiring Five or More Officers

- A. An officer below the rank of Captain must obtain approval from the division commander before agreeing to arrange for off-duty police officers to provide off-duty police services or traffic control. The division commander will determine the number and the ranks of supervisors needed for the off-duty job. If the event requires assignment of a supervisor, as outlined in paragraph C below, the coordination of responsibilities will revert to the highest-ranking police supervisor.
- B. The officer submitting such a request must indicate on the application the type of duties he/she will perform.
- C. For this section, the word *officer* refers to *police officers, senior corporals, public service officers, civilian police crime technicians, and crime prevention specialists*. The ratio of supervisors needed at events requiring five or more officers are as follows:
  - 1. At least one sergeant or higher-level supervisor must be assigned.
  - 2. For every additional ten officers, at least one additional sergeant or higher-level supervisor must be assigned.
  - 3. For every three supervisors, at least one lieutenant or higher-level must be assigned.
  - 4. For every two lieutenants, at least one captain, major, or chief must be assigned.
- D. At least 24-hours prior to working the event the officer arranging the off-duty police job or traffic control job must submit an assignment detail through their division commander. A file of these applications will be maintained in the division office in accordance with the Records Retention Schedule. A copy will be forwarded to the geographic division commander in whose area the event is occurring. Each individual officer will also submit a special duty request.
- E. The division commander must be notified of any job in his/her division that requires five or more officers.
- F. The officer submitting the request will determine through the Special Events Team if the event needs a permit and if one has been issued. If no permit exists when one is required, off-duty officers will not work the event.
- G. In incidents related to performance of off-duty activities, the officer who arranges the job is responsible and is in charge. In police related incidents where police action is required, the command reverts to the ranking police supervisor at the scene. The senior officer at the scene, regardless whether the officer is in an on-duty or off-duty status, is responsible for ensuring that all departmental required reports and activities are completed.

### 421.12 Off-Duty Employment Requiring Police Equipment

- A. Vehicles (Including Motorcycles and Bicycles)
  - 1. Departmental vehicles will not be used for off-duty police jobs unless reimbursement is received. The reimbursement procedure also extends to motorcycles and bicycles.
  - 2. Departmental vehicles cannot be used for off-duty police jobs without prior approval from the commander of the division providing the vehicle.
  - 3. When completing the off-duty job request, the officer will conspicuously note the specific type of departmental vehicle (car, motorcycle, or bicycle) to be used in the "Request Note" section. The supervisor approving the off-duty job request will verify the division commander approved the use of the vehicle.
  - 4. An officer utilizing a vehicle for off-duty employment will enter the required information into the Expanded Neighborhood Patrol (ENP) Management Tool application. Divisions authorizing vehicles for off-duty police jobs will perform a monthly audit of the billing statement prepared by the Quartermaster Unit for accuracy and completeness.
  - 5. All off-duty police jobs where bicycles are used will be mandatory two-officer assignments. Both officers will ride together. The officers must have received training through the Central Business District bicycle-training program and be currently assigned to a bicycle position. Officers will only wear the approved bicycle assignment uniform. Only bicycles owned by the department will be used and will be limited to the following assignments:
    - a. Central Business District
    - b. Entertainment Districts
    - c. Parking Lots
    - d. Special Events
    - e. Apartment Complexes
    - f. Extended Neighborhood Patrol
- B. Safety equipment such as vests, flashlights, and traffic cones may be used at no charge when not needed by on-duty officers.
- C. Uniformed officers assigned to the Mounted Unit may be approved to work off-duty jobs with horses at only those events occurring inside Fair Park. Vehicles will not be used to transport the horses to the job site. All requests for off-duty use of horses will be referred to Mounted Unit supervisors for approval consideration. All off-duty jobs where horses are requested will be minimum two-officer assignments unless otherwise designated by a Mounted supervisor.
- D. Canines will not be used for off-duty jobs.

### 421.13 Job Coordination or Scheduling

- A. The Private Investigators and Private Security Agencies Act states that a police officer is exempt from the act if the officer is:
  - 1. Employed in an employee-employer relationship.
  - 2. Employed on an individual contractual basis.
  - 3. Not in the employment of another peace officer.
  - 4. Not a reserve officer.

# Dallas Police Department General Order

## 421.00 Off-Duty Employment

Revised 4/19/2024

- B. For house-moving escort duties, coordinating supervisors will be allowed to collect City overtime based only on the amount of off-duty time they spend coordinating the activity. Only supervisors will perform coordination duty for house moving escort duties on a voluntary basis.
- C. Off-duty employment coordinators will not coordinate or schedule off-duty employment while on duty. No communications related to off-duty employment coordination (to or from officers or employers) may be performed on-duty and at no time may these communications be conducted by utilizing City of Dallas communications equipment, such as phones, cellular phones, or mobile digital computers. Privately owned cellular phones may not be used while on-duty if for the purpose of coordinating or scheduling an off-duty employment.
- D. Only the off-duty employer is allowed to pay any officer for off-duty police service. At no time will an officer directly issue paychecks or distribute in-hand cash to another officer or employee for off-duty employment. This does not include distribution of paychecks issued to a specific officer by the off-duty employer or cash payment sealed in an envelope by the off-duty employer.
- E. Only a sworn officer may serve as an off-duty employment coordinator. This limitation includes coordinating off-duty jobs at city-owned facilities and for private employers.
- F. An officer acting as coordinator for an off-duty job may not solicit or schedule an officer of a higher rank within his/her chain-of-command for off-duty employment. If the coordinator becomes aware of the need for a supervisory officer to work at the event, the officer may contact supervisors outside his/her chain-of-command.

### **421.14 Hazardous Locations**

- A. Division commanders may designate within their geographic patrol divisions that an off-duty employment location is a mandatory two-officer job site.
- B. Any time a site is designated as a mandatory two-officer location, the responsible commander will send a memo reflecting that information to all organizational commanders. The memo will be made available to all supervisors for referral when reviewing off-duty job requests.
- C. Off-duty jobs at locations where a threat of violence has been expressed or is believed imminent by the off-duty employer (workplace violence) will require a minimum of two officers.
- D. In cases involving a hazardous location or where an expressed threat of violence exists, should an officer arrive at a location and the second officer fails to show, the first officer may not work the job without a replacement for the absent officer. The first officer will:
  - 1. Notify the on-duty watch commander in that geographic division that no officer will be working at the location.
  - 2. Make every reasonable effort to notify the off-duty employer that officers will not perform off-duty police services at the location.

### **421.15 Off-Duty Police Employment Prohibited at Sexually Oriented Businesses**

- A. No member of the department will be allowed to perform off-duty police and/or traffic control services inside, on the parking lot, or in the proximity of establishments that are regulated by the Sexually Oriented Business City Ordinance #19196. Supervisors will determine whether a particular business in question is covered by the City ordinance by calling a Vice Section supervisor prior to approving off-duty employment applications.

### **421.16 Off-Duty Police Employment at City-Owned Facilities / Overtime Funded Special Event Jobs**

- A. Off-duty employment at City-owned facilities, events where a City permit is issued, or events/initiatives involving City overtime will be treated in the same manner as any other off-duty employment for private employers. Employers may hire officers of their own choosing for these events. Employees may not use accrued leave to work any overtime assignment during their normal on-duty hours.
- B. Individual employers or contract company representatives may hire officers of their own choosing for events at City facilities or they may utilize sworn Dallas police officers as coordinators for jobs. Those acting as coordinators must also be working the job coordinated and will indicate the additional role of coordinator on the off-duty job request.
- C. Public streets around City facilities are not considered City facilities; therefore, traffic direction and control on public streets near a City facility is not an on-duty or special events assignment and will have to be approved according to this General Order as off-duty employment.
- D. When an event occurs at a City facility and a supervisor is required due to the number of police personnel working off-duty, the supervisor will submit a memorandum to the division commander in whose division the event is to occur, describing the details of the event.

### **421.17 Off-Duty Traffic Control Services Provided by Uniformed, Non-Sworn Personnel**

- A. Non-sworn employees not certified as peace officers, who are assigned to unarmed positions, may be authorized to provide off-duty traffic control services under the following circumstances, provided:
  - 1. They have completed current approved training in traffic direction duties by appointed personnel in Special Events;
  - 2. They are eligible to be issued a uniform (as authorized by their bureau commander); and
  - 3. They adhere to pertinent procedures applicable to sworn personnel in Section 421.03, included but not limited to:
    - a. Submission of an off-duty job request.
    - b. Completion of probation.
    - c. Restrictions on number of hours to be worked daily and weekly are followed.
    - d. Requirements for presence of a supervisor based on number of personnel working are followed.
    - e. Traffic direction duties are performed within the Dallas City limits.
    - f. Employees perform notification of sworn personnel of crimes in progress and render citizen assistance in non-emergency situations.

# Dallas Police Department General Order

## 421.00 Off-Duty Employment

Revised 4/19/2024

- B. The employee's immediate supervisor has the discretion to deny the off-duty employment if the supervisor believes the assignment may require performance of duties beyond the employee's skill level.
- C. Non-sworn employees will not be eligible to receive workers compensation benefits for injuries sustained while performing off-duty service/employment that is not staffed by Special Events.
- D. Traffic control service is the only permitted off-duty police-related service that is authorized for non-sworn members of the department. Non-sworn employees will not engage in any other off-duty police-related service/ employment that would typically be performed by sworn officers of this Department.

### 421.18 Off-Duty Employment for Free or Reduced Rent

- A. This section outlines requirements and restrictions for off-duty employment in exchange for free or reduced rent.
- B. The following rules apply to all free or reduced rent off-duty employment regardless if it is an off-duty police job or an off-duty non-police job:
  - 1. Officers working an off-duty job in exchange for free or reduced rent may do so **only** if the residence is their primary residence. Officers are required to notify their supervisor immediately if the location where they have been approved to work off-duty in exchange for free or reduced rent ceases to be their primary residence.
  - 2. Officers may only work one off-duty job in exchange for free or reduced rent at any given time. In other words, no officer may enter into any off-duty employment for free or reduced rent with more than one residential housing complex, apartment complex, landlord, townhome complex, or any other residential housing facility at any given time.
  - 3. Under no circumstances will an officer be employed as both a non-uniformed managerial employee and a uniformed security officer at the same location.
- C. If a Dallas Police Department employee works as a non-uniformed managerial employee (e.g. a manager, assistant manager, or night manager), the following limitations apply:
  - 1. This work will be considered to be an *Off-Duty Non-Police Job* and requests for approval shall be submitted on the *Request for Outside Employment, Other Than Police Duty* form (due January 1<sup>st</sup> and July 1<sup>st</sup> of each year).
  - 2. While working in these roles, officers will not enforce class C misdemeanors or become involved in family disputes or minor disturbances, unless loss of property or bodily injury appears imminent, nor will they address on-premise traffic violations. Officers will report those minor infractions and breaches of the peace (not involving bodily injury) that require police action to on-duty police personnel by calling 9-1-1.
  - 3. Officers may enforce property management policies (house rules) acting in their capacity as property managers only and will never enforce management policies acting under the color of law by using their badge or police authority or in uniform.
  - 4. Officers working as managers, assistant managers, or night managers, or while performing an off-duty police job, will take action against felony offenders to prevent burglaries, auto thefts, thefts, sexual assaults, and other crimes against the person which, by their very nature and appearance, are a threat to society.
- D. Dallas Police Department officers working as uniformed security at a residential housing complex or facility must submit an Off-Duty Employment request for approval via IWM, and notify the geographic division commander where the job is located. The geographic division commander will review the location and notify the approving commander if any foreseeable conflicts or problems exist. Such notification will occur in IWM, email, or a memorandum if a conflict or problem exists. Unless and until notification is made, the approving commander may assume there is no conflict or problem.

### 421.19 Safety Team

- A. The Safety Team will maintain an off-duty job hotline. Employers or contract companies may contact the Safety Team and request an event be placed on the off-duty job hotline. Only off-duty employment allowed under this General Order will be listed on the off-duty job hotline. Any officer wishing to work an off-duty police job may call the 24-hour hotline to hear a recording of available off-duty jobs. If interested in a particular job, the officer must then call the employer at the telephone number provided in the recording. The Safety Team will not schedule officers for any off-duty employment or city overtime event listed on the off-duty job line.
- B. The Safety Team will not list a job where an officer is wishing to find a replacement for an off-duty job he/she previously made a commitment to work.
- C. If an officer is unable to work an off-duty job after accepting it, the officer will be responsible for finding a replacement and notifying the off-duty employer of the replacement.
- D. The Safety Team will conduct a monthly random compliance audit of off-duty employment to ensure supervisors, officers, and non-sworn members are in compliance with this General Order.

### 421.20 Violation of Off-Duty Employment Procedure

- A. Officers and non-sworn members are required to notify a supervisor whenever they learn, through personal observation or report, of any violation of the off-duty employment procedure by any department employee. The supervisor will immediately:
  - 1. Conduct a review of the circumstances.
  - 2. Initiate an inquiry into the alleged violation.
  - 3. If necessary, complete a Blue Team entry and forward it through the chain-of-command to the Internal Affairs Division.
- B. Supervisors personally observing a violation will:
  - 1. Take the appropriate action to address the infraction.
  - 2. Determine if the employee needs to immediately discontinue the off-duty employment.

# Dallas Police Department General Order

## 421.00 Off-Duty Employment

Revised 4/19/2024

3. If necessary, complete a Blue Team entry and forward it through the chain-of-command to the Internal Affairs Division.
- C. The Chief of Police may suspend an officer's off-duty employment privilege due to the employee being suspended or demoted, or for any other reason as determined by the Chief of Police.
- D. The division commander may suspend a subordinate's off-duty employment privilege for 15 days for failure to comply with this General Order or for poor performance of duties. Indicators of poor performance include, but are not limited to:
  1. Errors due to inattention or poor judgment.
  2. Fluctuations in performance.
  3. Confusion and increasing difficulty in handling assignments.
  4. Absent without discretionary leave being available.
  5. Absence from work without notice or authorization.
  6. Excessive tardiness or attendance problems.
  7. Early departure from work without permission.
  8. Aggressive and/or belligerent behavior toward coworkers and supervisors.
  9. Excessive personal phone calls or use of a cell phone.
  10. Refusal to follow instructions from a supervisor.
  11. Complaints of sexual harassment or other types of offensive behavior.
  12. Disparaging remarks, jokes, and humor of an ethnic or racial nature.

### 421.21 Off-Duty Employment with Habitat for Humanity Neighborhood Officer Program

- A. Habitat for Humanity has designated a program for Dallas police officers to live in a remodeled home with a reduced monthly lease in return for providing police presence in the neighborhood.
- B. Officers may be allowed to work as a *neighborhood officer* for Habitat for Humanity when participating in this program. Selection for this off-duty employment will be handled by Habitat for Humanity using their current selection criteria.
- C. Available homes will be posted on the department's intranet under off-duty employment with an application deadline.
- D. Requests to work as a *neighborhood officer* must be submitted on the *Request for Outside Employment, Other Than Police Duty Form*.
- E. Enforcement Action
  1. Officers working as *neighborhood officers* will take action against felony offenders to prevent burglaries, auto thefts, thefts, sexual assaults, and other crimes against the person which, by their very nature and appearance, are a threat to society.
  2. Officers working as *neighborhood officers* will not enforce class C misdemeanors or become involved in family disputes or minor disturbances unless loss of property or bodily injury appears imminent, nor will they address traffic violations. Officers will report those minor infractions and breaches of the peace (not involving bodily injury) that require police action to on-duty police personnel by calling 9-1-1.
- F. Responsibilities and Requirements
  1. Officers working as *neighborhood officers* may be required by Habitat for Humanity to conduct certain duties as a condition of the lease agreement.
  2. Officers will supply their City email address to the neighborhood as a means of contact to report areas of concern.
  3. Officers will not be the point of contact for any concern that requires immediate response. Residents will be instructed to call 9-1-1 for all concerns requiring immediate attention.
  4. Officers will not handle *neighborhood officer duties* while on-duty, unless an immediate response is required to preserve life, prevent injury, or to prevent an offense from occurring.
- G. Officers will be required to commit to the Program in six-month intervals by signing a residential lease agreement, and the remodeled home provided to the officer through the Program must be the officer's primary residence. If at any time the officer ceases to work as a *neighborhood officer* through the Habitat for Humanity Neighborhood Officer Program or ceases to reside in the home provided as the officer's primary residence, the officer must notify his/her supervisor immediately.

### 421.22 Special Events Off-Duty Employment Procedure

- A. The City of Dallas hires Dallas Police Department employees to provide security, traffic control, and crowd control during permitted Special Events in the City of Dallas.
  1. All off-duty jobs coordinated by the Special Events Team will be posted for officers and non-sworn employees to sign-up.
- B. Reporting Procedures
  1. Officers and non-sworn employees working in an off-duty capacity must report on time to their assigned detail location.
  2. Officers and non-sworn employees must report in the appropriate uniform for their assignment in accordance with General Orders 802.00 and 803.00. Class B Uniforms are not allowed.
  3. Officers and non-sworn employees' appearance must be in accordance with General Order 804.02.
- C. Late and Absence Reporting Requirements
  1. Officers working in an off-duty capacity must notify the event coordinator at least 24 hours prior to the beginning of their assigned shift if they are going to be absent from the event.
  2. Officers and non-sworn employees missing an event due to exigent circumstances (i.e. sick, late call, etc.) must notify the event coordinator at least one hour prior to the start of their off-duty employment assignment.
  3. Failure to report for duty violations
    - a. Any officer or non-sworn employee who fails to report for their off-duty assignment at their assigned time or place will be suspended from working permitted Special Events off-duty jobs.
      - First Violation: 30-day suspension from working permitted Special Events off-duty jobs

**Dallas Police Department General Order**  
**421.00 Off-Duty Employment**

Revised 4/19/2024

- Second Violation: 60-day suspension from working permitted Special Events off-duty jobs
  - Third & Subsequent Violations: 90-day suspension from working permitted Special Events off-duty jobs
- b. A period of twenty-four months, beginning at the date of the violation or infraction, will be used in determining the appropriate corrective action.
4. Officers and non-sworn employees who arrive late without notifying the Special Event coordinator of their tardiness are subject to:
- a. Being replaced by a standby officer or non-sworn employee and sent home.
  - b. A 30-day suspension from working permitted Special Events off-duty jobs if there are three or more tardy incidents within twenty-four months.



## Dallas Police Department General Order

### 422.00 Request for Special Assignment

Revised 10/24/2014

#### 422.00 REQUEST FOR SPECIAL ASSIGNMENT BY EMPLOYEE ASSOCIATIONS AND INDIVIDUAL EMPLOYEES

##### 422.01 Employee Association Request for Special Assignment Time to Attend a Conference or Training for other than Association Business

- A. The Chief of Police may grant on-duty, special assignment status to representatives of an employee association/union to attend a conference or training that is directly related to Departmental business. The procedure for requests by an employee association/union for a representative to attend a conference, symposium or training to conduct association/union business is outlined in General Order 206.21.
- B. For the purpose of this order, an employee association/union is defined as a formal organization of employees which is recognized by the Department and addresses, advises or acts on behalf of its members on labor related issues.
- C. No more than two persons from any association/union may attend the same conference on special assignment. A maximum of 48 special assignment hours per calendar year will be allotted to each association/union for attendance at conferences or symposiums, if the request is approved. The association/union may use the allotted special assignment time in 8-hour increments per attendee (per day), not to exceed the association/union's total of 48 hours per year.
- D. The following procedure will be utilized for Employee Associations to request special assignment:
  1. The president of the association or union will prepare a request memo and attach it to a completed "Travel Request and Approval" form. The memo and form will be forwarded through the affected employee's chain of command to the level below the Bureau Commander. If the employee to attend has not been determined, the memo should be sent directly to the Safety Team, Personnel and Development Division. In each instance, the request must be sent 60 days in advance of the conference or event and contain the following information:
    - a. The location of the conference or training.
    - b. The duration of the special assignment requested.
    - c. A description of the conference or training.
    - d. The name and duty location of all employees requested to attend the conference or training.
    - e. Specifically how the employee's participation in the conference or training will benefit the Department.
    - f. A statement that the employee(s) attending the conference or training understands and agrees that he/she will not be reimbursed for any costs associated with attending the conference (lodging, meals, transportation, etc.) unless recommended by the Bureau Commander and approved by the Chief of Police.
    - g. The number of special assignment hours that have been previously requested and approved by the employee association/union and any outstanding requests.
  2. The first supervisor below the level of the Bureau Commander will forward the request to the Safety Team, Personnel and Development Division.
  3. The Safety Team will review all association/union applications. The review will be conducted for consistency with precedent as well as for compliance with General Orders. The Safety Team will document its findings in a cover memo and will forward it, as well as the original request memo and the "Travel Request and Approval" form, as follows:
    - a. When an association/union is requesting special assignment for a certain number of attendees but the individual names have not yet been identified, the Safety Team will forward the packet to the Commander of the Administrative and Support Bureau. If the application is disapproved by the Administrative and Support Bureau Commander, a copy will be returned to the association/union by the Safety Team. If the application is approved by the Bureau Commander, the packet will be forwarded to the Chief of Police for final approval. If the application is approved by the Chief of Police, the Safety Team will return a copy to the association/union with instructions that a list of attendees must be provided to the Safety Team not later than ten days prior to the conference or event. Upon receipt, the Safety Team will notify affected Bureau Commanders of the personnel under their command who will be attending. Bureau Commanders may ask the Chief of Police to reconsider particular names based upon unit workload, manpower shortages, etc.
    - b. When an association/union is requesting special assignment and the names of the attendees are known, the Safety Team will forward the request packet to the affected Bureau Commanders for review. The Bureau Commander will forward the original application with Bureau Commander's recommendation to the Chief of Police for consideration. Whether approved or disapproved, a copy of the application indicating the Chief's decision will be returned to the association/union. A copy will also be furnished to affected Bureau Commanders for notification to subordinate commanders.
  4. Attendance by any other individuals not approved by the Chief of Police will require the use of off-duty, vacation, or compensatory time, if staffing levels allow.
  5. Attendees will not be reimbursed for any costs associated with attending the conference (lodging, meals, transportation, etc.) unless recommended by the Bureau Commander and approved by the Chief of Police. Compensatory time or overtime will not be earned for travel to or from the conference.
  6. Within 14 days of return, attendees must submit a written report to the Chief of Police, over viewing the conference or event with particular focus on emerging issues and concerns identified at the conference, or results of participation by individuals. After review by the Office of the Chief of Police, the report will be forwarded to the Safety Team.
  7. The Safety Team will maintain files on all applications, the number of hours granted to each association/union and the written reports provided to the Chief of Police.

# Dallas Police Department General Order

## 422.00 Request for Special Assignment

Revised 10/24/2014

### 422.02 Employee Association Business Conducted During Assigned Duty Hours

- A. Members of the Department are prohibited from attending or participating in an employee association/union meeting during on-duty hours unless on an unpaid meal period. This includes the elected members of an association/union's organizational representatives, the board of directors, and all other members.
- B. Employees wishing to attend association/union meetings or conduct association business during their normal working hours should request approval of vacation or compensatory time from their first line supervisor at least 24 hours in advance. The request should include travel time to and from the meeting location when applicable. This is to ensure any necessary adjustments in scheduling or assignments can be made.
- C. Only employees with unpaid lunch periods may attend an employee association/union meeting during their lunch period. The serving of food during an employee/union meeting can not be used as justification for attendance during a paid lunch period.
- D. No employee, regardless of paid or unpaid lunch period, may use a city vehicle for transportation to or from an association/union meeting.
- E. Every effort will be made to accommodate the representatives, directors, or members. Attendance at such meetings, however, will not take priority over an assigned police incident, a court assignment, or other departmental needs.
- F. Representatives, directors, or members who receive any type of compensation for their association/union must submit a "Request for Permission for Outside Employment, Other than Police Duty" as required by General Order 421.02.
- G. It is not a violation of this policy for the director or representatives of an employee association/union to participate in a meeting held by the Chief of Police or other members of the command staff to discuss employee issues during on-duty hours. This includes telephone conversations to discuss specific employee issues. However, overtime is not authorized for this purpose.

### 422.03 Individual Employee Request for Special Assignment

- A. The Department recognizes the importance of allowing its members to attend outside training and conferences. However, it is imperative that the granting of special assignment time is handled in a fair and impartial manner and consistent with the Department's overall goals and objectives.
- B. The purpose of this order is to designate the procedure to request and approve the placement of employees on special assignment to participate in and/or coordinate functions that are outside of their normal scope of duties but are for the benefit of the Department.
- C. This order does not include employees placed on special assignment in other organizational units to meet the needs of the Department. That procedure is covered in General Order 407.06.
- D. Special Assignment can be requested for the following types of activities:
  - 1. Participation in training offered outside of the Department.
  - 2. Participation in a law enforcement conference or on a law enforcement related committee.
  - 3. Coordination of training offered by the Department for outside agencies.
  - 4. Coordination of conferences or committees held by the Department in which outside agencies are invited and expected to attend.
  - 5. To coordinate, participate in or attend any training, conference, or committee that is in the best interest of the Department.
- E. The following procedure will be utilized to request special assignment for one of the above listed activities:
  - 1. Employees requesting permission to participate in an activity that requires the expenditures of funds will submit a request memo attached to a completed "Travel Request and Approval" form. The memo and form will be forwarded through the employee's chain of command to the level of Bureau Commander for approval. The following information should be included in the request memo:
    - a. The location of the conference or training.
    - b. The duration of the special assignment requested.
    - c. A description of the conference or training.
    - d. The number of special assignment hours that have been previously requested and approved by the employee for the current calendar year and any outstanding requests.
    - e. How the employee's participation in the conference or training will benefit the Department. This should also include, specifically, how this activity will benefit the employee in his or her current work assignment.
    - f. If the employee has attended the same or similar training or conference in the last 2 years.
    - g. The amount of City funds needed to participate in the requested activity. This includes funds for meals, travel and lodging.
    - h. If a city vehicle or other city equipment will be used.
  - 2. An employee requesting permission to participate in an activity that does not require an expenditure of funds but requires the employee to be absent from his or her primary job assignment for a period of one work day or more, will submit a request memo to the Bureau Commander through the employee's chain of command. The request memo should include the same information as outlined by General Order 422.03 E. 1. This includes requests for special assignment to attend an activity that the employee has agreed to pay all associated expenses. Employees attending non-training or non-conference/committee type events (e.g. Police Olympics, Baker to Vegas Run, etc.) will be limited to a maximum of three special assignment days per calendar year. The employee may elect to use discretionary leave in conjunction with those days if approved by the employee's chain of command. Events that benefit a third party such as Special Olympics, Carry the Load, etc., are exempted from this provision. Additionally, special assignment time will not be granted for an employee's regular day off.
  - 3. An employee requesting permission to coordinate a conference or training that would require the employee to be absent from their primary work assignment for a period of one work day or more, will submit a memo to the Bureau Commander through the employee's chain of command. The following information should be included in the request:

# Dallas Police Department General Order

## 422.00 Request for Special Assignment

Revised 10/24/2014

- a. The nature of the proposed conference or training.
  - b. A description of the employee's responsibilities in coordinating the conference or training.
  - c. The proposed location of the event if known.
  - d. Who will be invited to attend.
  - e. How this conference or training will benefit the Department or further advancements in law enforcement.
  - f. If City funds, equipment or facilities to be used during the conference or training.
  - g. The expected cost of the event if City funds are needed.
  - h. How many other Department personnel will be involved in the coordination of the event.
4. Supervisors below the level of Bureau Commander should review any request for special assignment and make a recommendation to approve or deny the request. The following factors will be taken into consideration when making this recommendation:
- a. Staffing levels of the affected unit or division.
  - b. Overall cost of the request.
  - c. The amount of special assignment time requested.
  - d. The nature of the training or conference.
  - e. How many times the employee has attended the conference or training in the last 2 years.
  - f. The benefit to the Department by approving the employee's request.
  - g. The relevance of the training or conference to the employee's current assignment.
- F. All requests should be forwarded through the employee's Division Commander. Each supervisor in the employee's chain of command will indicate their recommendation for approval or denial of the request. If the employee's Division Commander determines the request should be denied, then the request will be considered denied and not proceed to the Bureau Commander. In organizational levels without a Division Commander, the request will be forwarded to the Bureau Commander.
- G. The division or unit training coordinator is responsible for maintaining the number of special assignment hours granted to each employee during the calendar year.
- H. Denial of special assignment time does not prevent an employee from requesting vacation or compensatory time. This request will be treated as any other request for leave.
- I. Employees who decide to become an official within a professional law enforcement organization are not guaranteed special assignment to attend a function of that organization.
- J. This order does not apply to events sponsored by the Department where employees are requested to volunteer to participate in a special assignment capacity. For these events, the procedures outlined in the request for volunteers should be followed.
- K. Each Bureau is limited to sending no more than 5 employees to attend a conference or training held outside of the metroplex which requires the expenditure of funds for other than conference or registration fees. Examples of other expenditures include, but not limited to, funds for travel, lodging and meals. It is the Bureau Commander's responsibility to monitor the number of employees within the Bureau approved to attend a conference or training to ensure this limit is not exceeded. A request can be made to the Chief of Police to exceed the established limit if it is for the good of the Department. The limit of 5 employees per Bureau does not include individuals who have been approved by the Chief of Police as the result of a request by an employee association/union as outlined in General Order 422.01.
- L. The Chief of Police may disregard or suspend the above order for events of such a magnitude that it requires multiple members of the Department to coordinate or to meet the overriding needs of the Department. Request for business leave by a representative of an employee organization is not covered by this order. The guidelines for requesting business leave are outlined by General Order 206.21.



## Dallas Police Department General Order

### 423.00 Membership in Professional Organizations and Police Associations

Revised 2/27/08

#### 423.00 MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS AND POLICE ASSOCIATIONS

##### 423.01 Professional Organizations

- A. Personnel requesting Departmental sponsored membership in a professional organization will forward a cover memorandum from their immediate supervisor to Financial and Contract Management Division along with the completed membership application or renewal form. The memorandum will include:
  - 1. The number of employees in the division who already belong to the organization. Each division will be responsible for maintaining this information for its personnel.
  - 2. An explanation of how the Department will benefit from the applicant's membership in the organization.
- B. The cover memorandum requires the approval of a Division Commander or above.
- C. In most cases, the Division Commander or other ranking supervisor will serve as the Department's representative for departmental sponsored memberships. Information obtained by the representative may then be disseminated to other personnel.

##### 423.02 Police Associations

Any assistance that an employee seeks from a police association, regarding work related issues, shall remain confidential. The employee's chain of command will not question the employee regarding the communication with the police association, or retaliate against any employee for seeking assistance or advice from a police association.



## Dallas Police Department General Order

### 424.00 Police Reserves

Revised 12/29/2020

#### 424.00 POLICE RESERVES

##### 424.01 Qualifications and Standards of Training of Reserve Division

- A. Qualifications and standards of training for sworn officers of the Police Reserve Division will not be less than the minimum set by the Texas Commission on Law Enforcement.
- B. Reserve Officer Classifications
  - 1. Basic Peace Officer - given to a Reserve Officer who has completed Basic Peace Officer course. This officer holds a Texas Peace Officer license.
  - 2. Reserve Specialist – non-sworn officer with specialized training such as a medical doctor or performs only in support roles such as a Public Service Officer.
- C. Qualifications for Reserve Applicants
  - 1. All reserve officer applicants will go through the same employment process as police officer applicants. The only exception for reserve officer applicants is there is no requirement to take the Civil Service Exam.
  - 2. Reserve officer applicants will be held to the same hiring standard as police officer applicants and will complete the entire process administered by the Personnel Division.
    - a. Retirees and resignations that are transitioning into the Reserve Battalion without a break in service will not have to go through the hiring process.
    - b. Any break in service due to resignation or retirement will follow the same hiring standards as a new police officer applicant.
    - c. Any reserve officer that wants to transition to police officer will be required to complete the entire process as a new police officer applicant with or without a break in service.
  - 3. The Chief of Police is the final authority to determine a Reserve Officer's acceptance, retention, training, or expulsion.
- D. Training
  - 1. All training will be conducted by the Training Section or other licensed training providers, with approval of the Police Training Section Manager. The Training Section will certify that each Reserve Officer is adequately trained before graduation.
  - 2. After completion of the classroom training, each Reserve Officer will be assigned by the Police Reserve Commander to a bureau in accordance with Department needs.
    - a. Each Reservist will be assigned to 30 days of field training with a Field Training Officer or Senior Corporal who has completed the Training Section's Officer Field Training Course. The Reservist will be evaluated daily on the same form as apprentice Police Officers. Details regarding the documentation of training will be outlined in the Field Training Officer Manual. Upon completion of the training, the training records will be forwarded to the Field Training Coordinator.
    - b. At any time during training, a Reserve Officer may be referred to his or her chain-of-command due to documented unsatisfactory performance for review.
  - 3. All Reserve Officers holding Texas Peace Officer certification must complete all in-service training required by the state and Department to maintain their peace officer license.

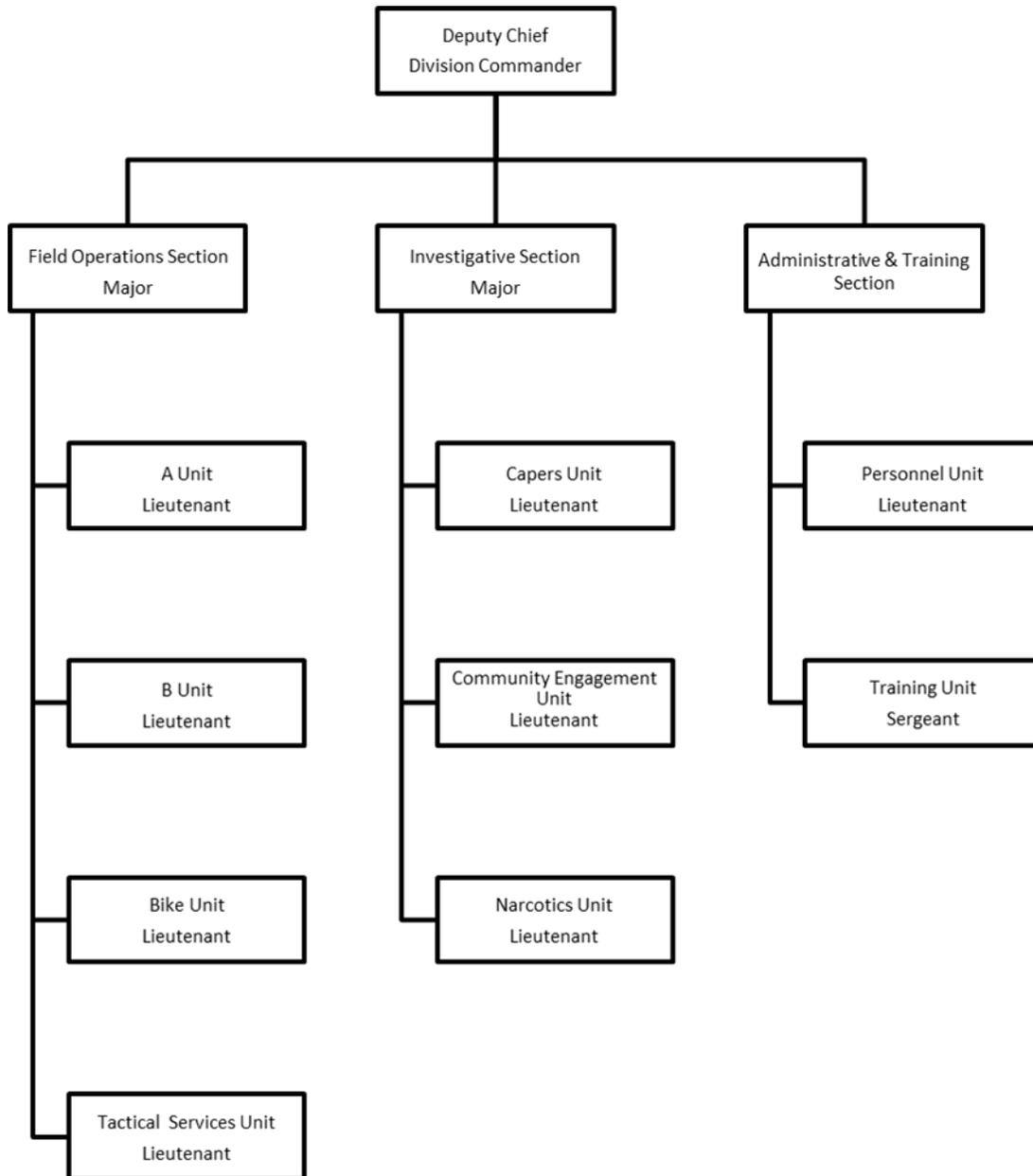
##### 424.02 Membership of Reserve Division

- A. Sworn members of the Police Reserve Division will serve as peace officers at all times.
- B. Members of the Police Reserve Division serve at the discretion of the Chief of Police and may be called to serve at any time the Chief of Police considers it necessary to preserve the peace and enforce the law.
- C. Members of the Police Reserve Division may serve without compensation, but the City Council shall provide their uniforms and equipment.
- D. All promotions, demotions, policy statements or other acts affecting the efficient operation of the Police Reserve Division will be subject to administrative review by the Chief of Police.

##### 424.03 Organization of Reserve Division

The Reserve Division will be commanded by the Reserve Coordinator, who will be a regular Police Officer in the rank of Sergeant or above. There will be a Reserve Commander, who will report directly to the Reserve Coordinator and serve as the highest-ranking Reserve Officer.

# Reserve Division



- A. The Reserve Commander may establish additional sections, units and positions of rank as the needs of the Department and Reserve Division arise.

# Dallas Police Department General Order

## 424.00 Police Reserves

Revised 12/29/2020

### 424.04 Duties of Reserve Officers

- A. Field Operations Duties - While on or off duty, all reserve officers certified by the Texas Commission on Law Enforcement (TCOLE) to carry weapons shall have the same authority and perform the same duties as full-time police officers.
  1. Individual assignments of reserve officers will be made by the Reserve Division Commander. Supervision of reserve officers while working patrol will be exercised by a patrol supervisor.
  2. An armed reserve officer may work as a one-man patrol officer if the following requirements are met:
    - a. The reserve officer has peace officer certification.
    - b. The reserve officer has completed 40 hours of In Service Training in the previous training cycle.
    - c. The reserve officer has worked in patrol the previous 6 months.
    - d. The reserve officer agrees to work 2 days a month in patrol; a total of 16 hours.
    - e. The reserve officer has been evaluated by a field supervisor designated by the Reserve Division Commander. The supervisor will make recommendation to the Reserve Commander.
    - f. The reserve officer's chain of command approves the one-man status.
    - g. The reserve officer has completed 2 years with the Dallas Police Department Reserve Unit.
    - h. The reserve officer has no disciplinary problems in the previous 2 years.
    - i. The reserve officer continuously meets all minimum hourly requirements.
  3. Reserve Specialists will be given assignments by the Reserve Division Commander to meet the needs of the Department and the Reserve Division.

### 424.05 Uniforms and Equipment for Reserves

- A. Reserve Officers and Reserve Specialists will be issued all the necessary uniforms and equipment to complete their assignment made by the Reserve Division Commander.
- B. The Reserve staff will notify the Reserve Coordinator when a Reserve Officer meets all of the qualifications necessary to obtain new uniforms.
- C. The Reserve Coordinator will issue the *Dallas Police Department Uniform Order Form* for the Reserve Officer to take to the Quartermaster Unit.
- D. A billfold size identification card with a photograph attached will be issued to all Reserve Officers.
- E. Reserve Officers qualified to be armed will be placed under the same Departmental rules as regular officers with regard to weapon type and caliber for both sidearms and secondary weapons. The issue sidearm will be the same for Reserve Officers as for regular officers, subject to availability.
  1. A Reserve Officer may carry a personal weapon if it has been approved by the Department and inspected by the Firearms Training Center.
  2. A Reserve Officer must qualify with his or her sidearm in the same manner as a regular officer.

### 424.06 Reserve Response

Reserve Response performance will be based on participation averages in the Reserve Division and Compliance issues. The participation average is the total of all other officers in the Reserve Division. Compliance Issues are basic performance requirements expected of all employees and rated as either (Yes) – Meets Standard, or (No) – Does Not Meet Standard.

1. A rating of less than 80% of participation average is considered below satisfactory performance for sector activity and is rated "Does Not Meet Standard".
2. A rating of 80% or above of participation average is considered satisfactory performance and is rated "Meets Standard" for sector activity.
3. Three "NO" ratings at the end of the year assessment in the Compliance Issues Section will result in an overall job performance rating of "Does Not Meet Standard" regardless of the sector activity rating.
4. To be rated as "Meets Standard" in the final end of the year assessment, a Patrol Officer should have a "Meets Standard" in overall participation average and at least four "YES" ratings in the Compliance Issues Section.
5. Activity below satisfactory standards for two consecutive quarters should first be addressed between the supervisor and the reserve officer.
6. Notification of unsatisfactory performance should be made to the reserve officer immediately, or as soon as is reasonably possible. The reserve officer should be made aware of 1) the unsatisfactory performance, 2) define what actions are necessary to obtain a satisfactory level of performance, 3) time allowed for improvement, 4) actions to be taken if performance requirement is not met, and 5) any other pertinent information. Whenever possible, notification of unsatisfactory performance should be made prior to 90 days before the end of the performance year. Consult the Personnel Services Unit in the Personnel Division for assistance.
7. Unsatisfactory performance may also be cause for referral to the Employee Support Program in accordance with General Order 433.00.
8. Late year performance problems (within 90 days of the end of the performance year) should still be addressed.
9. If performance standards are not met, the reserve officer is subject to disciplinary action, up to and including relief of duties.



## Dallas Police Department General Order

### 425.00 Cadet and Internship Program

Revised 08/27/2021

#### 425.00 CADET AND INTERNSHIP PROGRAMS

##### 425.01 Cadet Program

- A. The mission of the Dallas Police Department's Cadet Program is to attract young, well-qualified men and women of all walks of life to participate in an organized on-the-job training program, which includes instructions in the duties, responsibilities, and expectations of police officers. The goal is to prepare motivated, knowledgeable individuals for entry into a full-time police officer position.
- B. Cadets are paid employees (temporary part-time) and governed by the General Orders as well as the Cadet Standard Operating Procedures.

##### 425.02 Cadet Program Definitions

- A. Cadet Coordinator - Is a sworn member of the Department in the rank of sergeant or above that is assigned to the Personnel and Development Division. The Cadet Coordinator is the supervisor over the program.
- B. Divisional Cadet Coordinator/Supervisor - Is a sworn member of the Department in the rank of sergeant or above that is assigned to a division or section of the Department that utilizes cadets. The Divisional Cadet Coordinator serves as the immediate supervisor of the cadet while assigned to their respective division
- C. Cadet Evaluation Form
  - 1. Form used by the Cadet Coordinator and Divisional Cadet Coordinators to evaluate the cadet's progress through the program.
  - 2. Located on the N: Drive under N:\CADETS\Evaluations folder.
  - 3. Must be completed weekly by the Divisional Cadet Coordinator and forwarded to the Cadet Coordinator in the Personnel and Development Division.

##### 425.03 Requirements for Entry into the Cadet Program

- A. At least 17 but not older than 22 years of age.
- B. Enrolled in a minimum of 12 semester hours at an accredited college or university or full-time high school student.
- C. Maintain a GPA of 2.0 on a 4.0 scale.
- D. Pass the same hiring standards as a Dallas Police Officer with the exception of the physical fitness test and Civil Service test.

##### 425.04 Cadet Assignments

- A. All assignments are made by the Cadet Coordinator in the Personnel and Development Division.
- B. Assignments will rotate every three months unless a special need exists.
- C. Cadets will work the hours between 7am and 11pm. No first watch assignments will be made.
- D. Work hours will be adjusted as not to conflict with the Cadet's school or study hours. Actual work hours will be determined by the Divisional Cadet Coordinator where the Cadet is assigned after a discussion with the Cadet on what hours will not inhibit school responsibilities.

##### 425.05 Divisional Responsibilities

- A. Appoint a Divisional Coordinator who will:
  - 1. Act as the Cadet's first line supervisor.
  - 2. Schedule the Cadet's work week.
  - 3. Enter the Cadet's time into the Payroll System. Cadets' time entries must be done on a daily basis and each hour worked must be entered into the Payroll System.
  - 4. Ensure that the Cadet follows all Departmental rules and regulations.
  - 5. Ensure that the Cadet is being utilized properly and conducting job duties that enable them to learn about police work.
  - 6. Conduct weekly meetings with the Cadet to address any questions or concerns. These meetings should be documented on the *Cadet Evaluation Form*.
- B. Report any violations or problems to the Departmental Cadet Coordinator.

##### 425.06 Cadet Duties

- A. Cadets can perform the following duties BEFORE attending the three-week Cadet School:
  - 1. Work the front desk.
  - 2. Answer telephones.
  - 3. Assist in the Investigative Unit while inside of the station.
  - 4. General clerical duties.
  - 5. Assist officers at community outreach events such as safety and health fairs.
  - 6. Process prisoners at the station or jail.
  - 7. Assist in training at the Academy.

# Dallas Police Department General Order

## 425.00 Cadet and Internship Program

Revised 08/27/2021

8. Assist sworn members with special programs such as Explorers, LETS, and NPO activities.
  9. Staff Lake Ray Hubbard Storefront (with sworn supervision at all times).
  10. Work at service desk or expeditor unit.
  11. Work inside at the Firearms Training Center.
- B. Cadets can perform the following duties AFTER attending the three-week Cadet School:
1. Any of the above duties.
  2. Process prisoners in the field.
  3. Provide high visibility foot patrols in public areas when accompanied by a sworn officer.
  4. Assist in responding to Priority 3 or 4 type calls, must be accompanied by a Public Safety Officer or sworn officer.
  5. May assist officers in the field on a ride along only with a letter of approval from Cadet Coordinator.
  6. Assist in traffic control for special events.
  7. Issue handicap parking citations.
  8. Accompany Crime Scene Response Section detectives to crime scenes. Cadet's assistance at crime scenes should be limited to duties that will not require a court appearance.
  9. Assist traffic elements at accident scenes.
    - a. If Cadet has taken traffic direction class, then they may direct traffic.
    - b. Cadet must wear reflective vest.
  10. Help investigators in the field.
  11. Assist at the Firearms Training Center with repairs and target preparation.
  12. Conduct subject checks for elements in the field if they have attended and passed a NCIC/TCIC class.
  13. Conduct surveillance in sky towers or from other fixed positions and report suspicious activity to officers.

### 425.07 Off-Duty and Outside Employment

- A. Cadets are not authorized to work any police related off-duty jobs, including traffic direction.
- B. Cadets may not have any outside work that requires the use of the Cadet uniform or relates in any way to the duties of a Cadet.
- C. Cadets may be employed by another institution as long as it does not constitute a conflict of interest, a violation of General Order 421.05, or conflicts with the above provisions of this order.
- D. Any Cadet that is employed other than by the City of Dallas, must report that employment to the Cadet Coordinator.

### 425.08 Cadet Uniforms and Appearance

- A. Cadets will adhere to General Orders Section 800.00 regarding personal appearance.
- B. The cadet uniform will consist of:
  1. Khaki shirt and pants with a Dallas Police Department patch on the left shoulder.
  2. Nametag
  3. Duty belt
  4. Handcuff case and handcuffs
  5. O/C spray and holder (if successfully completed O/C spray class and authorized by Coordinator)
- C. If a uniform is not yet available, then the Cadet should wear business casual clothes.
- D. The Cadet uniform will not be worn off-duty unless the Cadet is going to or from his/her place of assignment. At no time will a Cadet wear unapproved portions of their uniform or partial pieces.

### 425.09 Internship Program

- A. All requests from outside agencies regarding participating in an internship program will be referred to the Personnel and Development Division.
- B. All internships must be approved by the Commander of the Personnel and Development Division.
- C. Interns will be limited to high school and college students.
- D. Participants must adhere to a set work schedule that will be established by the Dallas Police Department.
- E. Interns will be required to conform to the Departmental dress code (does not include hairstyle regulations).
- F. Prior to assignment of an intern to a bureau or division, approval will be obtained from the appropriate Bureau or Division Commander.
- G. Interns will be limited to participating in the program for one semester only.
- H. Participation in an internship program must be approved by the sponsoring college, university, or high school and must fulfill academic requirements.



## Dallas Police Department General Order

# 426.00 Law Enforcement Explorer Program

Revised 06/17/08

### 426.00 LAW ENFORCEMENT EXPLORER PROGRAM

#### 426.01 Program Description

- A. The Dallas Police Department Explorer Program is an official departmental program. Although each Explorer Post is chartered by the Boy Scouts of America, the Chief of Police is the final authority on all matters pertaining to the operating procedures of the Law Enforcement Explorer Program.
- B. The program is designed to acquaint eligible young people with the nature and complexity of law enforcement. It encourages them to seek careers as Police Officers and at the same time affords the Department an additional opportunity to evaluate each Explorer, at little expense, prior to application for employment as a Police Officer.
- C. The Chief of Police will appoint a chief-level officer as coordinator for all Law Enforcement Explorer Posts within the Department. Each Explorer Post will be organized and operated as set forth in the Standard Operating Procedures (SOP) Manual for Explorers to be maintained by the Explorer Coordinator.
- D. Explorers are volunteers, who range in age from 14-21, and are not to be considered sworn officers.

#### 426.02 Assignment Responsibilities

- A. Legal Services Section
  - 1. Perform any office work when instructed by Legal Services Section personnel.
  - 2. Perform any other duties as directed.
- B. Investigations Bureau
  - 1. Supervisors may request Explorers to assist in any duties that will benefit the Department.
  - 2. Under the supervision of designated personnel, the Explorer may work assignments in civilian clothes.
  - 3. Explorers are prohibited from performing any covert law enforcement function such as surveillance or undercover purchase of alcohol by a minor.
- C. Patrol Bureau and Traffic Section
  - 1. Direct traffic at the scenes of fires, explosions, accidents, etc. Explorers must not make measurements since the officer has to testify that the measurements were made by the officer.
  - 2. Assist regular officers assigned to Parkland Memorial Hospital.
  - 3. Use the radio as instructed by the officer.
  - 4. Assist in filling out routine paperwork when the paper will not be used in any court action.
  - 5. The Explorer's name will not be included in the paperwork of any arrest unless the Explorer's testimony is necessary in court to secure a conviction. If the Explorer's testimony is necessary, the Explorer will be listed as a witness.
  - 6. Assist in community relations projects such as marking property, distributing crime prevention literature, or acting as McGruff, Crime Dog.
  - 7. Perform other duties as directed.
- D. Special Events - Explorers work in policing special events and/or operations needing more manpower than is readily available in the Department. Explorers may assist with:
  - 1. Traffic and crowd control during special events such as parades and Cotton Bowl activities.
  - 2. Events such as the Texas-OU pre-game activities.
  - 3. Activities such as Operation Extra Eyes.
  - 4. Natural or civil disasters. (Explorers may report in uniform to the division station nearest their home for assignment when ordered to do so by a Post Advisor.)

#### 426.03 Uniforms and Equipment for Explorers

- A. The Dallas Police Department will issue used, serviceable equipment, and partial uniform items to assist Explorers in fulfilling their responsibilities. The following uniform items will be issued:
  - 1. One pair of regulation police uniform trousers.
  - 2. One regulation police trousers belt.
  - 3. One regulation police hat with a silver hatband for Explorers and a gold hatband for Explorer officers.
  - 4. One regulation police raincoat (without police label on back).
  - 5. One regulation police winter jacket (without Police Department shoulder patches).
  - 6. One regulation Sam Browne with three (3) belt keepers.
  - 7. One handcuff case with serviceable handcuffs (if requested).
- B. The items listed in A above become and remain the property of the Dallas Police Department and the Law Enforcement Explorer Program. They will be retained by the Post Advisor upon termination of the Explorer's membership in the program.

#### 426.04 Explorer Training Program

- A. The Department will make available its training aids, material, personnel, and equipment for proper training of the Explorers.
- B. All probationary Explorers will be required to successfully complete the prescribed course of training as established by the Explorer Program of the Dallas Police Department prior to being promoted to the rank of Explorer and participating in Explorer Ride Along activities.

**Dallas Police Department General Order  
426.00 Law Enforcement Explorer Program**

Revised 06/17/08

**426.05 Explorer Post Advisors**

- A. The Department will provide advisors and other personnel on a volunteer basis to work in the program.
- B. Post advisors are volunteer officers, approved by the commanding officer of the Patrol Division geographic area where the Post is located. When practical, the post advisor should be assigned to the Patrol Division.
- C. Each post will have an assistant post advisor of the opposite sex when possible (except that a female officer must be available when there are female Explorers in the post).
- D. Post advisors will receive compensatory time (rate of one and one-half times the hours worked) as outlined in the S.O.P. Manual for Explorers.
- E. Post advisors will be placed on special assignment duty status when activities in the program exceed four hours duration.



**Dallas Police Department General Order**

**427.00 RESERVED FOR FUTURE USE**

Revised 10/28/11

**427.00** *RESERVED FOR FUTURE USE*



## Dallas Police Department General Order

### 428.00 Police Family Support Team

Revised 11/11/2021

#### 428.00 POLICE FAMILY SUPPORT TEAM

##### 428.01 Purpose

- A. This order recognizes that the spirit of the Dallas Police Department is one of helping people and providing assistance at every opportunity. This includes our assistance to the Department's Police Family and especially during the time when an active or retired member of the Department suffers a serious injury/illness or death.
- B. The purpose of this order is to offer impartial assistance to all members of the Department's Police Family. It must be understood that services provided to the Police Family are dependent upon a number of factors. These include such things as the availability of the Department's resources and the Department's primary role of providing public safety to our community. The Chief of Police may approve deviations from this order depending upon those factors.

##### 428.02 Definitions

- A. Active Peace Officer and Non-Sworn Injury, Illness, or Death in the Line-of-Duty
  1. Departmental Peace Officer Injury, Illness, or Death in the Line-of-Duty: A Departmental peace officer who is actively employed or in an authorized volunteer service, who suffers a serious or fatal injury or illness which is the direct and proximate result of taking any lawful and reasonable enforcement action or emergency response that the officer is authorized or obligated to perform by law, rule, regulation, or condition of employment, appointment or service, whether on or off duty. It also includes indirect results attributed to line-of-duty incidents, and direct results of felonious assaults perpetrated against the officer because of his or her status as a Texas peace officer.
  2. Employee Accidental Injury, Illness, or Accidental Death in the Line-of-Duty: A member of the Department who is actively employed or in an authorized volunteer service who, while on-duty, suffers a serious or fatal injury or illness that is the direct and proximate result of an accident or criminal act committed against the employee.
- B. Active Member Injury, Illness, or Death Not in the Line-of-Duty: A sworn/non-sworn member of the Department who is actively employed or is in an authorized volunteer service who suffers either of the following:
  1. A serious or fatal injury, illness, or accidental or natural death, while off-duty and which is non-police related.
  2. A serious or fatal illness or natural death while on duty. This is intended to include those illnesses and deaths that were not the direct and proximate result of an accident or criminal act committed against the employee, such as deaths caused by chronic, progressive, or congenital disease (e.g., heart or pulmonary disease).
- C. Retired Member Death:
  1. The death of a retired member who is in good standing and fully separated through retirement from the Department.
  2. A retiree is defined as one of the following:
    - a. Any sworn or non-sworn member who resigns, having completed at least 20 years of service, regardless of age.
    - b. Any sworn or non-sworn member who resigns and is eligible to begin receiving pension benefits.
    - c. Any former sworn or non-sworn member who is receiving a City disability pension.
- D. Death of Another Law Enforcement Agency Member: - A member of an agency, which is involved in crime and juvenile delinquency control or reduction, or enforcement of criminal laws, who dies while taking any action that the member is authorized or obligated to perform by law, rule, regulation, or condition of employment or service, whether on or off duty.
- E. Full Departmental Honors
  1. Full Departmental Honors are the rendering of honors at the funeral of a sworn member of the Department who died in the line-of-duty.
  2. The following Full Departmental Honors will be rendered, upon approval of the family:
    - a. All flags at police facilities will be flown at half-mast for the period of time from the death, until immediately following the committal service.
    - b. All Departmental members with badges will cover their badge per General Order 802.07.
    - c. All members of the Department without badges, who wish, may cover the right vertical edge (opposite edge from where the employee's picture is located) of their identification card with a black elastic banding, a mourning badge band or black tape for the period of time from first being informed of the member's death until immediately following the committal service. The tape or mourning band will not be placed in a manner that covers the picture or any information on the identification card.
    - d. Two uniformed officers will be assigned to the deceased member for the period of time from death of the member until burial
    - e. A Departmental uniform will be provided for burial of the deceased, if the deceased was eligible to wear a uniform, and will consist of the following:
      - i. Long sleeve uniform shirt with appropriate identification loops and sleeve patches.
      - ii. Uniform trousers.
      - iii. Waist belt.
      - iv. Sam Browne belt, keepers, empty handcuff case, and empty holster.
      - v. Uniform black tie.
      - vi. DPD collar insignia or insignia of rank for Lieutenants and above.
      - vii. Temporary badge, which will be returned to the Department.
    - f. The Dallas Police Choir may sing at the memorial or funeral service, if available.
    - g. A United States or Texas burial flag will be provided to drape the casket.

# Dallas Police Department General Order

## 428.00 Police Family Support Team

Revised 11/11/2021

- h. Colors will be presented by the Honor Guard at the committal service.
  - i. A riderless horse will be stationed in a place of prominence.
  - j. Flag folding ceremonies will be conducted by the Honor Guard
  - k. The flag will be presented to the family by the Chief of Police or his designee.
  - l. A 21-gun salute will be performed by the Honor Guard Firing Party.
  - m. *Taps* will be played at the committal service.
  - n. The Departmental bagpiper may play at the committal service, if available.
  - o. A police motorcycle escort will be provided for the funeral service.
- F. Departmental Honors
- 1. Departmental Honors are the rendering of honors at the funeral of a sworn/non-sworn member of the Department where the cause of death was not in the course or scope of the member's employment.
  - 2. Departmental Honors are the rendering of honors at the funeral of a retired member of the Department.
  - 3. The following Departmental Honors will be rendered, upon request of the family:
    - a. Active Member.
      - i. All members of the Department will cover their badges or identification cards, per General Order 802.07, or 428.02. E.2.c., while attending funeral services and until immediately following the committal service.
      - ii. A Departmental uniform will be provided for burial of the deceased, if the deceased was eligible to wear a uniform, and will consist of the following:
        - (1) Long sleeve uniform shirt with appropriate identification loops and sleeve patches.
        - (2) Uniform trousers.
        - (3) Waist belt.
        - (4) Sam Browne belt, keepers, empty handcuff case, and empty holster.
        - (5) Uniform black tie.
        - (6) DPD collar insignia or insignia of rank for Lieutenants and above.
        - (7) Temporary badge, which will be returned to the Department.
      - iii. A United States or Texas burial flag will be provided to drape the casket.
      - iv. A flag folding ceremony will be conducted by the Honor Guard.
      - v. The flag will be presented to the family by the Chief of Police or their designee.
      - vi. *Taps* will be played at the committal service.
      - vii. A police motorcycle escort will be provided for funeral services that occur within the Metroplex or as approved by the Chief of Police.
    - b. Retired Member
      - i. All members of the Department attending funeral services for deceased retired members will cover their badges or identification cards, per General Order 802.07, or 428.02.E.2.c., during the funeral services and until immediately following the committal service.
      - ii. A Departmental uniform will be provided for burial of the deceased, if the deceased was eligible to wear a uniform, and will consist of the following:
        - (1) Long sleeve uniform shirt with appropriate identification loops and sleeve patches.
        - (2) Uniform trousers.
        - (3) Waist belt.
        - (4) Sam Browne belt, keepers, empty handcuff case, and empty holster.
        - (5) Uniform black tie.
        - (6) DPD collar insignia or insignia of rank for lieutenants and above.
        - (7) Temporary badge, which will be returned to the Department.
      - iii. A United States or Texas burial flag will be provided to drape the casket.
      - iv. A flag folding ceremony will be conducted.
      - v. The flag will be presented to the family.
      - vi. *Taps* will be played at the committal service.
      - vii. A ceremonial police motorcycle escort will be provided for the funeral services, if the services are held within the Metroplex
- G. Ceremonial Honors
- 1. Ceremonial Honors are the rendering of honors on, but not limited to, the following occasions:
    - a. The funeral of a member of another Law Enforcement Agency, where the death of the other Law Enforcement Agency employee took place in the line of duty and the death occurred in Dallas and/or the funeral or committal service will take place in Dallas.
    - b. The funeral of a person who the Department wishes to honor.
    - c. National Police Week and Police Officer Memorial Day ceremonies.
    - d. Parades or other ceremonies in which the Department participates at the direction of the Chief of Police.
  - 2. Ceremonial Honors can include some or all of the honors rendered as part of the Full Departmental Honors or Departmental Honors.
  - 3. All Ceremonial Honors must have prior approval of the Chief of Police.
- H. Official Departmental Burial Flags - The United States flag or the State of Texas flag are the only flags permitted to drape the casket at a service where the Department is rendering Full Departmental Honors, Departmental Honors, or Ceremonial Honors. This does not limit the use of a pall by the Roman Catholic Church or other churches, but nothing may be placed on top of the flag. The flag must be removed before the casket is covered with the pall.
- I. Police Family Members - The term *Police Family Members* refers to the immediate surviving family members.
- J. Metroplex - The term Metroplex will be considered to include the City of Dallas, Dallas County, and also include any destination within 100 miles of the closest border to the City of Dallas.

# Dallas Police Department General Order

## 428.00 Police Family Support Team

Revised 11/11/2021

### 428.03 Composition and Responsibilities of the Police Family Support Team

- A. The Police Family Support Team will consist of the following personnel:
  - 1. Executive Liaison - The Personnel and Support Division Commander will provide liaison between the Police Family Support Team, the Chief of Police, and the Dallas Blue Foundation.
  - 2. Family Services Officer - A member of the Employee Relations Team, Personnel and Support Division, who will be responsible for the coordination of the overall operation of the Police Family Support Team.
  - 3. Benefits Coordinator - The Personnel and Support Division Commander or a designated subordinate will be responsible for coordinating all benefits for which the member and his or her family are eligible. The Benefits Coordinator will contact the member's family as soon as appropriate and maintain contact with the member's family throughout the benefits process. The Benefits Coordinator will be responsible for tracking all required benefits documents.
  - 4. Travel and Financial Coordinator - The Personnel and Support Division Commander or designated representative will be responsible for coordinating any financial and/or travel arrangements, whether local or away from Dallas, for Police Family Members and/or Department Ceremonial and Coordination personnel in connection with the serious or fatal injury, illness or death of a Department member.
  - 5. Accommodations Coordinator - The Personnel and Support Division Commander or designated representative will be responsible for coordinating any lodging, locally or away from Dallas, for Police Family Members and/or Department Ceremonial and Coordination personnel in connection with the serious or fatal injury, illness, or death of a Department member.
  - 6. Media Coordinator - A member of the Public Information Office who will be responsible for coordinating the release of personal or departmental information, and for arranging media coverage of memorial or funeral services in connection with the serious or fatal injury, illness, or death of a Department member.
  - 7. Traffic Coordinator - The Traffic Unit Commander will be responsible for coordinating and conducting any and all movements of vehicles involved in a funeral operation.
  - 8. Commander of the Honor Guard will be responsible for all ceremonial rites involved in a funeral operation.
  - 9. Department Chaplain - The Department Chaplain will be responsible for meeting the spiritual needs of the surviving family and the Department's members.
  - 10. Family Liaison Officers - Officers from the injured/deceased member's division or bureau (one or two per 8-hour shift) who will provide security, liaison, and escort for Police Family Members in connection with the serious or fatal injury, illness, or death of a Department member. Although this is not a command or coordination position, it does provide the role of *facilitator* between the family and Department.
  - 11. Division Liaison Officer - A supervisor from the injured/deceased member's bureau who will provide liaison between the Police Family Support Team and the bureau. This supervisor will be designated by the Commander of the injured/deceased member's bureau and will be placed on special assignment to the Personnel and Support Division.
- B. The Police Family Support Team will be activated by the Personnel and Support Division Commander, when needed.
- C. The Police Family Support Team will provide coordination and communication to both the Dallas Police Department and the Police Family during a time of crisis and grief.
- D. When activated the Police Family Support Team will meet at least once a day until deactivation is ordered by the Personnel and Support Division Commander.

### 428.04 Notification of the Police Family Support Team

- A. Communications Services Section
  - 1. The Communications Services Section, upon receiving information of a life threatening or fatal injury or illness of any member of the Department, while on or off-duty, will immediately notify the following members of the Police Family Support Team:
    - a. Executive Liaison.
    - b. Family Services Officer or the Supervisor of the Employee Relations Unit.
    - c. The Department Chaplain.
  - 2. The Communications Services Section, upon receiving information on the situations listed below, will notify the Family Services Officer or the Supervisor of the Employee Relations Team by 8:15 a.m.:
    - a. Death of any retired member of the Department.
    - b. Notification of the death in the line-of-duty of any Texas law enforcement agency employee.
    - c. Notification of the death in the line-of-duty of any law enforcement agency employee occurring in Dallas.
    - d. Notification of the intention of any law enforcement agency to bring to Dallas a law enforcement employee killed in the line-of-duty for funeral or committal services.
- B. Records Section
  - 1. The Records Section will immediately fax to the Communications Services Section a copy of any teletype containing information of:
    - a. A life threatening or fatal injury or illness of any member of the Department, while on or off-duty.
    - b. Notification of the death in the line-of-duty of any Texas law enforcement agency employee.
    - c. Notification of the death in the line-of-duty of any law enforcement agency employee occurring in Dallas.
    - d. Notification of the intention of any law enforcement agency to bring to Dallas a law enforcement employee, killed in the line-of-duty, for funeral or committal services.
  - 2. A Records Section supervisor will contact a Communications Services Section supervisor by telephone to confirm receipt of the fax. The Communications Section will then carry out notification responsibilities as outlined in paragraph 428.04 A.

# Dallas Police Department General Order

## 428.00 Police Family Support Team

Revised 11/11/2021

### 428.05 Notification of the Police Family Members

- A. General procedures for divisions/bureaus regarding notification of deaths and life-threatening injuries.
  - 1. In all situations where a member of the Department is seriously or fatally injured, the Police Family Members and their needs must be given first priority and consideration.
  - 2. The name of the seriously or fatally injured member must not be released to the media before the Police Family Members are notified, whether they live in the Metroplex or outside the Metroplex.
  - 3. If the Police Family Members reside outside the Metroplex, the informing officer shall request a prompt and personal notification from the jurisdictional law enforcement agency in the area in which the surviving family resides.
  - 4. If the Dallas Police Department is requested by another law enforcement agency to perform a personal notification of a serious injury or death of one of their members to a Police Family Member who resides within the City of Dallas, the same courtesy and procedures shall be afforded to the agency as that which would be done for our own Police Family Member's notification.
  - 5. A supervisor at the member's division/bureau should obtain necessary information from the Emergency Contact Form in the employee's personnel file. If the form indicates medical conditions or medication allergies, etc., this information should be sent to the receiving hospital.
- B. Notification Team Composition and Responsibilities
  - 1. The notification team should be made up of a supervisor, an officer known by the injured employee's family (when possible), a female officer to assist female family members, and at least one uniformed officer.
  - 2. The Family Services Officer, the Departmental Chaplain, or a Volunteer Police Chaplain are available for any related purposes and can serve on the notification team, if desired.
  - 3. Employees outside the official notification team are prohibited from making contact with Police Family Members prior to official notification.
  - 4. At least two vehicles should be used by the notification team.
  - 5. The following Police Family Members should receive immediate notification, based upon the member's specifications in the emergency contact form:
    - a. Spouse and children.
    - b. Parents.
    - c. Others, as requested by family.
  - 6. Prior to arrival of the notification team, accurate and up-to-date information should be secured. The notification team's goal should be to make a timely notification before Police Family Members learn through other means.
  - 7. If a member immediately notifies his or her spouse of the serious injury or death of a co-worker, the member's spouse should be told to not call the injured or deceased member's spouse. This lessens the possibility of a premature notification.

### 428.06 Response to Life Threatening Injuries and Death in the Line-of-Duty

- A. The Police Family Members will be considered to be:
  - 1. Spouse.
  - 2. Sons and daughters, and guardian if the child is under 18 years of age.
  - 3. Spouses of the sons and daughters.
  - 4. Father, mother, stepfather, and stepmother.
  - 5. Brothers and sisters, if under 18 years of age.
- B. When a member of the Department suffers a life-threatening injury or illness or is killed in the line-of-duty in the Metroplex, the following will be provided for the Police Family Members by the Department:
  - 1. Personal notification of Police Family Members in the Metroplex.
  - 2. When Police Family Members are not in the Metroplex, notification to the jurisdictional law enforcement agency in which the surviving family resides will be made.
  - 3. Transportation to the medical facility or other location of local Police Family Members.
  - 4. If requested, a uniformed officer will be posted at the family residence while the family is taken to the medical facility or other location and will remain until replaced by the Family Liaison Officers.
  - 5. Family Liaison Officers will be available 24 hours per day to assist the Police Family Members.
  - 6. If the Police Family Members reside outside the Metroplex, they will be picked up upon their arrival in Dallas and will be provided transportation during their length of stay.
  - 7. All departmental members will guard against making any promises to the family and will not make additions to this list without prior consent of the Chief of Police through the Police Family Support Team.
  - 8. The above supportive measures will be provided from the time of serious injury, until the member's life is no longer threatened, or in the event of death, 24 hours after the committal services.
  - 9. Full Departmental Honors will be rendered.
- C. The following cannot be provided for the Police Family Members:
  - 1. The expense of any phone calls.
  - 2. Pay-for-view movies at the place of accommodation.
  - 3. Meals and/or food.
  - 4. Room service of any kind.
  - 5. Any alcoholic beverages.
  - 6. Any other personal expenses.
- D. When a member of the Department suffers a life-threatening injury or illness in the line-of-duty outside the Metroplex, the following will be provided for the Police Family Members by the Department:
  - 1. If requested, a uniformed officer will be posted at the local family's residence while the family is absent and will remain until the family returns home.

# Dallas Police Department General Order

## 428.00 Police Family Support Team

Revised 11/11/2021

2. When a member is hospitalized outside the Metroplex, the Family Services Officer will serve as the Family Liaison Officer.
  3. Arrangements for transportation of Police Family Members will be made with the jurisdictional law enforcement agency in the area where the member is hospitalized.
  4. The above will be provided from the time of serious injury until the member's life is no longer threatened. This time may be extended when approved by the Chief of Police.
- E. When a member of the Department is killed in the line-of-duty outside the Metroplex, the Department will provide the following for the Police Family Members:
1. The Family Services Officer will be sent to the location where the Department member has been killed to handle the logistical details and provide escort for the remains.
  2. All other details as provided for a member of the Department being killed in the line-of-duty in the Metroplex.

### **428.07 Response to Life Threatening Injury or Illness and Death Not in the Line-of-Duty**

- A. The Department will provide the following for the Police Family Members:
1. When the Police Family Members reside in the Metroplex:
    - a. Personal notification of Police Family Members.
    - b. Transportation to the medical facility or other location of the Police Family Members.
    - c. If requested, a uniformed officer will be posted at the family residence while the family is taken to the medical facility or other location and will remain until replaced by the Family Liaison Officers.
    - d. Family Liaison Officers will be available, as needed or requested, 24 hours per day, from the time of notification, until the member's life is no longer threatened, or if death occurs, until burial. This time period may be extended when approved by the Chief of Police
    - e. Departmental Honors will be rendered.
  2. When the Police Family Members reside outside of the Metroplex:
    - a. Notification will be made to the jurisdictional law enforcement agency in which the immediate surviving family member resides.
    - b. Out of town Police Family Members will be picked up at the airport or other location by personnel of the division to which the member was assigned.
    - c. Departmental Honors will be rendered with approval of the Chief of Police.
- B. The Department cannot provide for any expenses incurred by the Police Family Members.

### **428.08 Response to the Death of a Retiree**

- A. The Department will provide the following for the Police Family Members, if the funeral, memorial, and/or committal service is held in the Metroplex:
1. Family Services Officer will be available to assist with the funeral service.
  2. If requested, the Departmental Chaplain will be available to conduct the funeral service.
  3. If requested, Departmental Honors will be rendered.
- B. The Department cannot provide for any expenses incurred by Police Family Members.

### **428.09 Departmental Representation at Out of Town Funeral Services (DPD Line-of-Duty Deaths)**

- A. The following departmental persons will accompany the family and remains, when applicable, to out of town funerals:
1. Executive Liaison or his/her designee.
  2. Family Services Officer.
  3. The Department Chaplain.
  4. Honor Detail [Pallbearers] (maximum 8 members).
- B. When transportation to out of town funerals is made available through the Department, the following departmental persons may travel to the funeral:
1. Executive Staff (unless other transportation is available for them).
  2. Public Information Officer (1 member, or approval required for more than 1).
  3. Honor Guard
    - a. Supervisor and/or Assistant (2 Members)
    - b. Rifle Team (8 members)
    - c. Casket Team (8 members)
    - d. Color Team (5 members)
  4. Usher Detail (Honor Guard can also serve as Ushers)
  5. Motorcycle detail.
- C. The Department will provide vehicles for the above listed personnel if the funeral and burial location is within the Metroplex as defined in G.O. 428.02 J. Funerals and/or burials that occur outside the Metroplex will be handled congruent with existing City of Dallas travel regulations for housing, meals and means of travel.
- D. Additional personnel and vehicles may be authorized by the Chief of Police.

### **428.10 Departmental Representation at Funerals of Other Law Enforcement Agency Members (Line-of-Duty Deaths)**

- A. Within the Metroplex.
1. A supervisory officer will be designated by the Commander of the Honor Guard as the Officer-In-Charge of the Department's official representation at the funeral.
  2. The Honor Guard will send a minimum of two officers and one vehicle; however more may be authorized by the Chief of Police or their designee. The department will be monetarily responsible for travel expenses incurred during each trip to include; fuel, lodging, and per diem (per Chief Of Police approval).

# Dallas Police Department General Order

## 428.00 Police Family Support Team

Revised 11/11/2021

3. The commanders of each of the seven geographic Patrol Bureau divisions shall designate at least one representative from their respective divisions to serve as official representatives of the Department. The representatives will be provided with marked police vehicles for their transportation.
  4. Station representatives will wear their class-A dress uniform, to include long sleeve shirt, black tie and police hat.
  5. The Traffic Unit Commander may send escort motorcycles subject to manpower considerations at the time of the funeral.
  6. The duties of the official representation team will be considered an on-duty assignment.
- B. Outside the Metroplex.
1. The Honor Guard will be the official representation team for funerals for law enforcement personnel killed in the line of duty outside the Metroplex. The Honor Guard will send no less than two representatives to outside the Metroplex services.
  2. An official representation team for funerals for law enforcement personnel killed in the line of duty may be sent anywhere in Texas. If the funeral is held outside Texas, travel will be limited to 300 miles from the closest Dallas city limit to the service location. The Chief of Police may approve sending an official representation team to a funeral being held outside of Texas and beyond the 300-mile radius. Means of travel to any service is subject to time, distance, manpower needs and Department policy.
  3. This guideline does not prohibit attendance at other law enforcement agency funerals by those officers who wish to travel by private transportation, off-duty, nor does it prohibit the use of other police vehicles, if approved by the Chief of Police.
  4. The Personnel and Support Division Commander or designated representative is responsible for notifying the Honor Guard of other law enforcement agency funerals.
  5. After notification, the Honor Guard Commander will:
    - a. Determine the availability of the Honor Guard
    - b. Notify the Traffic Unit Motorcycles supervisor who will:
      - i. Determine the availability of motorcycles for funeral representation.
      - ii. If motorcycles are available, a Traffic Unit supervisor will be designated and up to three motorcycle officers (total of four) will be assigned to the Honor Detail.
  6. All members of the official representation team will be considered on-duty for the duration of their service in that capacity and may be authorized to stay overnight by the Commander of the Honor Guard. The normal travel policy of the Department will cover the expenses incurred.

### 428.11 Demeanor of Officers (Other Than the Ceremonial Personnel) at Memorial, Funeral, and Committal Services

- A. Memorial and Funeral Services
1. The word *chapel* is interpreted to include the church, funeral home, or other inside location where a memorial or funeral service is held, other than the committal service.
  2. The word *casket* is interpreted to include any receptacle containing the remains of the deceased, including cremated remains.
  3. Appropriate attire for uniformed personnel will be a long sleeve uniform shirt, uniform trousers, black tie, and uniform hat. Majors and Chiefs will wear the double-breasted executive dress uniform and hat.
  4. The words *cover* and *uncover* are interpreted to be the placing of a hat and the removing of a hat from one's head.
  5. When inside the chapel, the following will apply:
    - a. Honor Guard members posted at the casket will remain covered.
    - b. The Police Chaplain will be covered or uncovered as circumstances dictate throughout the service.
    - c. All other personnel with hats will remain uncovered and carry the hat under the non-gun side when not seated.
    - d. All personnel, while passing in review, will remain uncovered.
  6. When outside the chapel, all personnel wearing hats will remain covered at all times.
- B. Committal Services
1. At a law enforcement funeral, persons in uniform will come to ATTENTION and execute the hand salute at the command, PRESENT ARMS, which will be given:
    - a. Any time the flag is being moved.
    - b. When the casket is moved from the site of the funeral/memorial service to the hearse, or from the hearse to the site of the committal service.
    - c. During the firing of volleys.
    - d. While *Taps* is being played.
  2. At a law enforcement funeral, law enforcement personnel not in uniform, will place the right hand over the heart at the command, PRESENT ARMS, which will be given:
    - a. Any time the flag is being moved.
    - b. During the firing of volleys.
    - c. While *Taps* is being played.
  3. The hand salute or the right hand over the heart will be held until the command, ORDER ARMS, is given.
  4. In accordance with military custom, hats will not be removed for prayers, but all personnel will bow their heads as a sign of respect.
  5. Uniformed personnel, when not at ATTENTION, will remain in the position of PARADE REST during the outdoor committal service.

# Dallas Police Department General Order

## 428.00 Police Family Support Team

Revised 11/11/2021

### 428.12 Explanation of Benefits and Police Family Support Team Operations

- A. To avoid misunderstandings by Police Family Members, only personnel of the Employee Relations Team are authorized to discuss:
  - 1. What benefits the family may be eligible to receive.
  - 2. Funeral operations and procedures.
  - 3. Police Family Support Team operations and procedures.
- B. The Benefits Coordinator will contact the family as soon as practicable to answer questions the family may have regarding the above items.
- C. Employee Relations Team personnel will file for survivor benefits on behalf of the police family members. Determination of benefits will rest with the issuing organization or agency.

### 428.13 Police Officer Memorial Day Services

- A. Purpose - The purpose of this order is to establish procedures for conducting a Police Memorial Day Service in honor of law enforcement officers slain in the line-of-duty. This nationally recognized holiday which occurs on May 15<sup>th</sup> every year, will be celebrated by the City of Dallas and the Dallas Police Department on the Wednesday in which the Police Memorial Week occurs.
- B. Procedure
  - 1. The Public Information Office will:
    - a. Seek news stories in the local media and publish a story in the *Police News* regarding the Police Officer Memorial Day and ceremony.
    - b. Contact every other law enforcement agency in Dallas County to request their participation by sending one uniformed officer to the ceremony described below.
    - c. Contact Police Family Members of Departmental members who will be memorialized at the Police Officer Memorial Day Ceremony.
    - d. Draft and seek passage of a proclamation from the City Council for both National Police Week and Police Officer Memorial Day. Such proclamation would direct that flags on all City installations be flown at half-mast on the designated Police Officer Memorial Day.
  - 2. The Honor Guard will conduct a ceremony at the site of the Police Memorial Monument located at May Triangle at the southwest corner of Young St. and Akard St. at 12:00 noon on the designated Police Officer Memorial Day. The ceremony will include:
    - a. Lowering of flags to half-mast.
    - b. Stationing nearby a riderless horse from the Mounted Squad.
    - c. Calling the names of those Department officers who died in the line-of-duty.
    - d. Laying a wreath at base of the memorial by the Chief of Police.
    - e. Giving a benediction by a Police Chaplain.
    - f. Firing of a 21-gun salute
    - g. Playing of taps.
    - h. Flying over of a police helicopter.
    - i. Closing melody by Departmental bagpiper.
    - j. All other Organizational Commanders will assign representatives to the ceremony. These assignments will be made in writing to the Commander of the Honor Guard by May 1 each year. These representatives will serve as the Salute Team for the Memorial Day Ceremony. This assignment will be a full 8-hour assignment and will include training and participation in the service.
    - k. In addition, all Department personnel and their families are invited and encouraged to attend.
  - 3. The Personnel and Support Division will provide a floral wreath for the Police Officer Memorial Day Service.
  - 4. All members of the Department will cover their badges or identification cards, per General Order 802.07, or 428.02.E.2.c., on the designated Police Officer Memorial Day.

### 428.14 Police Employee's Emergency Contact Form

- A. All members of the Department will be required to complete an *Emergency Contact Form*.
- B. Organizational Commanders will ensure employees update their *Emergency Contact Form* during November of each year.
- C. *Emergency Contact Forms* will be maintained by each organizational unit in the employee's personnel file.
- D. All *Emergency Contact Forms* and the information contained in the form are confidential and will be treated as such.

### 428.15 Final Salary Benefit Check Authorization Form

- A. Final Paycheck or Final Salary Benefit.
  - 1. The member's final paycheck or final salary benefit will be considered to be all accrued and unpaid salary benefits.
  - 2. The member's final paycheck will consist of all accrued and unpaid:
    - a. Salary pay
    - b. Vacation pay
    - c. Compensatory pay
    - d. Sick pay
    - e. Service incentive pay
    - f. Any other salary benefit the member is entitled to

# Dallas Police Department General Order

## 428.00 Police Family Support Team

Revised 11/11/2021

3. If the member had earned a holiday that had not yet been taken at the time of death, the Organizational Commander should forward a memo to that effect to the Payroll Team. A separate check will be issued for the Holiday leave.
- B. *City of Dallas-Disposition of Deceased Employee's Final Salary Benefit Check Authorization* forms may be obtained from and will be kept on file with the Employee Relations Team of Police Personnel.

**The *Final Salary Benefit Authorization* form is intended to expedite payment of salary benefits to the family or other designated beneficiary in the event of a member's death. The completion and signing of this form can save legal costs associated with their verification procedures. If a signed copy of this form is not on file, distribution of final salary benefits will be made according to Texas Probate Laws at the beneficiary's expense.**

### 428.16 Memorial Accounts and Donations

Any member of the Department receiving a donation for the family of a member of the Department who has died will immediately forward the donation to the Employee Relations Team of Police Personnel.

### 428.17 Eligibility of Officers for Memorial Recognition

- A. A deceased Dallas Police Department peace officer who is killed or dies in the line-of-duty will be eligible for recognition in the roll call of names on Police Memorial Day, on the Chief's Office memorial wall plaque, and in the form of a portrait displayed at the Police Academy.
- B. Departmental peace officers must be licensed by TCOLE and include:
  1. Police Officers
  2. Reserve Officers
  3. Security Officers
- C. *Line-of-duty* means any lawful and reasonable enforcement action or emergency response which a Department peace officer is obligated or authorized by law, rule, regulation, or condition of employment, appointment or service to perform.
- D. *Line-of-duty* for these purposes includes any fatal incident that was:
  1. A direct result of a line-of-duty, on-duty incident.
  2. An indirect result but directly attributed to a line-of-duty, on-duty incident.
  3. A direct result of an on-duty accident, or an on-duty criminal act committed against the officer.
  4. A direct result of a line-of-duty, off-duty incident, except for Security Officers.
  5. An indirect result of but directly attributed to a lawful line-of-duty, off-duty incident, except for Security Officers.
  6. A direct result of a felonious assault on the peace officer, perpetrated because of the status as a Texas peace officer regardless of duty status.
- E. Deaths Not Included
  1. A Department peace officer whose death is attributed to natural causes is not eligible for inclusion, except when either of the following apply:
    - a. A medical condition arises out of a specific response to a violation of law or an emergency situation causing the officer's death during or after a period of hospitalization following the specific response.
    - b. There is a supported finding that the officer died as a result of infectious disease contracted while lawfully performing official duties, or by exposure to hazardous materials or conditions while lawfully performing official duties.
  2. A Department peace officer whose death is attributed to any of the following is not eligible for memorial recognition:
    - a. When caused as a result of or during the officer's commission of a crime.
    - b. As a direct result of the officer's voluntary alcohol or controlled substance abuse.
    - c. When caused by the officer's intent to bring about his or her own death.

### 428.18 The Dallas Police Memorial

- A. The Chief of Police has the sole authority to request the name and badge number of any officer deemed to have died in the line-of-duty to be added to the Dallas Police Memorial at May Triangle, located at the corner of Akard and Young Streets.
- B. The Commander of the Administrative Support Bureau will act as liaison between the Police Department and the Dallas Police Foundation, Inc. and will be responsible for briefing the Chief of Police on all matters related to the Police Memorial.
- C. For purposes of determining whether an Officer's death is to be regarded as In The Line of Duty, the definition set out in the Public Safety Officers Benefits Act Summary as amended in 1990, or as may be amended in the future, will be utilized.
  1. If a death is deemed to be In The Line of Duty, the Commander of the Personnel and Support Division will forward to the Chief of Police, through the Commander of the Administrative Support Bureau, a form requesting the addition of the officer's name to the Dallas Police Memorial Wall.
  2. This form will reflect a brief description of the circumstances of the officer's death and request the Chief's signature authorizing placement of the officer's name and badge number on the Police Memorial.
  3. If in agreement with those findings, the Chief of Police will sign the form authorizing such placement. The form will be routed back to the Commander of the Personnel and Support Division through the Commander of the Administrative Support Bureau.
  4. The Commander of the Administrative Support Bureau will contact the Dallas Police Foundation, Inc., in writing, advising them of the decision of the Chief of Police. The Foundation will be responsible for insuring proper placement of the officer's name and badge number on the Police Memorial.

# Dallas Police Department General Order

## 428.00 Police Family Support Team

Revised 11/11/2021

- D. The Central Patrol Division Commander shall have the responsibility of providing security for the Dallas Police Memorial and will ensure that regular maintenance inspections of the Memorial are conducted.
  - 1. In the event the Memorials' infrastructure or landscaping needs to be repaired, replaced or improved, the Central Patrol Division Commander will forward that information to the Commander of the Administrative Support Bureau who will contact the Dallas Police Foundation, Inc. to advise them of the change(s) requested at the Memorial site.
  - 2. The Foundation will consider the proposed change(s) and act upon it/them as expeditiously as it deems appropriate.
- E. The Dallas Police Foundation, Inc. is a private, non-profit corporation and is responsible for overseeing a fund established to schedule and provide for repairs, upkeep and periodic infrastructure improvements to the Memorial.

### **428.19 Police Officer Memorial Wall Plaque**

The names of all officers deemed to have died in the line-of-duty will be affixed to the memorial wall plaque in the office of the Chief of Police.

### **428.20 Police Officer Memorial Portraits**

- A. The portraits of all officers deemed to have died in the line-of-duty will be displayed at the Police Academy.
- B. Organizational Commanders will have the option of displaying portraits or photographs or plaques commemorating employees from that organizational unit who died on or off-duty, irrespective of whether the employee's death was in the line-of-duty, as long as the employee's conduct at the time of death was honorable.

### **428.21 Rendering Honors to the Flag and National Anthem**

- A. The United States flag is symbolic of the United States and the ideals for which it stands. The national anthem is a declaration of reverence and loyalty to the United States with the flag as an emblem. The manner of rendering honors to the flag or national anthem during ceremonial functions varies depending on the type of clothing worn and whether the member is indoors or outdoors.
- B. Indoors - Salutes are not rendered indoors to the flag or national anthem, regardless of the type of clothing worn.
  - 1. Members in uniform will come to the standing position of attention and place the right hand over the heart. They will face the flag if it is visible; otherwise, the music is faced. The hat will not be worn indoors unless the member is assigned to the honor guard detail. During the national anthem, the hat may be set down, or if held, will be tucked under the left arm while the right hand covers the heart.
  - 2. Members in civilian clothing will come to the standing position of attention and place the right hand over the heart. Males with hats will have already removed the hat upon entering the facility. During the national anthem, the hat may be set down, or if held, will be placed near the left shoulder while the right hand covers the heart. Females in civilian attire are not required to remove their hats.
- C. Outdoors
  - 1. Members in uniform will come to the standing position of attention and render the military hand salute to the flag. If the flag is not visible, the music is faced and saluted. Hats, if available, will be worn outdoors while rendering the salute.
  - 2. Members in civilian clothing will come to the standing position of attention and will place the right hand over the heart. During the national anthem, males wearing hats will remove the hat. The hat may be set down, or if held, will be placed near the left shoulder while the right hand covers the heart. Females in civilian attire are not required to remove their hats.
- D. Sworn employees assigned to dignitary protective service details are exempted from the provisions of this order.
- E. At events where it is known that the national anthem will be played, supervisors will review this order at roll call briefing to remind employees of ceremonial protocol.

### **428.22 Children of the Fallen Program**

- A. Purpose - To stand in for fallen officers, during major life events, for the children they leave behind. Officers assigned to this detail will attend life events such as first day of school, graduations, daddy-daughter dances, award ceremonies, or other important events requested by the family until the child graduates high school. This is a voluntary "opt-in" program for families of fallen officers. Officers will not attend any function, or make any social media posts regarding a function, unless it is requested by the family.
- B. Selection - Details assigned to these events will be comprised of at least 1 Honor Guard member and up to 4 other officers selected from a list of volunteers. The Honor Guard will maintain a list of officers who have volunteered to be part of this program and assign these officers on a "first come" basis. Officers wanting to volunteer for this program should contact the Honor Guard liaison via city email and request to be placed on the volunteer list for the specific officer's family they wish to support. Event scheduling will take place through city email.
- C. Selected Member Responsibilities
  - 1. Arrive at the event location requested by the family at least 20 minutes prior to start time.
  - 2. The dress code for these events will be long sleeve, class A uniform (hat optional). Tie will be worn for events that are considered formal. Officers will not be permitted to attend wearing class B or BDU type uniforms nor civilian clothing. When appropriate, Honor Guard officers will wear their Honor Guard uniform.
  - 3. Attend the event in its entirety. This means that volunteers may be at an event for extended periods for occasions such as graduations or award ceremonies.
  - 4. Officers are attending these events in order to support these families and remind them they have a larger support group in the police family. Those attending will conduct themselves in a respectful and professional manner.

**Dallas Police Department General Order  
428.00 Police Family Support Team**

Revised 11/11/2021

5. Officers attending will notify their immediate supervisor of any events they are attending to ensure the integrity of the program.
  6. Officers will not post, or request family permission to post, any pictures or videos regarding the event on any social platform. Publication of any media to any forum will be initiated by the families at their discretion.
- D. Departmental Responsibilities
1. The Commander of the Honor Guard will approve or disapprove requested events, along with setting the guidelines for each event.
  2. The Department will provide the selected officers special assignment when attending approved events.
  3. These events will be at no monetary cost to the Department.
  4. The Honor Guard Member assigned as the Children of the Fallen Program Director will send out emails to the selected officers' supervisors within 1 day of selecting officers attending an event.



## Dallas Police Department General Order

### 429.00 Death or Injury of an Employee

Revised 01/30/07

#### 429.00 DEATH OR INJURY OF AN EMPLOYEE

##### 429.01 Death of a Member

- A. When a member is killed or dies while working, the Watch Commander will:
  - 1. Notify the Communications Section to mobilize the Police Family Support Team.
  - 2. Notify the member's section/division commander.
  - 3. Notify the Media Relations Unit.
  - 4. Notify the Departmental Safety Officer, Personnel and Development Division.
  - 5. Notify the City Safety Director (670-3589).
  - 6. Complete appropriate forms per General Order 207.00.
- B. When a member is killed or dies while off-duty and the death is not duty-related, the Watch or Section Commander will:
  - 1. Notify the Communications Section to mobilize the Police Family Support Team.
  - 2. Notify the member's section/division commander.
  - 3. Notify the Media Relations Unit.
- C. When a member is killed or dies whether on or off-duty, the Organizational Commander will:
  - 1. Be responsible for having the member's police-issued equipment and personal belongings collected and inventoried.
  - 2. See that the member's police-issued equipment is delivered to and signed for by a Quartermaster Unit employee.
  - 3. See that the member's personal belongings are delivered to and signed for by the spouse, parents, nearest responsible relative, or by the executor of the estate. If any questions arise concerning who should be given possession of the personal belongings, an attorney of the Criminal Law and Police Unit or the City Attorney's Office will be consulted.
  - 4. Forward the two inventory lists and the signed receipts to the Employee Relations Team, Personnel and Development Division.
- D. When a member is killed or dies while working, the Records Section will send a teletype concerning the incident to the other law enforcement agencies. When funeral arrangements are set, this information will also be transmitted.
- E. Responsibilities of the Employee Relations Team
  - 1. Upon notification of the death of an active member, arrangements will be made for flowers to be sent to the funeral services.
  - 2. Upon notification of the death of a retired member, a funeral notice will be issued to all Bureau and Division Commanders and arrangements will be made to send flowers to the funeral services.

##### 429.02 Injury of a Member

- A. When a member is seriously or critically injured while working, the Watch or Section Commander will:
  - 1. Notify the Communications Section to mobilize the Police Family Support Team.
  - 2. Notify the member's section/division commander.
  - 3. Notify the Media Relations Unit.
  - 4. Notify the Departmental Safety Officer, Personnel and Development Division.
  - 5. Notify the City Safety Director (670-3589).
  - 6. Complete appropriate forms per General Order 207.00.
- B. When a member is seriously or critically injured while off-duty and not duty-related, the Watch or Section Commander will:
  - 1. Notify the Communications Section to mobilize the Police Family Support Team.
  - 2. Notify the member's section/division commander.
  - 3. Notify the Media Relations Unit.

##### 429.03 Reporting Employees on Limited Duty Status

- A. Administrative Directive 3-31, Section 3.2, defines *Limited Duty* as "Days of restricted work activity. Restricted work activity means the employee was assigned to another job on a temporary basis or the employee worked a permanently assigned job but could not perform all duties normally connected with it." Any employee requesting this status must have full documentation from a physician or psychologist justifying or requiring limited or restricted duty. All limited duty personnel will be reported regardless of the cause of the status or where it occurred (on or off-duty). Refer to Administrative Directive 3-55, Limited Duty Policy.
- B. Any employee scheduled to go on limited or restricted duty for a period of five or more working days will be reported to the Workers' Compensation Coordinator in the Personnel and Development Division by memo as soon as possible before the beginning of the limited duty status. All limited duty personnel will be reported regardless of the cause of the status or where it occurred (on or off-duty).
- C. Procedures for completing limited duty status reports are in G.O. 207.00.

##### 429.04 Personal Injuries

The Supervisor's Injury Investigation Report is intended to report all the circumstances surrounding an incident in which an employee was injured. The report is to be used to investigate, collect, and analyze the information with the goal of

**Dallas Police Department General Order  
429.00 Death or Injury of an Employee**

Revised 01/30/07

preventing such injuries in the future. The majority of the form is for description and recommendation on training, policy, and any other information useful in prevention. The classification of Preventable or Non-preventable will not be used.



## Dallas Police Department General Order

### 430.00 Grievance Procedure

Revised 6/25/2021

#### 430.00 GRIEVANCE PROCEDURE

##### 430.01 Grievance - Definition

- A. Grievance - an employee's claim concerning his/her working conditions that he/she contends have been adversely affected by a violation, misinterpretation, or misapplication of a specific law, ordinance, policy, rule, resolution, or regulation. In order for any complaint to be considered a grievance, it must be in writing and contain:
  1. A brief explanation of the incident causing the grievance, including the date of occurrence;
  2. A brief statement showing how the employee's working conditions were adversely affected by the incident;
  3. The specific violation, misinterpretation, or misapplication of the specific law, ordinance, resolution, policy, rule, or regulation of which the employee is complaining;
  4. The remedy or solution sought; and
  5. The signature of the aggrieved employee.
- B. Class Grievance - may be brought by more than one employee when the grieved work situation affects more than one employee of a specific group or rank. Individual employees must sign and be named as a party to the initial class grievance file. Grievances affecting only one employee will not be considered a class grievance.
- C. Bureau Commander – when the term Bureau Commander is used, and the grieving employee reports to a division without a Bureau Commander (or grieves the actions of an employee or an occurrence outside of the employee's chain of command), then the applicable Division Commander will fill the role of the Bureau Commander, for purposes of General Order 430 only.

**Note: All sworn grievances, class or individual, will be processed according to General Order Section 430.05.**

##### 430.02 General Provisions for All Employees

- A. Terms and Conditions
  1. The grievance procedures outlined herein apply to all employees of the Dallas Police Department.
    - a. Appeals concerning disciplinary action taken by the Chief of Police will be heard in accordance with General Order Section 500.00.
    - b. Appeals concerning Performance Reviews and Appraisals will be heard in accordance with General Order Section 411.00.
    - c. Involuntary transfers (reassignments) are non-appealable and not grievable. Involuntary transfers (reassignments) are non-appealable and not grievable regardless of whether the employee is seeking the assignment, and it is denied, or reassigned involuntarily to a different assignment.
  2. A grievance may be heard during regularly scheduled working hours without loss of pay to the employee, providing the privilege is not abused.
  3. Preparation of a grievance, except for seeking assistance from the Department of Human Resources, the Police Department's Employee Relations Team, or similar Departmental unit of the City, is not permitted during the employee's working hours.
  4. A grievance hearing under the procedures described herein is an informal discussion without the taking of a written record. An employee must be willing to discuss the evidence and answer questions concerning the grievance at each step. Failure to discuss the facts of the case at any level of these procedures will constitute withdrawal of the grievance and will cause the last decision rendered to become final.
  5. An employee may seek assistance or representation in presenting a grievance at any step. Guidance and assistance may be obtained from the Department of Human Resources. If another employee is selected to provide assistance or representation, that employee is not eligible for regular pay but may elect to take vacation leave or leave without pay if the hearing is held during that person's work hours. Only one representative will be permitted to attend a Grievance and/or Class Grievance hearing, and the representative for a class grievance must be designated on the grievance form. The supervisor may also obtain assistance or representation.
  6. The days used to establish time limits in this section are working days unless otherwise specified. *Working days* means Monday through Friday, excluding official holidays observed by the city of Dallas. Time limits begin to run the working day following the incident, event, hearing, or notice.
  7. Unless due to reasons beyond the employee's control, if an employee fails to file a grievance within the time limits prescribed or fails to appear at a hearing, the matter will be considered as having been accepted and the last decision rendered will be non-appealable.
    - a. For a grievance to be timely, it must be filed within 10 working days from the date of the occurrence that caused the grievance, or from the date the employee first had knowledge of the occurrence.
  8. If a grievance is not answered within the specified time limit, the employee may proceed to the next step.
  9. Any time limit specified in the procedures under this section may be extended by mutual agreement between the employee and the appropriate supervisory representative at each step.
    - a. It is recommended that, in situations in which the subject matter of the underlying grievance is currently under investigation, the employee and the grievance hearing officer (or, if applicable, the Grievance Coordinator), agree to abate hearing the grievance until such time as the investigation is concluded.
      - i. Failure to abate a grievance hearing when the underlying subject matter is under investigation may restrict the hearing officer from fully investigating the grievance.
      - ii. Note that the employee must timely *file* the initial grievance; however, the hearing of the grievance may be abated by mutual consent of the parties.

# Dallas Police Department General Order

## 430.00 Grievance Procedure

Revised 6/25/2021

10. A grievance filed against a Department other than the employee's own Department must be brought in accordance with the City's Personnel Rules. See Personnel Rules, Section 34-38(c)(12).
  11. A grievance regarding a decision of Chief of Police must be initiated at Step 2. As set forth in 430.04(C), for non-sworn employees, and in 430.05(D), for sworn employees.
  12. A grievance regarding a decision made outside of an employee's chain of command must be filed with the Bureau Commander in the chain of command over the individual alleged to have made the decision giving rise to the grievance.
  13. Once a grievance has been initiated, the basis of the grievance cannot be amended.
  14. An employee will not be subject to retaliation for using the grievance procedure. All persons involved in the grievance process will comply with the Code of Conduct.
- B. Unless otherwise noted:
1. A hearing with the Chief of Police is the final step of hearing for grievances brought by sworn members of the Department, subject to the exceptions outlines in the City's Personnel Rules, Chapter 34-38(i)(1).
  2. A hearing with the Assistant City Manager is the final step of hearing for grievances brought by non-sworn members of the Department, subject to the exceptions outlines in the City's Personnel Rules, Chapter 34-38(i)(1).
- C. Class Grievances
1. When a work situation affects more than one employee of a specific group or rank, the employees may choose to file a class grievance, provided the situation being grieved is common to all members of the class.
    - a. When employees choose to file a class grievance, each employee wishing to join the class grievance must sign the grievance at the time that it is filed, indicating that they agree the grievance will be heard as a class.
    - b. A class grievance must designate one representative, who will speak on behalf of all class members.
    - c. For sworn employees, a class grievance will bypass chain of command review, and proceed directly to Step .
    - d. **For non-sworn employees, a class grievance will bypass chain of command review, and will be heard by the lowest ranking hearing officer common to all employees in the class.**
  2. When the Grievance Coordinator identifies two or more grievances that fit the criteria for a class grievance, but one or more of the employees declines to file their grievance as part of the class, then the identified grievances will bypass chain of command review and proceed directly to Step 1 (in the case of sworn), or to the lowest ranking hearing officers common to all employees who filed similar grievances (in the case of non-sworn), to ensure consistency in decision-making, although the grievances will be heard separately.

### 430.03 Grievance Coordinator

The Grievance Coordinator is the Sergeant of the Employee Relations Team, or other suitable personnel designated by the Division Commander is assigned to the Personnel Division and is responsible for administration of the grievance procedure. Responsibilities include:

- A. Issuing Grievance Tracking Forms and maintaining complete records for all grievances to include their status, suspense dates, and the names of personnel responsible for their resolution.
- B. Serving as Secretary for the Grievance Committee to include making notification of meetings and any other administrative needs.
- C. Maintaining the Grievance Committee's procedures and duties in the Standard Operating Procedures established for the Grievance Coordinator's office.
- D. Keeping the Chief of Police informed of the status of all grievances and reporting unjustifiable violations of time constraints to the Chief for their action.
- E. Preparing reports for the Commander of the Personnel Division listing grievance appeal dates, the Assistant City Manager scheduled to hear each appeal, and the supervisor assigned to represent the Department.
- F. Preparing for the Chief of Police reports of grievances and their status and resolutions (if applicable).
- G. Analyzing all grievances for patterns of behavior. If the Grievance Coordinator determines that grievances of a similar nature are being filed from different assignments within the Department without the collective knowledge of the aggrieved employees, the Grievance Coordinator will inform the Grievance Committee Chairperson. The Chairperson will then review the information and determine if these grievances should be grouped together as a Class Grievance or left as Individual Grievances.
- H. Notifying an employee in writing when time limits have expired and that the employee's failure to make an appeal has resulted in the determination that the matter is considered as having been accepted by the employee.

### 430.04 Grievance and Appeal Procedures for Non-Sworn Employees

- A. Grievance Initiation. An employee who has a grievance will contact the Grievance Coordinator and obtain a Chain-of-Command Review form and, within ten working days from the date of the occurrence that caused the grievance or from the date the employee first had knowledge of the occurrence, submit their written grievance packet, addressed to the applicable Bureau Commander, to their immediate supervisor. The grievance packet will proceed up the employee's chain-of-command with each applicable level/rank signing the Chain-of-Command Review form and attaching any pertinent documentation. A grievance outside of the employee's chain-of-command will be delivered to the applicable Division Commander who may also obtain pertinent documentation from the chain. A review of the complaint and evidence or of the action or omission will be conducted. The Bureau Commander will meet with the employee within ten working days of receipt of the grievance packet and provide the employee with a written response to the grievance, stating the disposition of the grievance.
  1. If the grievance is resolved, the Bureau Commander will mark "Resolved" on the grievance packet and return the packet to the Grievance Coordinator.
    - a. The Bureau Commander should mark a grievance resolved if:
      - i. The employee receives the relief sought in the grievance to the extent permissible; or
      - ii. The employee does not receive the relief sought, but agrees that the grievance is "resolved" based on the Bureau Commander's response.

# Dallas Police Department General Order

## 430.00 Grievance Procedure

Revised 6/25/2021

2. If the grievance is not resolved, the procedures in Step 1 will be followed.
- B. Step 1. If a grievance is not resolved, and the employee wishes to appeal, he or she must, within ten working days of receipt of the Commander's written disposition, submit a written request for an appeal hearing to the Assistant Chief of employee's chain-of-command. A grievance filed outside of the employee's chain of command that is not resolved, will be routed to the applicable Assistant Chief. A hearing shall be conducted within a reasonable time of receipt of the request and a written disposition issued within ten working days of the date of the hearing.
  1. If the grievance is resolved, the applicable Assistant Chief will mark "Resolved" on the grievance packet and return the packet to the Grievance Coordinator.
    - a. The Assistant Chief should mark a grievance resolved if:
      - i. The employee receives the relief sought in the grievance to the extent permissible; or
      - ii. The employee does not receive the relief sought, but agrees that the grievance is "resolved" based on the Assistant Chief's response.
  2. If the grievance is not resolved, procedures in Step 2 will be followed.
- C. Step 2. If the grievance is not resolved and the employee wishes to proceed to the next step, he or she must, within ten working days of receipt of the disposition in the previous step, submit a written request for a hearing with the Chief of Police. The hearing will be conducted by the Chief of Police. A hearing will be conducted within a reasonable time of receipt of the request and a written disposition issued within ten working days of the date of the hearing.
  1. If the grievance is resolved, the Chief of Police will mark "Resolved" on the grievance packet and return the packet to the Grievance Coordinator.
  2. If the grievance is not resolved, the procedures in Step 3 will be followed.
- D. Step 3. If a grievance is not resolved and the employee wishes to proceed to Step 3, he or she must, within ten working days of receipt of the disposition in the previous step, submit a written request for a hearing to the Assistant City Manager in care of the Director of Human Resources. A hearing must be conducted within a reasonable time after receipt of the request. The employee's division commander, or designee, and the Grievance Committee chair, or designee, must be notified of the hearing date and be present at the hearing.
- E. The Assistant City Manager has the following options:
  1. Affirm the action of the Chief of Police.
  2. Set aside the action of the Chief of Police.
  3. Direct the Chief of Police to enter a new order that the Assistant City Manager deems is just and equitable.
- F. The disposition of a grievance by the Assistant City Manager for non-sworn personnel is non-appealable except when the grievance involves either of the following:
  1. A discrimination charge described in Section 34-39(a)(1) of the Personnel Rules that may be appealed to the Civil Service Board.
  2. A Civil Service rule challenge that may be appealed to the Civil Service Board.
- G. Appeals to the Civil Service Board
  1. An appeal to the Civil Service Board for one of the two reasons stated in paragraph F above must be made in writing within ten working days of receipt of the Assistant City Manager's disposition of the grievance.
  2. Further procedures on the appeal process are contained in the Personnel Rules, Section 34-39(b).
- H. Notifying an employee in writing when time limits to appeal have expired and that the employee's failure to make an appeal has resulted in the determination that the matter is considered as having been accepted by the employee.

### 430.05 Complaint and Grievance Appeal Procedure for Sworn Employees

- A. Complaint/Grievance Initiation - A sworn employee who wishes to file an alleged grievance will contact the Grievance Coordinator and obtain a Chain-of-Command Review form and, within ten working days from the date of the occurrence that caused the grievance or from the date the employee first had knowledge of the occurrence that caused the grievance, submit their written complaint, addressed to the applicable Bureau Commander, through their immediate supervisor. The complaint packet will proceed up the employee's chain-of-command with each applicable level/rank signing the Chain-of-Command Review form and attaching any pertinent documentation. A complaint outside of the employee's chain-of-command will be delivered to the Bureau Commander with responsibility for the employee or the occurrence giving rise to the grievance. The Bureau Commander will meet with the employee within ten working days of receipt of the complaint packet and provide the employee with a written response.
  1. If *Resolved* - the Bureau Commander will mark "Resolved" on the Chain-of-Command Review form and return the packet to the Grievance Coordinator.
    - a. The Bureau Commander should mark a grievance resolved if:
      - i. The employee receives the relief sought in the grievance to the extent permissible; or
      - ii. The employee does not receive the relief sought but agrees that the grievance is "resolved" based on the Bureau Commander's response.
  2. If *Not Resolved* - the procedures in Step 1 will be followed.
- B. Step 1. A sworn employee who wishes to appeal must, within ten working days of receipt of the Bureau Commander's written disposition, submit a written request, addressed to the applicable Assistant Chief through the Bureau Commander. The Bureau Commander will forward the original packet to the Grievance Coordinator.
- C. Grievance Committee Review
  1. The Grievance Coordinator will officially record and assign a *Log-In* number to the Chain-of-Command Review form and then forward it to the Grievance Committee Chairperson for review by the Grievance Committee.
  2. The sworn employee may appear before the Grievance Review Committee to orally present the issues contained in their written complaint.
  3. The Grievance Committee will vote whether the complaint fits the definition of a grievance as defined in General Order 430.01 and whether the grievance was timely filed in accordance with General Order 430.02(A)(8).
    - a. If it *Does not Fit* the definition of a grievance or the grievance was not timely filed, the Chairperson will sign, date and forward the packet to the Grievance Coordinator to record, process, and forward copies to the

# Dallas Police Department General Order

## 430.00 Grievance Procedure

Revised 6/25/2021

- affected employee and the applicable Assistant Chief. The Grievance Committee's decision is non-appealable.
- b. If it *Fits* the definition of a grievance and the grievance was timely filed, the Chairperson will sign, date, and forward the packet to the Grievance Coordinator to process (record and forward copies of the decision to the employee and the Bureau Commander).
  - c. Within a reasonable time of receipt of the Grievance Review Committee's decision that the complaint fits the definition of a grievance and was timely filed, the applicable Assistant Chief shall meet with the employee and provide a written disposition within ten working days of the hearing.
4. If the grievance is resolved, the applicable Assistant Chief will mark "Resolved" on the Chain-of-Command Review for and return the grievance packet to the Grievance Review Coordinator.
  5. If the grievance is not resolved, procedures in Step 2 will be followed.
    - a.
      - i. The employee receives the relief sought in the grievance to the extent permissible; or
      - ii. The employee does not receive the relief sought, but agrees that the grievance is "resolved" based on the Assistant Chief's response.
- D. Step 2 - Chief of Police Hearing. If the grievance is not resolved and the employee wishes to proceed to the next step, the employee must, within ten working days of receipt of the disposition in the previous step, submit a written request for a hearing to the Chief of Police. A hearing must be conducted within a reasonable time after receipt of the request, and a written disposition must be issued within ten working days after the hearing. A copy of the written disposition will be forwarded to the Grievance Coordinator. The disposition by the Chief of Police will be non-appealable unless the grievance involves one of the following:
1. A discrimination charge described in Section 34-39(a) (1) of the City of Dallas Personnel Rules (which may be appealed to the Civil Service Board).
  2. A Civil Service rule challenge (which may be appealed to the Civil Service Board).
- E. Step 3 - Assistant City Manager Hearing (if applicable) - An appeal to the Assistant City Manager (listed in City of Dallas Personnel Rules as Step 4), will be conducted in accordance with City of Dallas Personnel Rules, Section 34-38(f)(4).
- F. Step 4 - Civil Service Board Appeal (if applicable) - An applicable appeal to the Civil Service Board must be conducted in accordance with City of Dallas Personnel Rules, Section 34-39.

### **430.06 Sworn Grievance Committee - Composition and Purpose**

- A. The sworn Grievance Committee is composed of six primary members in the following grades: one Deputy Chief (non-voting chairperson except in the case of ties), one Major, one Lieutenant, one Sergeant, one Senior Corporal, and one Police Officer. An alternate will be appointed for each primary member. Each primary member and alternate will serve a one-year term. Alternate members will become primary members every January. The Chief of Police has the discretion to extend the assignment of any Grievance Committee member.
- B. Appointments of the Chairperson and alternate Chairperson will be made by the Personnel Division Commander.
- C. Appointments of the committee members and alternates will be made by the Chairperson.
- D. The Grievance Committee will meet monthly, or as needed, at a location designated by the Chairperson.
- E. If any member of the Grievance Committee is in the employee's chain-of-command, that member will be excused and replaced by the alternate member. Additionally, the Committee Chairperson will excuse a committee member from hearing a grievance in which the member has a direct conflict of interest as defined in Dallas Police Department's Code of Conduct, Chapter IX, Conflict of Interest. Further, the Committee Chairperson may excuse a committee member from hearing a grievance if documented facts and circumstances exist to create a perception of a conflict of interest. If the alternate member is unavailable to serve, that seat will remain vacant during discussion by the committee.
- F. The chairperson and three voting members will constitute a quorum.
- G. The purpose of the Grievance Committee is to review any sworn employee's complaint not resolved by the Bureau Commander. The Grievance Committee will first review the complaint to determine if it meets the criteria of a grievance as defined in General Order Section 430.01, and if the grievance was timely filed pursuant to General Order 430.02(A)(8).
  1. If the Committee determines the complaint constitutes a valid, timely grievance, the Committee may make a written recommendation to the next level of appeal authority as to possible resolution of the grievance, including recommending that the grievance be denied, if appropriate
  2. If the Committee determines the complaint does not meet the definition of a grievance or was not timely filed, the chairperson will provide the Chain-of-Command Review form and a written summary of the Committee's decision to the Grievance Coordinator. Copies of this documentation will be sent to the complaining employee and to the applicable Assistant Chief. The decision of the Committee in determining that a complaint is not a grievance is non-appealable.
- H. The Grievance Committee does not have jurisdiction to review grievances filed opposing a direct decision made by the Chief of Police. Sworn grievances regarding the decision of the Chief of Police will be initiated at Step 2 as set forth in 430.05(D).



## Dallas Police Department General Order

### 431.00 Discrimination and Sexual Harassment

Revised 04/12/2022

#### 431.00 DISCRIMINATION, INAPPROPRIATE COMMENTS/DISPLAY OF INAPPROPRIATE MATERIAL, AND SEXUAL HARASSMENT

##### 431.01 Discrimination

- A. The Dallas Police Department is committed to ensuring that no person shall knowingly be discriminated against with regards to recruitment, selection, appointment, training, promotion, retention, discipline or other aspects of employment because of race, color, national origin, creed, religion, gender or gender identity, age, physical or mental disability, political beliefs, organizational affiliation, sexual orientation, marital status, or any other legally protected status in accordance with federal, state and local statutes and law.
- B. Any complaints of discrimination will be handled in accordance with General Order 401.00 EQUAL EMPLOYMENT OPPORTUNITY PROGRAM.

##### 431.02 Inappropriate Comments/Display of Inappropriate Material

- A. The Dallas Police Department is committed to promoting a work environment that is free of harassment.
- B. Harassment is abusive, obscene, or threatening conduct or communication that is intended to harass, annoy, alarm, torment, embarrass, degrade, demean, or injure another.
- C. The following conduct will not be tolerated while on-duty or on City premises. Employees will not:
  1. Use obscene or abusive language or offensive gestures in their communication with co-workers or members of the public.
  2. By oral, written, electronic, or other means of communication, threaten or intimidate co-workers or members of the public.
  3. Physically endanger, intimidate, or injure co-workers or members of the public.
  4. Display or wear inappropriate items in the work place that he/she knows another person could reasonably consider offensive.
- D. Employees who engage in such conduct while on duty or on City premises will be subject to immediate discipline.
- E. Supervisors are expected to take immediate action, including removal of any offensive material, to resolve complaints. Any complaints related to inappropriate comments or the display of inappropriate items will be processed as grievances. (Refer to General Order 430.00 GRIEVANCE PROCEDURE.)

##### 431.03 Sexual Harassment

- A. Sexual harassment is strictly prohibited. The Dallas Police Department is committed to providing all employees a work environment that is free from any form of sexual harassment or any hostile or retaliatory action against an individual reporting such behavior. Sexual Harassment is a direct violation of City of Dallas Personnel Rule 34-36 (b) (12) (f) and the Dallas Police Department General Orders and will not be tolerated in the work place.
- B. Administrative Directive 3-61 Sexual Harassment defines sexual harassment in the work place and sets out responsibilities in preventing such conduct. Pursuant to the City Charter, Chapter XII, Section 2, any complaints of harassment will be handled in accordance with General Orders 431.04 and 431.05.
- C. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct constitute sexual harassment when:
  1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
  2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
  3. Such conduct creates an intimidating, hostile, or offensive working environment that is so severe or pervasive that it alters the conditions of employment.
- D. Incidents of sexual harassment can involve members of the same gender, as well as members of the opposite gender.
- E. There are two types of sexual harassment:
  1. Quid Pro Quo (*this for that*): Only a person having authority over another individual can commit quid pro quo harassment. This type of harassment exists when a person in authority states or implies that an employee must consent to unwelcome sexual advances in exchange for some economic benefit such as promotions, merits, job offers, job retention, etc. Also, quid pro quo sexual harassment occurs when rejection of sexual advances would result in adverse decisions affecting an employee's job status: for example, demotion, termination, denial of employment, etc.
  2. Hostile Work Environment: Anyone in the work place can commit this type of harassment. A hostile work environment exists where sexual harassment is so severe or pervasive that it creates an intimidating, offensive work place and alters the conditions of employment.
- F. Inappropriate conduct that may contribute to sexual harassment includes, but is not limited to, the following:
  1. Touching another person's body in a manner that may be regarded as offensive, for example, unwelcome neck massages, or rubbing another person's hands or arms.
  2. Touching another person's breasts, buttocks, or genitals.
  3. Exposing or touching one's self in a manner that may be regarded as offensive.
  4. Threatening retaliation for reporting sexual harassment.

# Dallas Police Department General Order

## 431.00 Discrimination and Sexual Harassment

Revised 04/12/2022

5. Displaying sexually oriented or suggestive photos, videos, magazines, posters, drawings, and literature that may be regarded as offensive.
6. Alluding to another person's or one's own anatomy and/or genitals.
7. Telling sexually oriented jokes or making references or inquiries into someone's sexual preferences.
8. Alluding to another person's or one's own mode of dress in a sexually oriented or suggestive manner.
9. Making degrading comments based upon a person's gender or gender identity.

### 431.04 Employee Responsibilities Regarding Sexual Harassment

- A. Employees shall take the initiative in preventing sexual harassment in the work place by:
  1. Conducting themselves in a professional manner, maintaining a professional attitude, and dressing appropriately for the work place.
  2. Avoiding any type of act or discussion that may be regarded as offensive.
  3. Ceasing immediately any behavior or discussion if told that such conduct is offensive.
  4. Responding immediately, verbally or in writing, to offensive conduct or behavior by communicating to the individual that such conduct is unwelcome.
- B. Employees will immediately report any allegations of sexual harassment to any supervisor, anyone acting in a supervisory capacity, or to the Internal Affairs Division. When reporting sexual harassment allegations, employees must provide the names of witnesses and the time, place, and date of the incident. Supervisory notification may be either written or verbal.
  1. If the accused employee and complaining employee are of the same or equal rank, the sexual harassment allegation should be reported immediately to the complaining employee's supervisor.
  2. If the complaining employee's supervisor is the accused individual, the complaining employee may contact the next supervisor in the chain-of-command or any other supervisor. Female employees may contact a female supervisor to initiate a complaint.

### 431.05 Responsibilities for Preventing and Investigating Sexual Harassment

- A. All written and verbal charges of sexual harassment will be taken seriously and dealt with in a prompt and effective manner. All supervisors and anyone acting in a supervisory capacity will:
  1. Take initiative in preventing sexual harassment in the work place by setting good examples, demonstrating courteous and professional behavior at all times, and actively monitoring the work environment.
  2. Ensure that employees do not suffer reprisal or retaliatory actions for presenting allegations of sexual harassment.
  3. Immediately forward to the Internal Affairs Division (IAD) for investigation any allegations of sexual harassment, and take immediate and positive steps to eliminate any form of sexual harassment when it comes to their attention. This may include reassignment of the individuals involved.
- B. If directly notified by an employee of a sexual harassment allegation, the Internal Affairs Division will notify the complaining employee's Organizational Commander to take prompt remedial action. Any action taken is temporary pending completion of the IAD investigation.
- C. Organizational Commanders will assess all complaints alleging sexual harassment to determine if immediate action is required prior to completion of the IAD investigation.
- D. Failure of a supervisor or anyone acting in a supervisory capacity to take prompt remedial action on a sexual harassment complaint should be reported to IAD.

### 431.06 Police/Citizen Sexual Harassment

No officer or non-sworn employee will subject any citizen to any form of sexual harassment as defined in the Texas Penal Code (Section 39.03), City of Dallas Personnel Rules, and the Code of Conduct.

### 431.07 Biased Policing

- A. Definitions:
  1. "Biased Policing" is defined as the application of police authority based on a protected status rather than on an individual's behavior or on information identifying the individual as having engaged in criminal activity.
  2. "Protected Status" includes, race, ethnicity, national origin, religion, age, gender, gender identity/expression, sexual orientation, disability, or any other legally protected status.
  3. "Racial Profiling" is defined as biased policing based on an individual's race, ethnicity, or national origin.
  4. "Race or Ethnicity" is defined as a person's particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.
- B. Examples of biased policing include, but are not limited to:
  1. Initiating a traffic stop on a particular vehicle because of the protected status of the driver or of a passenger in a vehicle.
  2. Stopping or detaining the driver of a vehicle or passenger in a vehicle based on the determination that a person or that protected status is unlikely to own or possess that specific make or model of vehicle.
  3. Stopping or detaining an individual based upon the determination that a person of that protected status is unlikely to be in that place or part of town.
  4. Stopping a driver when looking for a suspect if the only commonality between the suspect and the driver or a passenger is their protected status.
  5. Singling out an individual for enforcement who is part of a group of individuals exhibiting similar behavior (for example, a group of drivers exceeding the speed limit) because of the individual's protected status.
  6. The unlawful seizure and/or forfeiture of a person's assets based on protected status.

**Dallas Police Department General Order**  
**431.00 Discrimination and Sexual Harassment**

Revised 04/12/2022

- C. Biased policing and profiling are strictly prohibited. At no time will a sworn employee rely upon an individual's protected status in any probable cause or reasonable suspicion determination.
- D. Acceptance and investigation of racial profiling and biased policing complaints:
  - 1. Complaints will be handled in accordance with Texas Government Code, Section 614.021-614.023, as interpreted by the City Attorney.
  - 2. Procedures for accepting complaints from citizens are described in General Order 505.02 Externally Originated Complaints. Procedures include complaints made by telephone, in writing, and in person.
  - 3. The Police Department will be responsible for providing public education relating to the process for filing "Racial Profiling" complaints. This includes:
    - a. Internal Affairs Division pamphlets;
    - b. Public service announcements on local radio stations, television stations, and newspaper; and
    - c. New/press releases.
  - 4. An allegation of racial profiling or biased policing against any officer will be investigated in the manner described in General Order 507.00 COMPLAINT PROCESSING AND INVESTIGATION. A sustained complaint for racial profiling or biased policing will result in corrective action described in General Order 510.00 TYPES OF CORRECTIVE ACTION from summary discipline to discharge.
- E. Data Collection
  - 1. Any officer conducting a traffic stop shall collect information required by Articles 2.132 and 2.133 of the Texas Code of Criminal Procedure, outlined in General Order 302.13.
  - 2. In accordance with Article 2.134 of the Texas Code of Criminal Procedure, the information collected will be compiled, analyzed, and submitted to the governing body of the City of Dallas and the Texas Commission on Law Enforcement no later than March 1 of each year.
  - 3. An annual administrative review of biased policing complaints, and their disposition, will be to the Chief of Police no later than March 1 of each year.
- F. Training
  - 1. All officers will receive formal, yearly, documented training in biased policing policy, procedures, or legal aspects.
  - 2. Training will be included in basic and in-service classes for all sworn personnel and will include examples of biased policing.
  - 3. All new and current officers must complete training by September 1, 2003.
- G. Supervisors have the responsibility of monitoring the activities of subordinates to ensure that neither biased policing nor racial profiling are being practiced. Supervisors will take immediate corrective action if these practices are observed and will document the infraction accordingly.



## Dallas Police Department General Order

### 432.00 Biased Policing and Racial Profiling

Revised 2/24/23

#### 432.00 Biased Policing and Racial Profiling

##### 432.01 Purpose

The purpose of this General Order is to reaffirm the Dallas Police Department's commitment to unbiased policing in all its encounters between an officer and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion, and to protect officers from unwarranted accusations of misconduct when acting within the dictates of departmental policy and the law. Biased policing and Racial Profiling are strictly prohibited. At no time will a sworn employee rely upon an individual's protected status in any reasonable suspicion or probable cause determination.

##### 432.02 Definitions:

- A. "Biased Policing" is defined as the application of police authority based on a protected status rather than on an individual's behavior or on information identifying the individual as having engaged in criminal activity.
- B. "Motor Vehicle Stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.
- C. "Protected Status" includes race, ethnicity, national origin, religion, age, gender, gender identity/expression, sexual orientation, disability, or any other legally protected status.
- D. "Racial Profiling" is defined as a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity
- E. "Race or Ethnicity" is defined as a person's particular descent, including White, Black, Hispanic or Latino, Asian or Pacifica Islander, or Alaska Native or American Indian descent.

##### 432.03 Examples of biased policing include, but are not limited to:

- A. Initiating a traffic stop on a particular vehicle because of the protected status of the driver or of a passenger in a vehicle.
- B. Stopping or detaining the driver of a vehicle or passenger in a vehicle based on the determination that a person or that protected status is unlikely to own or possess that specific make or model of vehicle.
- C. Stopping or detaining an individual based upon the determination that a person of that protected status is unlikely to be in that place or part of town.
- D. Stopping a driver when looking for a suspect if the only commonality between the suspect and the driver or a passenger is their protected status.
- E. Singling out an individual for enforcement who is part of a group of individuals exhibiting similar behavior (for example, a group of drivers exceeding the speed limit) because of the individual's protected status.
- F. The unlawful seizure and/or forfeiture of a person's assets based on protected status.

##### 432.04 Biased Policing and Racial Profiling Complaints and Investigations

- A. The department shall accept complaints from any person who believes they have been stopped or searched based on racial, ethnic, or national origin profiling. No person shall be discouraged, intimidated, or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
- B. If an officer initiating a stop receives an allegation of racial profiling, the officer shall provide their name and badge number to the individual with information on how to contact Internal Affairs or the officer's supervisor. Any employee contacted shall provide that person with

**Dallas Police Department General Order  
432.00 Biased Policing and Racial Profiling**

Revised 02/24/23

information on the department's process for filing a complaint. All employees will report any allegation of racial profiling to their supervisor before the end of their shift.

1. Officers shall provide information, including telephone number, mailing address, and email address for contacting Internal Affairs to any individual who inquiries about reporting an incident perceived to be racially motivated, or who wishes to generate a compliment.
  2. Any supervisor/manager receiving a racial profiling complaint shall notify the Internal Affairs Division in a timely manner of the complaint and the action taken.
  3. Supervisors shall monitor the adherence to the General Orders by all employees under their command and shall initiate an investigation into all alleged violations established under this General Order.
- C. All complaints will be acknowledged in writing to the complainant who will receive information regarding the disposition of such complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be sent through the chain of command to the Chief of Police or designee. When applicable, findings and/or recommendations for disciplinary action, retraining, or changes in policy shall be part of the recommendation to the Chief of Police or designee.
- D. Allegations of misconduct and disciplinary action shall follow the procedures as outlined in General Order 510.00. Officers shall be subject to disciplinary action up to and including termination for engaging in racial profiling.
- E. If there is a departmental video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation into the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.

#### **432.05 Training**

- A. All officers will receive formal, yearly, documented training in biased policing policy, procedures, or legal aspects.
- B. Training will be included in basic and in-service classes for all sworn personnel and will include examples of biased policing.

#### **432.06 Reporting of Racial Profiling Motor Vehicle Stops**

- A. Any officer conducting a motor vehicle stop shall collect information required by Articles 2.132 and 2.133 of the Texas Code of Criminal Procedure, outlined in General Order 302.13.

*During **all** motor vehicle stops (regardless of if a citation is issued or not), officers are required to record and report the following information:*

- A. *The gender of the individual stopped*
- B. *The race or ethnicity of the individual*
- C. *If the race or ethnicity was known prior to the stop*
- D. *A reason for the stop*
- E. *Location of the stop*
- F. *If a search was conducted and, if so, whether the individual detained consented to the search*
- G. *The reason for the search*
- H. *If any contraband was discovered*
- I. *Description of discovered contraband*
- J. *Result of the stop*
- K. *If there was an arrest, what the arrest was based on*
- L. *If any physical force resulting in bodily injury was used*

*Officers shall ensure all data is gathered from every motor vehicle stop and submitted prior to the end of their shift. Supervisors shall ensure officers comply with this order.*

- B. In accordance with Article 2.134 of the Texas Code of Criminal Procedure, the information collected will be compiled, analyzed, and submitted to the governing body of the City of Dallas and the Texas Commission on Law Enforcement no later than March 1 of each year.

**Dallas Police Department General Order  
432.00 Biased Policing and Racial Profiling**

Revised 02/24/23

- C. An annual administrative review of biased policing complaints, and their disposition, will be submitted to the Chief of Police no later than March 1 of each year.
- D. Supervisors have the responsibility of monitoring the activities of subordinates to ensure that neither biased policing nor racial profiling is being practiced. Supervisors will take immediate corrective action if these practices are observed and will document the infraction accordingly.

**432.07 Public Education**

- A. The police department will inform the public of its guidelines against racial profiling and the compliment and complaint process by telling them the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer. Methods that may be utilized to inform the public of the process are in person, news media, radio, service or civic presentations, the Internet, as well as city council and committee meetings. Additionally, information will be made available as appropriate in languages other than English.

**432.08 Motor Vehicle Stop Data Audits**

- A. The Audit for Traffic Stop Data will be completed monthly by the first-level supervisor and submitted to the next-level supervisor by the 10<sup>th</sup> of each month. It is recommended that supervisors work on their audits each week to make it more manageable. The How to Guide will be on the intranet under the "Forms" tab.
- B. Supervisors are looking to ensure a Racial Profiling Report was done on the Traffic Stop Data Form. (If the officer is E-Citation certified and used an E-Citation on the Traffic Stop a Racial Profiling Report was done). It is the supervisor's responsibility to know which of their employees are actively using E-Citation machines.
- C. The Motor Vehicle Stop Data Non-Compliance Report is on the intranet and available to all supervisors under the "Information" tab, "Crime Reports/Maps" link, "Interactive Reports" link, "Home" link, "Planning Monthly Reports" link, "Traffic Stops" link, "TrafficMarkOutsNoRP Record" link.



## Dallas Police Department General Order

### 433.00 Employee Support Program

Revised 08/26/2022

#### 433.00 EMPLOYEE SUPPORT PROGRAM

##### 433.01 Mission Statement

The employees of the Dallas Police Department are our most valuable asset. It is imperative that we, as a Department, protect and prepare our employees with proper guidance – including, but not limited to, leadership, coaching, confidential counseling, administration, assistance, education, and training. It shall be the mission of this Department to promote excellence by providing resources and tools to assist employees who are experiencing personal or professional concerns which may affect performance on the job. The Employee Support Program (ESP) is committed to promoting employee wellness through non-disciplinary methods. The purpose of this program is not to investigate allegations or to issue additional allegations or discipline, but rather to provide direction and assistance to employees in need. To be fully successful, the Employee Support Program must be accepted by employees, management, and the community as an alternative to the overall disciplinary process. Employees, the department, and the community will benefit from proactive guidance provided by the Employee Support Program, reducing the need for disciplinary actions and producing a positive outcome for all.

##### 433.02 Early Intervention System (EIS) Defined

- A. Early Intervention System is a data driven decision making process application that helps systematically identify sworn employees who may not be executing their duties to the fullest expectations of the Department. EIS examines the underlying causes of risk and identifies the sworn employee's need for intervention, and helps an off-track sworn employee get back on track.
- B. The data input into the system will come from several different systems to create a holistic view of the sworn employee's performance and identify areas for assessment and intervention.
- C. The system enables the Department to streamline all sworn personnel data onto a single management platform that enables a comprehensive analysis of performance.
- D. The system will send alerts to the sworn employee's immediate supervisor.

##### 433.03 Employee Support Program (ESP) Defined

- A. The ESP is a comprehensive program designed to help assess and evaluate employees, both sworn and non-sworn, and quickly address any identified concerns before disciplinary action becomes necessary. Regarding sworn employees, ESP is designed to complement the EIS and work in tandem with sworn employees who have been alerted by EIS as needing intervention.
- B. Information relating to the ESP will only be available to employees who are directly involved with the ESP Team and the involved employee's chain of command. However, information relating to the ESP may be subject to disclosure pursuant to a court order, or a public information request.
- C. The ESP is designed to:
  1. Establish performance measures that may indicate a concern which could possibly place the employee, the Department, and/or the community at risk.
  2. Provide an accurate record of the frequency of incidents measured by the ESP for any given employee.
  3. Identify, through the use of established thresholds, specific areas of employee performance needing assessment and potential intervention.
  4. Assist supervisors in developing fair, appropriate, and timely interventions and/or post-intervention evaluations for any employee, as needed. Supervisors will be fully trained on the accessibility of resources through the ESP and will be held accountable for the guidance of their employees.
  5. Provide training, education, and referrals to counseling and applicable resources.
  6. Provide job performance feedback.
  7. Provide additional pathways to improve performance.
  8. Provide consistent leadership and assessment.

##### 433.04 Confidential Counseling and Resource Referrals

- A. Confidential counseling and resource referrals are made directly to the ESP for employees who possibly need assistance in the form of confidential counseling.
  1. Family or Friend Referral – A family member, friend or fellow employee may contact the ESP or any supervisor and provide information regarding an employee they believe is in possible need of guidance in the form of confidential counseling. It will then be up to the supervisor and/or the ESP Team to contact the employee to offer confidential counseling services and/or additional resources.
  2. Self-Referral – Any employee may request confidential counseling through the ESP at any time.
- B. No records of referrals for confidential counseling and/or resources will be maintained on file nor will these referrals be disclosed to anyone including the ESP Board if the employee goes before the board at any time. It is strictly up to the employee whether he or she would like to share their confidential counseling and resource referral information with anyone.

##### 433.05 Identifiers for Possible Selection into the ESP

# Dallas Police Department General Order

## 433.00 Employee Support Program

Revised 08/26/2022

- A. Database Identification – The ESP Team monitors the Department's EIS for sworn employees. Employees are identified for possible selection into the ESP based on indicators and applicable system thresholds established by the Department. The following are some indicators:
1. Internal Affairs records
  2. Dispatch Software
  3. Records Management System
  4. Activity
  5. Training
  6. Use of Force
- B. The following table represents the ESP indicators and applicable thresholds for sworn and non-sworn employees based on Internal Affairs records. The Department recognizes that there are mitigating components for possible selection. The type of assignment an employee has or where the employee is operating, may develop a higher propensity of indicators. All of this will be taken into consideration with a possible selection into the ESP. ***Simply because an employee alerts for the program does not guarantee selection into the program.***

Indicator	Threshold
Complaints resulting in an IAD investigation or divisional investigation	4 in a 12-month period and/or deciding factors
Summary Discipline (i.e. Advice and Instruction, Supervisor's Report, Documented Counseling)	3 in a 12-month period and/or deciding factors
Use of Force Complaints	3 in a 24-month period and/or deciding factors
Criminal Activity Complainant, including but not limited to, domestic disturbances involving a 911 police response, alcohol/drugs, or other issues criminal in nature.	1 of any kind that has been adjudicated by the criminal justice system and/or deciding factors
Unexcused failure to appear in mandatory training; AWOL from work or court	3 of any kind in a 12-month period and/or deciding factors
Overall	5 of any of the above indicators combined in a 12-month period and/or deciding factors

- C. Supervisory Referral
1. Sworn or non-sworn immediate supervisors may contact the ESP Team at any time for guidance regarding employees in their chain of supervision. Immediate supervisors may initiate a referral by submitting an Employee Support Referral in BlueTeam through their chain of command to their respective division commander, who will then forward the entry to the ESP Coordination Team. Do not enter counseling referrals into BlueTeam.
  2. The report must detail the reasons why the supervisor has determined the employee should be referred to the ESP and include supporting documentation. These referrals are especially important as the employee's immediate supervisor is more familiar with the employee in order to make the determination if a referral is necessary.
  3. Referrals of employees to the ESP may be for any unacceptable or detrimental conduct which may cause concern on the supervisor's part for the employee. Some common reasons for referrals of employees to the ESP may include, but are not limited to, the following:
    - a. Deterioration of work quality
    - b. Problems in the workplace with fellow employees
    - c. Reasonable suspicion of substance or alcohol abuse
    - d. Conflict in their personal lives which is impacting performance

### 433.06 Employee Case Studies

- A. Employee Case Study Packets
1. Once an employee has been identified as a candidate for possible selection into the ESP, the employee and the employee's chain of command will be notified and meet with the ESP Team, who will prepare a case study which may include, but is not limited to, the following:
    - a. Cover Page
    - a. Employee's Name and Rank
    - b. Current Assignment Information
    - c. Date of Hire
    - d. Unique Indicator Number

# Dallas Police Department General Order

## 433.00 Employee Support Program

Revised 08/26/2022

- e. Immediate Supervisor
2. Alert and Concise History, page 1 and 2
  - a. Type of alert if made by EIS
  - b. Cause for Alert: Incident Date, Type and Control Number (page 1)
  - c. Breakdown of Incidents (page 2)
3. Review of Complaints
4. Current Activity (received from immediate supervisor)
5. Summary of Leave Balances (including time card)
6. Supervisor's Initial Assessment (An assessment interview completed by the employee's immediate supervisor to obtain additional information, comments and/or suggestions that may assist with the case study).
7. Supervisory History
8. Safety History
9. Shooting History
10. Off-Duty Employment History
11. Training Log

### 433.07 ESP Selection Expectations

- A. Once an employee is selected into the program, there will be a 90-day assessment period through the employee's chain of command. The employee's immediate supervisor will provide the assessments unless the chain of command elects to reassign the employee during the program at which time the assessment period may be placed on HOLD or continue under the reassigned chain of command. The employee may bid or interview for other assignments, but will not be allowed to move from their assignment until released from the program.
- B. Through the duration of the program, the ESP Team will provide resources and will be kept apprised by the employee's immediate supervisor of any action(s) taken during this time. This will include, but is not limited to, any training, guidance and possible reassignment by any means (Patrol to Administrative, one-man to a two-man element, etc.).
- C. If, at any time during the 90-day assessment period, the employee's chain of command decides the employee is either unwilling or unable to progress in the ESP, they may make the decision to notify the employee's bureau commander.
- E. Selection into the ESP is not appealable or grounds for a grievance.

### 433.08 ESP Phases and Guidelines

First line supervisors should always offer coaching, mentoring, and assistance to any employee before they reach an alert status for possible selection into the ESP. First line supervisors will review their employee's BlueTeam dashboard at least once a week and address alerts as soon as possible. First line supervisors are encouraged to review the dashboard more often along with professionally interacting with the employee in order to gain more insight for the monthly assessment reports. When an employee is selected into the ESP, their chain of command may use any tool from any phase that could guide an employee and assist in abating an employee's at-risk or off-track conduct. Training, education, and coaching will be utilized to assist in supporting the employee and must be documented appropriately. Confidential counseling will always be offered. **Face-to-face meetings between the first line supervisor and the employee are paramount to ensure success in progression and continued guidance. The ESP Team will be available for additional guidance.**

#### A. Initial Assessment:

1. The ESP Coordination Team will contact the alerted employee's chain of command through Blue Team to advise of the ESP Alert.
2. The employee's immediate supervisor will complete an initial assessment of the alerted employee in Blue Team for further reference.
3. The employee and his or her chain will sign a confidentiality and non-disclosure acknowledgement form.

#### B. Initial ESP Meeting

1. The ESP Team, the employee, and the employee's chain of command will meet face-to-face to review the case study packet and outline the program. Immediate supervisors of the employee must be present at the initial meeting. Meeting requests will be sent through to the bureau commanders.
2. Officers, in applicable assignments, will be assigned to a car with a functional camera and body microphone system. This WILL include a body worn camera. Selected employees are required to utilize their body worn camera both on duty and on special duty assignments. The first line supervisor will monitor the camera activity, AVL data, and mark outs during the 90-day program.
3. Depending on the nature of the alert, the employee may be given a 30-day reassignment, or 30 days restricted duty, or a 30-day non-public contact reassignment.
4. A Fitness for Duty Evaluation may be ordered.
5. Additional training and/or education may be required.
6. Field Training Officers may be restricted from training for the duration of the program.
7. Off-duty employment may be restricted.
8. Confidential counseling and resource referrals may be made.
9. The chain of command may decide to continue to extend the assessment period.

#### C. 30-Day and 60-Day Assessments:

1. The first-line supervisor will receive a 30- and a 60-Day Assessment questionnaire provided by the ESP Coordination Team in BlueTeam. The timing of assessments is based on/or around the date of the initial ESP meeting. The first line supervisor will complete it, attach it in BlueTeam, and send it back to the ESP Coordination Team. Any additional information gathered during these phases may be attached to the BlueTeam entry. The ESP Coordination Team will process and document the employee's progress in the program through the

# Dallas Police Department General Order

## 433.00 Employee Support Program

Revised 08/26/2022

- assessment as well as any supporting documentation, which will be made available to the employee's chain of command for review and advisement in Blue Team.
2. If the employee fails to progress at any time, the employee may be given a 30-day reassignment, restricted duty or non-public contact reassignment.
  3. Additional training and/or education may be required.
  4. Field Training Officers may be restricted from training for the duration of the program.
  5. Off-duty employment may be restricted.
  6. Confidential counseling and resource referrals will be made.
- D. **90-Day Assessment:**
1. The 90-Day Assessment will be handled as the prior assessments.
  2. At the end of the 90-day assessment phase, the first-line supervisor will receive an assessment questionnaire provided by the ESP Coordination Team in BlueTeam. The first-line supervisor will complete the assessment, attach it in BlueTeam, and forward it to the ESP Coordination Team. The ESP Coordination Team will route the assessments through the entire chain of command, who will make a recommendation as to whether the employee should be successfully released from the program.
- E. **Successful Completion**
1. If, at the end of the 90-day assessment period, the chain of command recommends that the employee should be successfully released from the ESP, a bureau commander will review the recommendation and make the final decision to release or retain the employee in the ESP.
- F. **Failure to Progress**
1. If, after the 90-day assessment period, the chain of command recommends that the employee should not be successfully released from the program, and if the bureau commander concurs with the recommendation, the employee will be assessed a Failure to Progress.
  2. The assessment of Failure to Progress and referral to the ESP Board for review can be made at any time during the 90-day assessment period, by the employee's chain of command through the bureau commander.
  3. Failure to Progress restrictions may be implemented when an employee who has successfully completed a prior ESP Assessment phase re-alerts and is re-selected within the next 6 months of prior ESP completion.
  4. The employee's chain of command may opt for immediate reassignment of the employee with the approval of the employee's bureau commander. A Personnel Action Request will be entered by the gaining ORG.

### 433.09 Failure to Progress ESP Board

- A. The ESP Failure to Progress Board is comprised of:
1. Three primary voting members. The board will consist of one major and two lieutenants. The major will serve as the chair of each board meeting. An alternate will be appointed for each primary member. Each primary member and alternate will serve a one-year term. Alternate members will become primary members every January. The Chief of Police has the discretion to extend the assignment of any board member, or to modify board member selection at any time.
  2. Appointments of the board and alternate board will be made by the Personnel Division Commander.
  3. The board will not consist of any personnel that were a part of the employee's chain of command at any time during their enrollment in the ESP program. If any member of the board is in the employee's chain of command, that member will be excused and replaced by the alternate member. Additionally, the chair will excuse a board member from participation if the member has a direct or perceived conflict of interest as defined in Dallas Police Department's Code of Conduct, Chapter IX, Conflict of Interest. If the alternate member is unavailable to serve, that seat will be filled by an appointee selected by the Personnel Division Commander.
  4. There *must* be three voting members present to hold a board meeting.
  5. The ESP Coordination Team will serve as the presenter, secretary, and non-voting member(s).
  6. The originating division will be responsible for coordinating the date and times of the interviews. Every effort will be made to ensure the diversity of the panel members.
- B. Each individual present, whether voting or non-voting, will sign a confidentiality and non-disclosure acknowledgement form.
- C. The employee's case study will be presented by the ESP Coordination Team and reviewed and assessed by the board.
- D. The employee and his/her chain of command are allowed to participate in this review to provide additional information.
- E. The employee and his or her chain of command will be excused, and the board members will discuss the information received.
- F. ALL board members will discuss information received with emphasis on:
1. Whether the employee utilized available guidance resources;
  2. Whether the employee was able to mitigate and/or abate the behavior causing him or her to alert and/or be selected for the program.
- G. VOTING members will decide if the employee is to be classified as a Failure to Progress or if the employee will be successfully released from the program.
1. If the employee is classified as Failure to Progress:
    - a. A Failure to Progress classification will be referenced in future administrative investigations and considered by the chain of command on future discipline recommendations to enhance normal progressive discipline recommendations. It will also be referenced in any performance plans and/or performance improvement plan. This will also include that the selection and Failure to Progress in the ESP will no longer be confidential in nature and will be reflected on the employee's IAD résumé.

# Dallas Police Department General Order

## 433.00 Employee Support Program

Revised 08/26/2022

- b. The employee will be subject to one or more restrictions for a time period not to exceed one year. Restrictions may be extended and/or modified by the employee's bureau commander. Restrictions may include, but are not limited to, the following:
    - i. A non-public contact, restricted duty assignment;
    - ii. Restriction of off-duty employment;
    - iii. Field Training Officers' restriction of training;
    - iv. No reassignments (including the Patrol Bid);
    - v. The Chief of Police may delay or deny promotion;
    - vi. Possible demotion if currently in a probationary period.
  - c. After one year, if the employee has not re-alerted and has not been re-selected into the ESP, the employee may request a lift of restrictions. The employee will submit a memo to the Personnel Division Commander, requesting that restrictions be removed. The Personnel Division Commander will forward the memo to the employee's bureau commander through the Administrative Bureau commander. The ESP Coordination Team will provide any additional information or reports, upon request, that could assist in determining the best course of action. If the employee's bureau commander agrees to remove restrictions, placement of the employee will be decided by the bureau commander and the employee will be removed from the program.
2. If the employee is successfully released from the ESP, notification will be made to the employee and his or her chain of command by the ESP Coordination Team.
- H. A Failure to Progress Classification is not appealable, or grievable.
  - I. Restrictions in the program, however, can be further restricted or modified with approval of the board with evidence of progression or regression based on re-evaluation of the employee by his or her immediate supervisor alerting the ESP Coordination Team through BlueTeam.
  - J. The ESP Coordination Team will not recommend any course of action, but will provide support to the board upon request, and additional information or reports that could assist in determining the best course of action.

### 433.10 Department Responsibilities

#### A. The ESP Coordination Team

- 1. Monitors and maintains the ESP and responds to alerts generated for sworn and non-sworn personnel.
- 2. Monitors the EIS alerts for compliance for sworn personnel.
- 3. Reviews alerts for accuracy and routes to the employee's chain of command for sworn and non-sworn personnel.
- 4. Provides support to an employee's chain of command upon request. Support consists of providing any additional information or reports that could assist the chain of command in determining the best course of action.
- 5. Conducts a documented annual evaluation of the ESP.
- 6. Ensures that all involved employees have a completed Confidentiality and Non-Disclosure Acknowledgement on file, and that only those Department staff with a right of access can view ESP documents.
- 7. Serves as secretary, non-voting member(s), of the Failure to Progress ESP Board.
- 8. Plans, administers, and implements the Work-Life Balance Seminars.

#### B. First-Line Supervisor

- 1. Monitors the EIS dashboard when alerts are received and takes appropriate action based on the alerts.
- 2. Monitors sworn and non-sworn employees for possible selection into the ESP based on indicators and applicable system thresholds.
- 3. First-line supervisors will have 14 days to take action on EIS alerts for sworn employees. After the 14 days, if no action is taken, the alert will be escalated and sent to the employee's second-line supervisor.
- 4. Reviews any Employee Support Referrals sent and supporting documentation.
- 5. Reviews the Employee's Performance Plan. Creates Performance Improvement Plan if appropriate.
- 6. Consults with the second line supervisor.
- 7. Meets with the employee to discuss pattern/concerns; listens to input from the employee.
- 8. Suggests appropriate and available training, education, coaching, and/or confidential counseling.
- 9. All action taken must be submitted as an Employee Support Referral in BlueTeam through their chain of command to their respective division commander, who will then forward the entry to the ESP Coordination Team.
- 10. Completes the assessment period questionnaires sent by the ESP Coordination Team.
- 11. If the concern is mitigated and/or abated at the end of the 90 days, completes the Employee Support Referral sent to them in BlueTeam and forwards to the second line supervisor for approval in BlueTeam.
- 12. If an unresolved concern exists at any time during the 90-day assessment period and action needs to be elevated, the first line supervisor will document the elevated concern in the Employee Support Referral in Blue Team and forward to the second line supervisor for review.
- 13. Continues to assess the employee's performance.

#### C. Second-Line Supervisor

- 1. Provides feedback and support to the first line supervisor.
- 2. Consults with the major and deputy chief for guidance.
- 3. Receives completed Employee Support Referrals via BlueTeam from the first-line supervisor, takes action if required, approves, and forwards, through the chain of command, to either the ESP Coordination Team or the deputy chief.
- 4. If action has not been taken by the first-line supervisor within the 14 days of notification, the second-line supervisor will be notified. The second-line supervisor has 30 days to take action. If no action has been taken the alert will be escalation to the major and deputy chief.
- 5. Ensures follow-up is completed by the first line supervisor.

# Dallas Police Department General Order

## 433.00 Employee Support Program

Revised 08/26/2022

6. Meets with the employee to discuss unresolved patterns/concerns; listens to input from the employee and the first line supervisor.
  7. Suggests appropriate and available training, education, coaching, and/or confidential counseling.
  8. If the second line supervisor agrees the concern is mitigated and/or abated at the end of the 90-days, they will note concurrence with first line supervisor's assessment and approve in BlueTeam. The Employee Support Referral will be approved and forwarded through the chain of command to the deputy chief.
  9. If an unresolved concern exists at any time during the 90-day assessment period and action needs to be elevated, the Employee Support Referral will be entered by the first line supervisor and forwarded to the deputy chief for review.
  10. Continues to assess the employee's performance.
- D. Major and/or Deputy Chief**
1. The major and/or deputy chief will follow the basic procedures of the first- and second- line supervisors.
  2. The major and/or deputy chief may, at any time in the assessment period, also implement the following:
    - a. A 30-day reassignment, including a non-public contact and/or restricted duty assignment during the 90-day assessment period or beyond.
    - b. Fitness for duty evaluation.
    - c. Restriction of off-duty employment for duration of 90-day assessment period or beyond.
  3. Provides feedback and support to the first- and second- line supervisors.
  4. Consults with the bureau commander over that bureau, if necessary.
  5. Receives completed Employee Support Referrals via BlueTeam from subordinates, approves, and forwards for approval, through the chain of command as required.
  6. Ensures follow-up is completed by the first- and second- line supervisors.
  7. Meets with the employee to discuss pattern/concerns; listens to input from the employee, the first- line supervisor and the second- line supervisor.
  8. Suggests appropriate and available training, education, coaching and/or confidential counseling.
  9. If the major and/or deputy chief agrees the concern is mitigated and/or alleviated at the end of the 90 days, they will note concurrence with the subordinate supervisor's assessments and approve in BlueTeam. The Employee Support Referral will be approved and forwarded to the bureau commander over the assigned bureau requesting the employee be released from the program.
  10. If an unresolved concern exists at any time during the 90-day assessment period and action needs to be elevated, an Employee Support Referral will be entered by the first line supervisor and forwarded to the bureau commander over the assigned bureau for review.
  11. Continues to assess the employee's performance.
- E. Bureau commander over Assigned Bureau**
1. The bureau commander will follow the basic procedures of the major and/or deputy chief.
  2. The bureau commander may choose to implement:
    - a. Restricted duty assignment (with or without public contact) at any time.
    - b. Restriction of off-duty employment at any time.
    - c. No voluntary reassignments at any time.
  3. Provides feedback and support to the major and/or deputy chief.
  4. Consults with the employee's chain of command and advises the Chief of Police, if necessary.
  5. Receives completed Employee Support Referrals via BlueTeam from the ESP Coordination team and/or the major and/or deputy chief, approves and forwards to the ESP Coordination Team.
  6. Ensures follow-up is completed by the employee's chain of command.
  7. Meets with the employee to discuss pattern/concerns; listens to input from the employee and the employee's chain of command up to the deputy chief.
  8. Suggests appropriate and available training, education, coaching and/or confidential counseling.
  9. If the bureau commander agrees the concern is mitigated and/or abated at the end of the 90 days, he or she will note concurrence with the subordinate supervisors' assessments and approve in BlueTeam. The Employee Support Referral will be approved and forwarded to the ESP Coordination Team in BlueTeam stating the employee is being released from the program.
  10. If the board agrees that the employee fails to progress, the bureau commander can order the Failure to Progress to be indicated and considered in all future disciplinary decisions involving the employee.

### 433.11 ESP Procedures

- A. The ESP team should be contacted regarding any questions related to the program or the program's procedures.
- B. The ESP Coordination Team will conduct random audits of alerted and non-alerted sworn and non-sworn employees evaluating the program for effectiveness and efficiency.



## Dallas Police Department General Order

### 434.00 Annual Checks

Revised 01/08/2019

#### 434.00 PERIODIC BACKGROUND CHECKS

- A. Every year, the Section Commander of the Records and Legal Services Section will initiate a complete criminal history check on all sworn personnel and all non-sworn personnel who routinely testify in court (Crime Scene Technicians, Intoxilyzer Operators, etc.).
- B. The checks will be repeated every year.
- C. Prior to beginning the process, the Section Commander of the Records and Legal Services Section will request a complete roster of all sworn personnel and all non-sworn Crime Scene Technicians and Intoxilyzer Operators, etc.
- D. A Criminal History Report will be obtained for each employee and reviewed. Each report that lists a previous arrest will be forwarded to the Commander of the Personnel and Development Division.
- E. The Commander of the Personnel and Development Division will investigate all arrests identified in the Criminal History Reports. The Commander will determine what incidents were fully investigated and ensure that any newly discovered information is appropriately forwarded to the Legal Services Unit for reporting to the District Attorney's Office.



## Dallas Police Department General Order

### 435.00 Employee Drug Usage

Revised 01/30/07

#### 435.00 EMPLOYEE DRUG USAGE

##### 435.01 Policy and Reporting Requirements

- A. The Dallas Police Department will make a good faith effort toward providing a drug-free work place by complying with the requirements of the Federal Drug Free Work Place Act of 1988. The Dallas Police Department's Code of Conduct prohibits the use of any illegal drugs or misuse of prescribed drugs whether on or off-duty. In addition to applicant drug testing, an employee may be required to take a drug screening and confirmation test or an alcohol test upon reporting to work, during work hours or if placed on-duty by an appropriate supervisor, when there are observable symptoms or reasonable suspicion to believe the employee has ingested, inhaled, or injected a drug into the body or ingested an alcoholic beverage.
- B. Any employee who has a reason to believe that an officer or other police employee is abusing a controlled substance or is under the influence of alcohol during working hours will immediately notify a supervisor.
- C. If supervisors observe objective symptoms that are physical manifestations of drug or alcohol use, or believes that reasonable suspicion exists to suspect an employee is abusing a controlled substance, they will:
  1. Immediately remove the employee from performance of his or her assigned duty.
  2. Notify the employee's Bureau or Division Commander (Duty Commander if the Bureau or Division Commander is unavailable) and request that commander respond to the scene.
  3. Notify and request an IAD supervisor to the scene.

##### 435.02 Executive Notification, Testing, and Discipline

- A. The employee's Bureau or Division Commander (or Duty Commander) in consultation with the Internal Affairs supervisor will determine if reasonable suspicion exists. If reasonable suspicion is deemed to exist, the employee will be asked to submit voluntarily to a drug test. If the employee refuses, the Bureau or Division Commander (or Duty Commander) may decide to order the employee to submit to a drug test. The employee may also be requested and/or ordered to submit to an intoxilyzer test. The Chief of Police, the employee's Bureau or Division Commander or the Duty Commander may order a drug test.
- B. If the employee is given a drug test, the employee will be placed in a non-public contact position or on administrative leave until the results of the test are known. If the employee exhibits symptoms of intoxication or inappropriate behavior, he/she will be transported to his/her home or the home of a friend or relative after the test is complete.
- C. Positive results of a drug test will be cause for initiation of a formal investigation. Since the use of illegal drugs (cocaine, heroin, marijuana, etc.) or illegally obtained controlled substances by police employees is inconsistent with police employment, disciplinary action, most likely termination, will result. Abuse of legally obtained controlled substances or alcohol may lead to disciplinary action for violation of Departmental rules or regulations, but the employee may also be referred for rehabilitation and treatment. Subsequent or repeated abuse after rehabilitation efforts may, however, lead to termination.
- D. If a drug test has a negative result, no Internal Affairs investigation will be conducted (unless other allegations were identified) and no entry into the employee's personnel file concerning the drug test will be made. A Division Commander may however, because of unexplained behavior, request a behavioral cause investigation.
- E. If an employee refuses to submit to a drug test after being ordered to do so by a supervisor, the employee's action will be considered insubordination and the employee shall be subject to disciplinary action up to and including discharge.
- F. Employees who voluntarily ask for assistance with a drug problem (abuse of a legally obtained controlled substance or alcohol) prior to it coming to the attention of the Department will be assisted with reasonable rehabilitation efforts without disciplinary intervention. Reassignment or restriction of duties may be required during this process. Failure of an employee to respond to rehabilitation efforts or subsequent incidents of abuse may result in disciplinary action. Cost of rehabilitation efforts are the responsibility of the employee.
- G. Procedures for drug testing are included in the Internal Affairs Division Standard Operating Procedures.



## Dallas Police Department General Order

### 436.00 Random Drug Testing

Revised 06/25/12

#### 436.00 RANDOM DRUG TESTING

**436.01** Sworn members will provide a urine specimen which will be screened for controlled substances, including anabolic steroids, and illegal drugs. Sworn members may be randomly tested up to a maximum of three times per calendar year through a contract firm/laboratory. This random drug testing program in no way supersedes or eliminates sworn members from being subject to "reasonable suspicion" testing, as defined in City of Dallas Administrative Directive 3-49.

#### 436.02 Definitions

- A. Calendar Year - each year beginning on January 1st and ending on December 31st.
- B. Sworn Members - any officer who possesses the authority to bear arms and possesses arrest powers; more specifically, sworn members who occupy the positions of Police Officer or Reserve Police Officer, regardless of rank.
- C. Non-Competitive Appointed Ranks - any sworn member who has been appointed by the Chief of Police to the following positions: Deputy Chief of Police; Assistant Chief of Police; and is to include the Chief of Police, who is appointed by the City Manager.
- D. Split Specimen - a collection method of maintaining two separate containers of urine from the tested subject. This allows for retesting should the need arise.
- E. Illegal Drug/Controlled Substance - any substance which is defined, and the use of which is regulated, by the Texas Health and Safety Code - Subtitle C. Substance Abuse Regulation and Crime, Chapter 481 (Texas Controlled Substance Act), or Chapter 483 (Dangerous Drugs).
- F. Negative Test Result - indicates there is no presence of illegal drugs or controlled substances within the urine screen, or the amount present does not exceed set detection limits.
- G. Positive Test Result - result of an initial screening method which detects the presence of an illegal drug or a controlled substance in the urine screen.
- H. Confirmed Positive Test Result - result of a confirmation test which detects the presence of an illegal drug or a controlled substance in the urine screen that exceeds set detection limits.
- I. Verified, Confirmed Positive Test - a confirmed positive test which has been verified by a Medical Review Officer.
- J. Medical Review Officer (M.R.O.) - a licensed physician, employed by the laboratory, with knowledge of substance abuse disorders and the appropriate medical training to interpret and evaluate all confirmed positive test results.

#### 436.03 Testing Notification

- A. The contract firm will maintain and execute a random selection process from which sworn members will be selected. Division Commanders/Watch Commanders or the ranking supervisor will receive notification of personnel who have been randomly selected for testing. Selected sworn members will be notified in person by a supervisor. Selected sworn members will be tested during their normally scheduled duty hours.
- B. Forms Used
  - 1. *Notification to Report* Form - This form will serve as notice to the employee that he or she has been selected to participate in the Random Drug Testing Program. A supervisor will present the form to the employee. This notice:
    - a. Serves as a direct order by authority of the Chief of Police to provide a urine sample at the specified collection location.
    - b. Provides instructions for selected personnel to report to the specified collection location within one hour.
  - 2. *Documented Absence* Form - Any sworn employee on pre-approved leave, (i.e. regularly scheduled day off, sick leave, military leave, vacation leave) may be excused. Absences for other reasons, such as subpoena for court appearance, may be excused with Division Commander approval. The appropriate supervisory level will complete the form to document the absence. The employee's chain-of-command will review the completed form and then send it to the Random Drug Testing Team.
- C. Sworn employees on a call or with a prisoner will be notified as soon as possible after completing their markout. If necessary, relief will be sent to the scene in order for notification to be made in a reasonable time. The Random Drug Testing Team will be advised of any notification delays.
- D. Failure to Report - Any sworn member who fails to report for drug testing in accordance with this order will be subject to disciplinary action up to and including dismissal.
- E. Refusal to Submit to Testing - Refusal by any sworn member to submit to drug testing in accordance with this order will result in the sworn member being placed on administrative leave immediately and termination proceedings being initiated.

#### 436.04 Collection and Testing Procedure

Collection of urine samples and urine analysis will be conducted by a contract firm/laboratory. The laboratory will be certified by the National Institute on Drug Abuse (NIDA). Scientifically-accepted screening and confirmation tests will be employed in the analysis of the urine samples. The collection location will be centrally located. After arriving at the specified collection location, sworn members will comply with instructions received from screening personnel. Screening will only be done for illegal drugs and controlled substances, including anabolic steroids. No other substances will be screened, nor will any other medical tests be conducted or performed. The collection dates will not be announced in advance.

- A. Sworn members will be required to present their Driver's License and Dallas Police Department Identification Card at the collection location.

# Dallas Police Department General Order

## 436.00 Random Drug Testing

Revised 06/25/12

- B. The urine samples will be provided in maximum feasible privacy.
- C. The urine sample will be provided in a vial, a portion of which will be transferred into, and maintained in, two additional vials. Transfer of a portion of the urine sample into two other vials will take place in the sworn member's presence. Prior to the urine collection, the identification number of the sworn member, the current date, and the sworn member's right thumb print will be affixed to each vial. The vials will be sealed in the sworn member's presence after the sample has been provided. Appropriate chain of custody procedures will be followed at all times at the collection facility and at the laboratory which performs the urine analysis.
- D. Failure to supply urine sample - The sworn member will remain at the collection location in view of collection personnel until a urine sample is produced. Personnel at the collection location will provide adequate liquids to assist in the collection.
- E. The tampering, or attempted tampering, with any urine sample will result in termination.
- F. Negative test samples will not be maintained, but will be destroyed.
- G. If the initial screening indicates a positive test result, a second test of this specimen will be performed for confirmation.
  - 1. A confirmed positive report will only be made after this second test.
  - 2. Confirmed, positive test results will be maintained by the analyzing laboratory in a secure area, and will remain confidential.
- H. After the contract firm/laboratory has confirmed a positive test result, the sworn member will be scheduled for a consultation with the M.R.O.
  - 1. The M.R.O. will examine alternate medical explanations for any confirmed positive test result.
    - a. This action will include conducting a medical interview, a review of the individual's medical history (including a review of the individual's legally prescribed medication), and a review of any other relevant biomedical factors.
    - b. The M.R.O. will make the final decision as to whether to verify the test result as confirmed positive.
  - 2. Verified, confirmed positive test results will be retained by the laboratory for a time period of 5 years.
  - 3. Verified, confirmed, positive test results are for administrative purposes only and will not be used against the sworn member in any criminal proceedings.
- I. A sworn member will be placed on administrative leave immediately if the following occurs:
  - 1. A confirmed positive test for illegal drugs.
  - 2. A verified, confirmed positive test for controlled substances, including anabolic steroids.
- J. A sworn member whose test is verified as confirmed positive may request that the second split specimen be tested by an alternate NIDA-certified laboratory. In order to effect such a request for testing of the second split specimen, the sworn member must do the following:
  - 1. Submit a written request to the Chief of Police within ten working days of notification of such result.
  - 2. The written request must include the name of the NIDA-certified laboratory which has been chosen by the sworn member.
    - a. The contract laboratory will transport the second split specimen to the alternate NIDA-certified laboratory chosen by the sworn member for testing.
    - b. Appropriate chain of custody procedures will be followed.
    - c. Retesting expenses of the second split specimen will be paid for by the Department.

### 436.05 Administration of the Program

- A. The Internal Affairs Division will act as a liaison between the Police Department and the drug screening contract firm/laboratory, and will be responsible for the following:
  - 1. Providing a departmental roster of all sworn members. The roster will identify the sworn members by a number only and will include current assignment, watch, and days off.
  - 2. Receiving the documented absence forms from Division Commanders in order to reschedule testing.
  - 3. Receiving and reviewing Notification To Report forms to ensure policy guidelines were followed.
  - 4. Monitoring adherence to the program (appropriate identification, cooperation of officers, adherence of firm/lab to contract, etc.).
  - 5. Receiving the verified and confirmed positive reports from the contract firm/laboratory. The Deputy Chief will make notification of positive test results to the officer.
  - 6. Schedule consultations between the sworn member and the M.R.O.
  - 7. Coordination of a sworn member's request for testing of the second split specimen by a NIDA-certified laboratory.
- B. Police Technology & Technical Support Unit will be responsible for providing a current departmental roster to the Internal Affairs Division on a bi-monthly basis. The success of the Random Drug Testing Program is dependent upon an accurate reporting system of personnel changes. Strict adherence to General Order 403.00 will ensure that the appropriate personnel information needed for this program will be updated on a daily basis.

### 436.06 Disciplinary Action

Verified, confirmed, positive test results are for administrative purposes only and will not be used against the sworn member in any criminal proceedings. Disciplinary Action may result however, with regard to the following areas:

- A. Failure to Report - any sworn member who fails to report for drug testing in accordance with this order will be subject to disciplinary action up to and including termination.
- B. Refusal to Submit to Testing - any sworn member who refuses to submit to drug testing in accordance with this order will be terminated.
- C. Tampering, or attempted tampering, with any urine sample - will result in termination of the sworn member.
- D. A verified, confirmed, positive test result which indicates illegal drug use - will result in termination of the sworn member.

# Dallas Police Department General Order

## 436.00 Random Drug Testing

Revised 06/25/12

- E. A verified, confirmed, positive test result which indicates controlled substance abuse - may result in disciplinary action up to and including termination of the sworn member.
- F. A verified, confirmed, positive test result which indicates illicit anabolic steroid abuse – may result in disciplinary action up to and including termination of the sworn member.
- G. Disciplinary action arising as a result of this order may be appealed by the sworn member in accordance with the City of Dallas Personnel Rules.

### 436.07 Additional Drug Screening due to Assignment

- A. The Department has a compelling interest in ensuring that officers assigned to specified organizational levels do not use illegal drugs or abuse controlled substances, including anabolic steroids. In these assignments, the strictest precautionary safeguards are necessary to provide for a drug-free working environment, and to ensure that there are no illegal drug abusers or controlled substance abusers who jeopardize the safety of fellow officers. All sworn members who apply for or are assigned to the following levels will be subject to additional drug testing:
  - 1. Field Services Division
  - 2. Narcotics Division
  - 3. Criminal Intelligence Unit
  - 4. Public Integrity Unit
- B. All sworn members who apply for the Field Services Division, Narcotics Division, Criminal Intelligence Unit, or Public Integrity Unit must sign an *Additional Drug Testing Form* indicating that they understand a drug screening test is a part of the application.
- C. Prior to being notified to report for a drug screening test or prior to being notified of the transfer, whichever occurs first, a sworn member may withdraw his or her transfer request, with no penalty. This is done by submitting a written request to the Bureau Commander.
- D. All sworn members who are currently assigned to the four specified organizational levels must sign an *Additional Drug Testing Form* indicating they understand that a drug screening test is a condition of continued assignment. Sworn members assigned to the Field Services Division, Narcotics Division, Criminal Intelligence Unit, or Public Integrity Unit may be randomly tested up to a maximum of three times per calendar year through a contract firm/laboratory.
- E. A sworn member currently assigned to one of the four specified organizational levels who declines to sign the Additional Drug Testing Form, will be immediately transferred to another assignment with no penalty and with no loss in rank or salary.

### 436.08 Drug Screening - Non-Competitive Appointed Ranks

- A. All sworn members who are under consideration for non-competitive appointed rank or who are currently of non-competitive appointed rank will be subject to additional drug testing. In order to ensure the effective and efficient operation of the Department, and in order to maintain a high standard of confidence by the officers, the Department must ensure that its most highly ranked members are drug-free.
- B. All sworn members who are under consideration for non-competitive appointed rank must sign a form indicating that they understand a drug screening test is part of consideration for non-competitive appointed rank.
- C. Prior to being notified to report for a drug screening test or prior to being notified of an appointment, whichever occurs first, sworn members under consideration for non-competitive appointed rank may withdraw from consideration with no penalty. This is done by submitting a memorandum to the Chief of Police.
- D. All sworn members who are currently of non-competitive appointed rank must sign an *Additional Drug Testing Form* indicating they understand that a drug screening test is a condition of continued appointment in the rank. Sworn members of non-competitive appointed rank may be randomly tested up to a maximum of three times per calendar year through a contract firm/laboratory.
- E. A sworn member who is currently of non-competitive appointed rank, who declines to sign the notice form, will be reassigned to their highest previously held civil service rank.

### 436.09 Drug Screening - Reserve Section

- A. Due to the unique nature of their availability for duty, the sworn members of the Reserve Section will be subject to additional drug testing as a condition of continued appointment.
- B. All sworn members of the Reserve Section must sign an Additional Drug Testing Form indicating they understand that a drug screening test is a condition of continued assignment. Members of the Reserve Section may be randomly tested up to a maximum of three times per calendar year through a contract firm/laboratory.
- C. Refusal by a sworn member of the Reserve Section to sign the Additional Drug Testing Form and/or participate in the Random Drug Testing Program will result in immediate dismissal from the Dallas Police Department.



## Dallas Police Department General Order

### 437.00 Smoking in Public Buildings

Revised 01/30/07

#### 437.00 SMOKING IN PUBLIC BUILDINGS

##### 437.01 No Smoking Areas

- A. Smoking is prohibited in the following areas:
  - 1. Elevators.
  - 2. All conference and meeting rooms to include detail rooms.
  - 3. Restrooms.
  - 4. All service areas generally accessible to the public. This includes lobbies and waiting rooms of offices and stations.
  - 5. All other offices and facilities under the care, custody, and control of the Police Department.
- B. Bureau and Division Commanders will be responsible for the conspicuous placement of *No Smoking* signs in their facilities.
- C. *No Smoking* signs can be ordered from the Office Services Supply Catalog for posting in the facilities.

##### 437.02 Violation of Smoking Ordinance #19648

Employees violating the Smoking Ordinance #19648 are subject to disciplinary action as set forth in the City of Dallas Personnel Rules, as well as prosecution under applicable sections of the ordinance.

##### 437.03 Complaint Procedure

- A. Employees may utilize the grievance procedure established in General Order 430.00 to challenge policies on smoking in the workplace.
- B. No employee will be discharged, retaliated against, or discriminated against for:
  - 1. Filing any complaint or causing any proceeding to be instituted under or related to the Administrative Directive regarding implementation of Smoking Ordinance #19648.
  - 2. Testifying in any proceeding instituted under the Administrative Directive.
  - 3. Exercising on his/her own behalf or the behalf of others any right afforded by Chapter 41 of the Dallas City Code.

##### 437.04 Enforcement Responsibility

The responsibility for enforcement of this ordinance lies with the Department of Environmental and Health Services. Officers receiving calls regarding this ordinance should inform the complainant that enforcement action is the responsibility of that Department.



## Dallas Police Department General Order

### 438.00 Communicable Diseases

Revised 07/19/2022

#### 438.00 COMMUNICABLE DISEASES

A communicable disease is any disease transmitted by either direct or indirect contact. The purpose of this order is to establish Departmental guidelines regarding the reporting of exposure to certain communicable diseases. Exposure to common diseases, such as colds and flu, are not covered by the scope of this policy.

#### 438.01 Bloodborne Pathogens Exposure Control Plan

Exposure to a Bloodborne Pathogen is the greatest communicable disease health risk officers face. The purpose of this order is to implement the Bloodborne Pathogens Exposure Control Plan required in Chapter 81.304 of the Health and Safety Code. The plan establishes Departmental guidelines to minimize exposure, and insure immediate medical treatment, a post exposure evaluation, and follow up is provided to employees who experience a blood exposure.

#### 438.02 Blood Exposures

Exposures to bloodborne pathogens can occur in the following ways:

- A. A human bite where the skin is broken
- B. Puncture wounds with a bloody object
- C. Blood or certain body fluid splashes to the eyes, nose, and mouth (bloodborne pathogens are not carried in saliva)
- D. Blood splashed to an open wound or non-intact skin
- E. Needle sticks
- F. Mouth to mouth resuscitation where blood is present
- G. Exposure of intact skin to a large amount of blood or over a large area of the body for several minutes

#### 438.03 Bloodborne Pathogens

- A. **HIV** – Human Immunodeficiency virus, which develops into AIDS (Acquired Immune Deficiency Syndrome), is an infectious, viral disease that weakens the body's immune system. It causes the person to be susceptible to a variety of opportunistic infections, certain rare forms of cancer and pneumonia, and other diseases. Because of the lack of a cure or vaccine, this disease represents a serious public health problem. It is preventable if certain precautions are taken. Most exposures do not result in infection.
- B. **HEPATITIS B** – is caused by a virus, which attacks the liver. The liver is essential to metabolize fats, proteins, and medications. People who develop Hepatitis B are more likely to develop cirrhosis or cancer of the liver later in life, and may be the cause of 80% of liver cancer cases worldwide. **Hepatitis B is extremely contagious and can live in dried blood for as long as 7 days. Hepatitis B can be prevented by a Hepatitis B vaccine.**
- C. **HEPATITIS C** – is currently considered to be the second highest health risk from bloodborne pathogens. There is no vaccine or preventative medicine for Hepatitis C. Currently the treatment for Hepatitis C is only 40% effective. A high percentage of infected individuals do not show symptoms of Hepatitis C, but become chronic (develop cirrhosis or cancer of the liver) years later. 85% of IV drug users become infected with Hepatitis C within 6 months.
- D. **HEPATITIS D** – a defective virus that causes infection only in the presence of Hepatitis B.
- E. **SYPHILIS** – normally sexually transmitted, but can be transmitted by blood exposures.

#### 438.04 Other Communicable Diseases

Other communicable diseases include diphtheria, measles, pertussis, meningococcal infections, plague, rubella, TB, and viral hemorrhagic fever. Possible exposures to these diseases can occur through mouth to mouth resuscitation or from close contact (in the same room, enclosed area, or vehicle) with an infected person. The length of time necessary for an airborne exposure depends on the disease.

- A. Employees who suspect they have had a work exposure to one of these diseases will immediately report the incident to a supervisor for submission of the City of Dallas Supervisor's Injury Investigation Report in accordance with Section 207.00.
- B. It is not necessary to seek immediate medical attention unless notified by the Dallas County Health Department or another medical professional (usually an Emergency Room Physician).
- C. A follow up examination will be offered to the employee for medical evaluation, testing, and treatment.
- D. Testing must be done no later than 10 days after the exposure, (per G.O. 438.08(D)).

#### 438.05 Hepatitis B Vaccination

- A. To provide immunity to Hepatitis B infection, the Dallas Police Department will make the Hepatitis B vaccination series available on a voluntary basis to all sworn and non-sworn employees, where the exposure to blood or other potentially infectious materials can be reasonably anticipated.
- B. The Hepatitis B vaccination series will be made available to all recruits during their academy training. All other employees may request the vaccination series at any time and will be notified within ten days by the Safety Team when the series will be scheduled unless any of the following apply:
  1. The employee has previously received the complete Hepatitis B vaccination series.
  2. Antibody testing reveals that the employee is immune.
  3. Medical reasons prevent the employee from being vaccinated.

# Dallas Police Department General Order

## 438.00 Communicable Diseases

Revised 07/19/2022

- C. Any prescreening for the Hepatitis B virus to determine immunity, including all medical evaluations and procedures performed, will be at the employee's expense.
- D. Vaccinations will be provided even if the employee initially declines but later request treatment while covered by this standard. Employees who decline the Hepatitis B vaccination series must sign a declination form. The signed forms will be forwarded to the Safety Team, Personnel Division.
- E. Immunization Procedures
  - 1. Departmental personnel interested in participating in the Hepatitis B Immunization Program will contact the Safety Team to schedule their initial inoculation.
  - 2. The Academy Supervisor of the Curriculum Team will be notified by the Safety Team as to the date and time the vaccination series will be offered to the recruit classes.
  - 3. Departmental personnel participating in the Hepatitis B vaccination series will receive the following document when reporting to the designated location:
    - a. Information Statement on Hepatitis B
    - b. Acceptance Form
    - c. Declination Form
  - 4. After reading the information statement, employees will be required to sign an acceptance or declination form. All documents will be completed before the vaccine is administered.

### 438.06 Precautionary Measures for Officers to Minimize Exposure to Bloodborne Pathogens

The following is a list of procedures to be followed in situations where there is a likely chance of a blood exposure.

- A. Wear disposable surgical gloves when there is contact or potential contact with blood or other body fluids, regardless of whether the fluids are wet or dry.
- B. Wash hands immediately and thoroughly with warm water and soap following contact with blood, other bodily fluids or any other possible source of infection. Hand washing is recommended even if gloves are worn. If handwashing facilities are not immediately accessible, use either an antiseptic cleanser in conjunction with a clean cloth/paper towels, antiseptic towelettes or waterless disinfectant. If these alternatives are used, then the hands are to be washed with soap and running water as soon as feasible.
- C. Bandage open wounds or cuts to avoid any direct contact with contaminated body fluids. Bandages should be sealed on all sides and changed when they become wet or soiled.
- D. When searching persons or vehicles, never blindly place hands in areas where there may be sharp objects that could puncture the skin. Use extreme care when handling needles and syringes.
- E. Use the Mouth-to-Mask Resuscitators when giving CPR.
- F. Exercise caution when investigating crime scenes contaminated with blood or body fluids (i.e., wear a surgical facemask, protective clothing, gloves).
- G. Minimize the chances of becoming infected with communicable diseases by careful observation and awareness of subjects being dealt with, adequate sleep and nutrition, and practicing good personal hygiene habits.

### 438.07 Procedures to be Taken if Possibly Exposed to Bloodborne Pathogens

Immediately following an exposure to blood:

- A. Wash the affected area with soap and water
- B. Flush exposed mucous membranes with water
- C. Eyes should be irrigated with water
- D. Immediately report the exposure to a supervisor for treatment and follow-up

### 438.08 Reporting Procedures for Possible Exposure to Communicable Diseases

- A. Employees who suspect they have been exposed to communicable diseases should immediately notify their supervisor for submission of the City of Dallas Supervisor's Injury Investigation Report in accordance with Section 207.00. (Exposure to colds and flu is not covered in the scope of this policy.)
  - 1. The Supervisor will obtain an Exposure Packet, which includes:
    - a. A Records Release Form
    - b. Affidavit form for source testing
    - c. A PEP Consent Form
    - d. A PEP Declination Form
    - e. A Contaminated Sharps Injury Reporting Form
    - f. General Information and Instructions
    - g. A copy of General Order 438.00
  - 2. Exposure Packet forms are on the DPD Homepage under Resources and Forms.
- B. In the case of a **blood** exposure, the supervisor will:
  - 1. Immediately accompany the employee to a Concentra Urgent Care location for a Post Exposure Evaluation. After business hours, accompany the employee to the Baylor Hospital Emergency Room for a Post Exposure Evaluation.
  - 2. Ensure the sworn affidavit required for the testing of a blood exposure source (outlined in G.O. 438.09) is completed and signed by the officer and notarized. The original affidavit must be sent to the Workers' Compensation Team and a copy either faxed or taken to the Dallas County Health Department.
  - 3. Ensure all consent and/or waiver forms are properly completed and the original is sent to the Workers' Compensation Team.
- C. Employees who incur an exposure incident will be offered a confidential medical evaluation and follow up as follows:
  - 1. Documentation of the route of exposure and the circumstances related to the incident.

# Dallas Police Department General Order

## 438.00 Communicable Diseases

Revised 07/19/2022

2. The employee will be advised of their risk of infection based on the type of exposure and will be offered post exposure prophylaxis in accordance with the current recommendations of the U.S. Public Health Service.
  3. The employee will be offered the option of having his/her blood collected for testing of the employee's HIV/HBV serological status. Baylor Hospital will not test the employee for HIV, Hepatitis B or Hepatitis C. That testing will be done the following business day during a follow up visit to a recommended physician specializing in communicable diseases.
  4. The follow-up will include the results of the testing of the source individual being made available to the exposed employee with the employee informed about the applicable laws and regulations concerning disclosure of the identity and infectivity of the source individual. The employee will also be given appropriate counseling concerning infection status, results and interpretations of tests, and precautions to take during the period after the exposure incident. The employee will be informed about what potential illnesses can develop and to seek early medical evaluation and subsequent treatment.
- D. According to Texas Workers' Compensation Commission Rule 110.106, in order to qualify for Workers' Compensation Benefits, employees claiming a possible work-related exposure to a reportable disease, including HIV, must be tested for the disease not later than 10 days after exposure. Employees must provide documentation of the testing to the Department.
- E. The supervisor will complete the Contaminated Sharps Injury Reporting form and send a copy to the Dallas County Department of Health. The Workers Compensation Team will receive the original and log the form into the employee's Workers' Compensation file.
- F. Officers who believe a suspect has exposed them to any communicable disease will follow the procedures outlined in 438.09 B for reporting the incident to the Dallas County Health Department and to request testing of the suspect.

### 438.09 Procedure for Testing Suspects for Communicable Diseases

- A. Subjects may be requested to take a blood test when they may have exposed a law enforcement officer, fire fighter, emergency medical service employee or paramedical, or a correctional officer to a reportable disease, including HIV infection. Officers may request testing for exposure to reportable diseases experienced in the course of their employment. Officers must believe the exposure places them at risk for a reportable disease and must present the required affidavit to the appropriate health authority.
- B. Officers having good reason to believe they have been exposed to a communicable disease during the course of employment will call the Dallas County Health Department at (214) 819-2004 to request testing of the suspect. This number will be answered Monday through Friday, between the hours of 8:30 a.m. - 4:00 p.m. The afterhours fax number is (214) 819-6095. The afterhours notification will include the employee's name, badge number, a work phone contact number, the name and date of birth of the exposure source, and the present location of the source (Example: Parkland, Sterrett, or Detox) or their home address. The officer must submit a sworn affidavit, either in person or postmarked, within 72 hours of the occurrence.
1. The sworn, written affidavit must contain the following information:
    - a. The requester's name, home address, work telephone number, home telephone number, and an emergency telephone number
    - b. The name and address of the emergency agency, (Dallas Police Department, 1400 Botham Jean Blvd., Dallas, Texas 75215)
    - c. The date and time of exposure
    - d. The circumstances of the exposure
    - e. The suspect symptoms, if known (e.g. rash, fever, chills, jaundice, productive cough, diarrhea, nausea/vomiting, neuralgic signs, coryza, hemorrhage, other)
    - f. Transport designation of the suspect
    - g. The suspect's name, and if known, the suspect's address, preliminary diagnosis, and probable present location
  2. After completion, the affidavit must be notarized by a departmental notary. Mailed affidavits must be postmarked within 72 hours and addressed to:  
Communicable Disease  
Dallas County Department of Health and Human Services  
2377 Stemmons Freeway, Suite 500-LB 12  
Dallas, Texas 75207-2710 Fax number (214) 819-6095
  3. If the suspect refuses the Health Department's request, that agency will confer with the exposed employee and then decide whether to ask the District Attorney to file a petition in District Court requesting court-ordered testing.
- C. According to the Code of Criminal Procedure, suspects indicted for or who waive indictment for charges of Sexual Assault, Aggravated Sexual Assault, or Indecency With a Child may be directed by the courts (either by its own motion or at the request of the victim of the alleged offense) to submit to testing to show whether the subject has a sexually transmitted disease, AIDS, or HIV.
- D. A court order for a blood sample may be obtained from a Municipal Judge of the City of Dallas or a County or District Judge of Dallas County. Should any questions arise related to obtaining such a court order, officers will contact an attorney from the Criminal Law & Police Unit at (214) 671-3430.
- E. Suspects consenting to testing or compelled by court order to submit to testing and presently housed at the Lew Sterrett Criminal Justice Center will be tested at that facility as soon as the Dallas County Health Department can send a qualified tester.

### 438.10 Evidence Handling

- A. Wear disposable surgical gloves when handling property or evidence contaminated with blood or other bodily fluids.
- B. Procedures for Handling

# Dallas Police Department General Order

## 438.00 Communicable Diseases

Revised 07/19/2022

1. Place all syringes in puncture-resistant plastic tubes prior to submission as property or evidence.
  2. Double bag clothing and similar items in a paper sack.
  3. Place sharp instruments such as knives, straightedge razors, and box cutters that have been contaminated with blood or other bodily fluids in puncture-resistant plastic cylinders, which are available in HIV kits or at the Property Section.
  4. Unload firearms and place in a sealed plastic bag, double-bagged paper sack, or wrap in brown paper, depending on the size.
  5. Double bag all PES/lab evidence in paper sacks prior to submission to either SWIFS or the Property Room.
- C. Warning Labels
1. Tag all items of PES/lab evidence considered a biohazard with a biohazard warning label prior to submission.
  2. Tag any property/evidence contaminated with blood or bodily fluids with the appropriate warning label. The warning labels will be available at all deposit sites and in the HIV kits.
  3. Apply a warning label to large, bulky contaminated items such as doors, large pieces of wood, automobile parts, etc. Apply the warning label to an area that will not contaminate any physical evidence.
  4. In the *Additional Description* field of the property tag indicate any items that have been contaminated with blood or other body fluid.
  5. Note on the wrecker driver's receipt, prior to impoundment, if an impounded vehicle constitutes a biohazard due to contamination with blood or other bodily fluids on its interior. An example of *Biohazard* is: *Blood on front driver's seat.*
- D. Disposal Procedures
1. Use an approved biohazard disposal container when disposing of any protective equipment or other related equipment used in the handling, processing, or storage of biohazard property or evidence.
  2. Disposal of biohazard property/evidence will be done in accordance with procedures outlined in the Property Section Standard Operating Procedures.

### 438.11 Procedures for Cleaning Contaminated Equipment, Uniforms, and Vehicles

- A. Wear disposable surgical gloves when handling or cleaning any equipment or vehicle soiled with bodily fluids.
- B. Change any uniform that is soiled with blood or other bodily fluids as soon as possible. Handle the contaminated uniform as little as possible and with a minimum of agitation. Place the uniform in a biohazard bag, seal the bag, and notify the immediate supervisor that the uniform has been contaminated.
- C. The immediate supervisor will write a memorandum to the Quartermaster Unit explaining why the uniform was discarded and that a replacement uniform should be issued. The soiled uniform will be handled and processed as disposable equipment per Section 438.10.
- D. Vehicles and other equipment soiled by blood or other bodily fluids will be promptly and thoroughly cleaned with an approved germicidal detergent.

### 438.12 Procedures for Discarding of Personal Protective Equipment/Uniforms

- A. Anytime personal protective equipment (PPE) is utilized, the presence of communicable disease will be presumed unless otherwise identified. Applicable local, state, and federal disposal guidelines or procedures will be followed.
- B. Do not indiscriminately discard PPE at the scene or dispose of them in a way that may cause casual contact with another person. Examples include, but are not limited to, disposable gloves, face masks, splash shields, Tyvek suits, aprons, etc. that have had any encounter with a suspect's bodily fluids.
- C. Place all contaminated PPE/Equipment in an appropriate bag or container. Seal and secure for transport to an approved disposal site. This procedure also applies to all uniforms that are to be discarded as a result of contamination.
  1. Not all contaminants require hazardous/bio-hazardous waste disposal. Examples include, but are not limited to, person use Covid-19 contaminated gloves, masks, face shield, evidence handling gloves, sanitizing wipes, etc.
- D. PPE disposal sites are located at:
  1. Patrol Divisions
  2. Crime Scene Response Section
  3. Property Section.
- E. It will be the responsibility of the employee utilizing the PPE to ensure that it is disposed of properly. Disposal of PPE must be completed before the end of the employee's tour of duty.
- F. The Commander at each disposal site is responsible for ensuring the site is properly maintained and a sufficient supply of replacement PPE is available.
- G. When a disposal site is full a city contractor will be contacted to remove the contaminated material and to replace with appropriate materials/supplies.

### 438.13 Annual Training

- A. Training will be conducted for all recruits during their Academy Training. All employees will also receive annual refresher training within one year of the employee's previous training.
- B. The training will include an explanation of the following:
  1. OSHA Bloodborne Pathogen Final Rule
  2. Epidemiology and symptomatology of bloodborne diseases
  3. Modes of transmission of bloodborne pathogens
  4. The Department's Exposure Control Plan
  5. An explanation of incidents which might cause exposure to blood or other potentially infectious materials
  6. Procedures to be observed to control exposure to blood or other potentially infectious materials
  7. Personal protective equipment available (gloves, mouth to mouth resuscitators)

**Dallas Police Department General Order**  
**438.00 Communicable Diseases**

Revised 07/19/2022

8. Hepatitis B vaccine program
9. Procedures to follow in an emergency involving blood or other potentially infectious materials
10. Procedures to follow if an exposure incident occurs, to include U.S. Public Health Service Post Exposure Prophylaxis Guidelines
11. Post Exposure evaluation and follow up



**Dallas Police Department General Order**

**439.00 Reserved**

Revised 01/30/07

**439.00** *RESERVED FOR FUTURE USE*



## Dallas Police Department General Order

### 440.00 Recreation Committee

Revised 01/30/07

#### 440.00 RECREATION COMMITTEE

##### 440.01 Composition

- A. Patrol Bureau - Six geographic Patrol Bureau divisions - 1 member each.
- B. Special Services Bureau - 2 members.
- C. Investigations Bureau - 2 members.
- D. Support Services Bureau – 2 members.
- E. Administrative Services Bureau/Office of Chief of Police - 2 members.
- F. The Budget and Grant Management Manager will serve as the non-voting permanent Secretary-Treasurer of the Committee.

##### 440.02 Appointment

- A. Members of the Committee will be appointed by their Bureau Commanders. Appointments will be made in December of odd-numbered years and appointees will serve two-year terms.
- B. An alternate will be appointed by the respective Bureau Commander for each position on the Committee except Secretary-Treasurer.
- C. Appointments will be forwarded to the Secretary-Treasurer by December 14.
- D. Should any member be unable to serve, the alternate will become the member and the respective Bureau Commander will appoint another alternate.

##### 440.03 Organization and Duties

- A. Authorization and Purpose - These guidelines will serve as the governing instrument for the Recreation Committee. The purpose of this Committee will be the promotion of the social, recreational and general welfare of Police Department employees.
- B. The Secretary-Treasurer will call a meeting in January after the appointments are made for the purpose of electing a Committee Chairperson.
- C. The Chairperson will be elected by majority vote of the Committee and have full voting powers.
- D. The Chairperson will appoint a Vice-Chairperson to serve in the Chairperson's absence.
- E. The Chairperson will call a meeting whenever the need arises.
- F. A quorum of eight members must be present at any meeting for the Committee to transact business.
- G. The Secretary-Treasurer will be responsible for keeping the minutes of the meetings and records of membership.
- H. Each member will notify the Chairperson of the Committee or the Secretary-Treasurer if unable to attend a called meeting. If the notification is not given, the member will be reported A.W.O.L. from a duty assignment.
- I. If any member is absent from three or more consecutive meetings, the Chairperson will have the discretion to request that the respective Bureau Commander remove that member from office.
- J. The Secretary-Treasurer will be responsible for records of deposits, bills, and withdrawals from the Credit Union account holding the Recreation Fund and the Floral Fund. These records will be open for inspection at all times.
- K. The signatures of the Secretary-Treasurer and one Assistant Chief/Executive Assistant Director will be required for any withdrawal from the Credit Union.
- L. The committee will arrange for the collection of funds from vending machines throughout the Police Department. It will pass on by majority vote of the members present at a meeting all expenditures from the Recreation Fund, except normal operating expense. Tie votes will be decided by the Secretary-Treasurer.
- M. Floral Fund and Funeral Notices
  1. The Committee will also be responsible for the Floral Fund. The Employee Relations Team, Personnel and Development Division, will arrange for flowers to be sent to funeral services of the following:
    - a. Employee of the Department.
    - b. Husband, wife, or child or stepchild of employee.
    - c. Father, stepfather, mother, or stepmother of employee.
    - d. Brother, stepbrother, sister, or stepsister of employee.
    - e. Father-in-law or Mother-in-law of employee.
    - f. Foster parent of employee.
    - g. Retired police employee.
    - h. Texas Public Safety Officer (killed in the line of duty).
    - i. Other persons as designated by the Chief of Police.
  2. Funeral notices will be issued regarding the death of any relative of a Dallas Police Employee, but flowers will be ordered only for those listed above.
- N. The following information on deaths should be routed immediately to the Employee Relations Team, Personnel and Development Division:
  1. Name of deceased.
  2. Relationship to employee.
  3. Name and address of funeral home handling arrangements.
  4. Date, time, and place of funeral service.



## Dallas Police Department General Order

### 441.00 Promotional Assessment Centers for Outside Agencies

Revised 06/07/2013

#### 441.00 PROMOTIONAL ASSESSMENT CENTERS FOR OUTSIDE AGENCIES

- A. All requests for departmental personnel to attend assessment centers for outside agencies will be coordinated by the Assessment Center Coordinator, Personnel and Development Division.
- B. Assessment Centers will be posted on the Departmental Intranet. Departmental members (ranks of Sergeant and above), who wish to participate in these assessment centers, will contact the Assessment Center Coordinator. The Assessment Center Coordinator will disseminate assessment center applications to requesting employees. Departmental employees will be responsible for completing the application and making contact with the hosting agency or the Assessment Center Agency, as instructed on the application.
- C. The Department will not provide funds for travel, meals, or lodging for attendance at outside agency assessment centers. Departmental personnel will not be compensated by the Dallas Police Department for any time worked over the regular work day or week while in attendance at an outside agency assessment center.
- D. Personnel attending outside agency assessment centers who are paid fees for their participation while in:
  - 1. *Special assignment* status will deliver those fees to the Procurement and Payables Unit upon return. This does not include per diem received from the host agency to cover meals and lodging or funds to cover airfare or mileage travel expenses.
  - 2. Personal-time status (vacation or compensatory time) are permitted to retain all fees, per diem, and travel expense monies.
- E. Members may attend outside agency assessment centers for a maximum of two weeks (14 calendar days) each calendar year in special assignment status. Any time for subsequent assessment centers that would cause the employee to use more than the allotted 14 days will require the use of vacation or compensatory time. Members must obtain written approval for special assignment time to attend from their chain-of-command and forward this approval to the Lieutenant of the Employee Relations Team, Personnel and Development Division, prior to attending the assessment center.
- F. To easily determine whether fees paid must be turned over to the Procurement and Payables Unit, members will not be permitted to mix vacation/compensatory time with special assignment time in attending an outside agency assessment center.



## Dallas Police Department General Order

### 442.00 Employee Advisory Committees

Revised 01/30/07

#### 442.00 EMPLOYEE ADVISORY COMMITTEES

##### 442.01 Purpose

- A. The two Employee Advisory Committees - the Police Officers Advisory Committee (POAC) and the Non-Sworn Advisory Committee (NAC) - were established to provide opportunities for sworn and non-sworn personnel in non-supervisory positions to regularly meet with the Chief of Police and/or an executive-level employee.
- B. During meetings, representatives are encouraged to ask questions regarding the concerns of their individual work groups. These questions should generally be focused on broad policy areas that may be most effectively addressed by the Chief of Police or an executive level employee.
- C. Neither committee is designed to handle grievances nor individual complaints that are more appropriately administered by other existing committees or procedures.
- D. The two committees will meet separately.

##### 442.02 Organization

- A. The Chairperson of each committee will be:
  1. POAC - the Assistant Chief, Patrol Bureau.
  2. NAC - a non-sworn Manager appointed by the Chief of Police.
- B. The responsibilities of the Chairpersons will consist of the following:
  1. Chair each committee meeting or appoint a chairperson of similar management level to chair the meeting in their absence.
  2. Establish subcommittees to study related issues and appoint subcommittee chairpersons either from the membership of the committee or from other departmental personnel. Subcommittee chairpersons may be sworn or non-sworn and may be supervisors. Subcommittees may be either standing or *ad hoc* to study specific issues.
  3. Direct the activities of the Secretary of each committee to ensure that issues are addressed and minutes of the meetings are disseminated in a timely manner.
  4. Conduct meetings at least three times per calendar year. On their initiative or at the direction of the Chief of Police, the Chairpersons may convene the committee or subcommittees at any time to discuss or study pertinent issues.
  5. Report committee findings and recommendations to the Chief of Police by memorandum.
- C. The Secretaries of the POAC and the NAC will be a sworn and a non-sworn member from the office of the Special Projects Coordinator, respectively. Their responsibilities include:
  1. Maintain membership rosters and ensure the appointment of new members and the orderly rotation of alternates.
  2. Conduct follow-up to questions from members as directed by the committee chairpersons.
  3. Publish and distribute questions and answers raised during meetings to all Organizational Commanders and to each member of that committee.
  4. Assist the subcommittee Chairpersons in obtaining and distributing information.

##### 442.03 Membership

- A. The POAC and NAC Chairpersons will determine the number of members and proper departmental representation. Organizational Commanders will appoint a representative and an alternate for a one-year term. The alternates will become primary representatives upon completion of one year's service on the committee. Each July, the Chairpersons will request Organizational Commanders to appoint new alternates.
- B. Organizational Commanders may make new appointments as needed to fill vacancies created by promotions or transfers to ensure proper representation. Organizational Commanders are responsible for notifying the appropriate committee Secretary of any changes.
- C. Representatives may not be supervisory personnel and must be sworn employees for POAC membership and non-sworn employees for NAC membership.
- D. Prior to meetings, committee representatives are expected to canvass their organizational peers for their questions and concerns. Representatives are responsible for reporting the results of the meetings to their work groups.
- E. Attendance at committee meetings will be restricted to the appointed representative, alternate, or other employee designated by the Organizational Commander.



## Dallas Police Department General Order

### 443.00 Violence in the Workplace

Revised 01/30/07

#### 443.00 VIOLENCE IN THE WORKPLACE

##### 443.01 Policy

- A. The safety and security of all Department employees, as well as citizens visiting police facilities, is of immense concern to the Department. To achieve the highest level of protection from violence in the workplace, violent acts, intimidation, threats, harassment, and abusive or aggressive behavior will not be tolerated.
- B. No employee will engage in veiled threats, overt threatening behavior, or blatant acts of violence against anyone in the workplace. Violations of this policy will be cause for possible disciplinary action up to and including termination and/or criminal prosecution when warranted.

##### 443.02 Purpose

- A. The Department adopts the stance of zero-tolerance against any employee who makes any threats, engages in threatening behavior, or commits violent acts in the workplace. Such employees will be immediately and safely escorted from the premises or taken into custody, if an arrest is warranted, and the incident referred to the Internal Affairs Division.
- B. The employee will be required to remain off the premises until an Internal Affairs Division investigation is completed and a decision is made on discipline if the allegation is sustained. If necessary, the employee will be transferred to another duty assignment or placed on Administrative Leave pending the outcome of the investigation.
- C. The employee also may be subject to permanent reassignment for the benefit of the Department.

##### 443.03 Definitions

- A. Critical Incident - Any threat (implicit or explicit) or any violent incident occurring at a DPD facility. This includes, but is not limited to, any injury, death, mishap, illness, or crime occurring as the result of violence in the workplace.
- B. Premises/workplace - Any Department owned or leased building or portion of a building, and their parking lots; any Department owned or leased vehicle.
- C. Supervisor - Sworn personnel in the rank of Sergeant or above, or comparable non-sworn personnel who are responsible for the supervision or direction of the work of other personnel in the workplace.
- D. Threat Assessment Team - A designated team which will analyze and address any violence-related problems ranging from threats to post-incident counseling and will make recommendations to the Department regarding workplace safety.

##### 443.04 Responsibilities

- A. The Chief of Police, in accordance with Administrative Directive 3-63, is responsible for:
  1. Ensuring a safe workplace and not condoning any violent, disruptive, aggressive, or abusive behavior exhibited or threatened by an employee.
  2. Ensuring all DPD employees receive comprehensive training on violence in the workplace which should include, but is not limited to:
    - a. An understanding of Department policy and the types of prohibited actions constituting workplace violence.
    - b. The ability to recognize signs of potential violence in co-workers, as well as outside sources, and precautionary measures which can be utilized.
    - c. An understanding of procedures that an employee is to use to report any form of workplace violence.
    - d. Conflict resolution techniques.
  3. Ensuring that the Director of Human Resources is made aware of any workplace violence so the Threat Assessment team can be convened.
  4. Ensuring that an identified employee, spouse, or third party that may be the target of workplace violence is warned of the potential hazard.
  5. Ensuring that staff members are informed that the City's policy on workplace violence is one of zero-tolerance, and that threats of violence, or other abusive, aggressive, or disruptive behavior in any form will not be tolerated in the workplace.
  6. Ensuring that Organizational Commanders are aware of the name, work address and telephone number of the Department's assigned Employee Relations Specialist in the Employee Relations Division of Human Resources.
  7. Ensuring that Organizational Commanders and supervisors are aware of the name, address, and telephone number of the City's Counseling Assistance Resource Program (CARE)/Employee Assistance Program (EAP) Coordinator.
  8. Ensuring that Organizational Commanders have developed and posted approved plans and procedures for ensuring employee safety and the protection of City assets at each of their work sites in the event of a critical incident.
  9. Appointing a Management Representative on Workplace Violence who will serve on the City's Threat Assessment Team, which is coordinated by the Director of Human Resources.
- B. Organizational Commanders are responsible for:
  1. Developing organizational plans and procedures for ensuring employee safety and protection of City assets at each of their work sites in the event of a critical incident or threat. These plans must include any of the following items that are applicable:

# Dallas Police Department General Order

## 443.00 Violence in the Workplace

Revised 01/30/07

- a. Safety and emergency procedures to be followed.
  - b. A list of emergency telephone contacts.
  - c. A building schematic containing emergency exits.
  - d. Parking lot security.
  - e. Security equipment.
  - f. Any options, such as safe rooms or panic buttons.
2. Ensuring plans are posted, upon receipt of approval, in an employee common area at every work site.
  3. Reviewing and revising plans as needed, but no less than annually. Any revisions must be forwarded to the Departmental Safety Officer who will forward revisions through the Chief of Police to the Director of Human Resources.
- C. The Departmental Safety Officer will be responsible for coordinating all organizational plans to be submitted to the Chief of Police for review, then to the Director of Human Resources for approval.
- D. Organizational Commanders and supervisors are responsible for:
1. Being aware of changes in employee behavior patterns that exhibit the potential for workplace violence or disruption. Such changes should be addressed in private counseling sessions with the employee. Supervisors must document all such behavior/actions.
  2. Making appropriate and timely referrals for assistance to employees who threaten or engage in violence or other abusive, aggressive, or disruptive behavior, or to those who are threatened or victimized.
  3. Ensuring that any employee who may be the target of workplace violence, and his or her co-workers, are promptly notified of the potential hazard.

**Note: To avoid potential liability, no person should be identified as being a potential source of workplace violence until a proper and thorough investigation has been conducted and such information has been determined to be fact.**

4. Reporting threats or acts of violence in writing to the Chief of Police to ensure that proper action is taken and keeping the Chief of Police or their designee aware of all critical incident developments.
  5. Ensuring that when appropriate, the proper Departmental operational division conducts an investigation into any potential applicable criminal charges.
  6. Referring false reports of threats or violence by an employee to the Internal Affairs Division for investigation.
  7. Being knowledgeable about the services available through the Employee Relations Team and making appropriate and timely referrals for assistance in resolving incidents which involve the possession of weapons against City of Dallas policy, threats, or other abusive, aggressive, or disruptive behavior.
- E. Employees are responsible for:
1. Notifying their supervisors of any threats that they have witnessed, received, or have been told that another person has witnessed or received.
  2. Reporting any behavior they have witnessed which they regard as threatening or violent, even without an actual threat, when that behavior is job related or might be carried out on departmentally controlled premises or is connected to departmental employment.
  3. Making a report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior.
  4. Providing their supervisor with a copy of any protective or restraining order and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective order which is made permanent, that they have obtained which lists Departmental locations as being protected areas.
- F. The Employee Relations Team is responsible for:
1. Ensuring that, when an employee is scheduled for a discharge interview with the Chief of Police, their standard operating procedure outlines step-by-step procedures that will minimize the possibility of any potential violence.
  2. Ensuring that if, during the exit interview, the discharged employee exhibits any signs of anger, potential violence, or makes any veiled threats or overt threats advocating violence, that such information is passed on immediately to the Management Representative on Workplace Violence.



## Dallas Police Department General Order

### 444.00 Police Psychological Services

Revised 01/03/2023

#### 444.00 POLICE PSYCHOLOGICAL SERVICES

In recognizing the many stresses related to the performance of law enforcement duty, the Department provides a variety of services designed to assist employees. The Department's Psychological Services Unit will:

- A. Comply with the TCOLE licensing requirements in providing applicant psychological evaluations.
- B. Provide counseling and assistance to employees involved in critical incidents.
- C. Provide psychological counseling for Police Department employees and their immediate families.
- D. Provide fitness for duty evaluation process for maintenance of duty and performance standards.
- E. Provide stress awareness and management courses at the Police Academy.

#### 444.01 Fitness for Duty Evaluation

- A. A fitness for duty evaluation is a formal evaluation of an employee's current emotional/behavioral adjustment or medical status as it relates to the ability to perform essential job functions. A fitness for duty evaluation is conducted at the request of supervisors for an employee who is demonstrating some defined difficulties adjusting to work responsibilities.
- B. The Chief of Police or any Chief Officer may order the initiation of a fitness for duty evaluation whenever that commander believes it is in the best interest of the employee or the Department.
- C. Employees who receive sustained complaints or repeated complaints of a similar nature may be required to undergo a fitness for duty evaluation.
- D. Officers returning from extended leave or those who are reinstated following discharge will be required to undergo a fitness for duty evaluation as outlined in 404.00 (Leave from the Department) and 405.05 (Reinstatement Policy).
- E. Supervisors will refer to the Psychological Services Unit any employee who reports verbally or in writing an emotional or stress related problem. A Staff Psychologist will determine whether a fitness for duty evaluation should be conducted. A formal request for a fitness for duty evaluation may be initiated if an employee does not follow through with recommendations to seek assistance.
- F. Employees who, while on or off-duty, exhibit behavior that may be indicative of emotional difficulties may be required to undergo a fitness for duty evaluation.
  - 1. When any supervisor becomes aware that an employee has exhibited such behavior, the employee will be removed from any assignment involving public contact. The Division Commander will be notified, and the employee placed on Administrative Leave pending completion of the evaluation. At this time, the Division Commander will determine and document if the employee should be disarmed.
  - 2. When the behavioral problem has been identified and the employee directed to undergo a fitness for duty evaluation, the supervisor will immediately document the circumstances of the incident and submit a memorandum through the chain-of-command to the Personnel Division Commander. A copy of the memorandum will be delivered immediately to the Personnel Division Commander, who will provide the report to the staff psychologist. All correspondence will be sealed in an envelope.
- G. The Personnel Division Commander will coordinate the fitness for duty evaluation.
- H. An employee entering a fitness for duty evaluation will undergo all testing deemed appropriate by the healthcare provider administering the examination and will be interviewed by a psychologist or physician licensed to practice in the State of Texas.
- I. An employee may be required to submit to a physical and/or mental examination by a department-selected health care provider, including, but not limited to, a physician or psychologist licensed in the State of Texas, in order to evaluate the employee's current mental or physical status as it relates to the employee's ability to perform his or her job duties.
- J. The department will pay for an evaluation performed on an employee pursuant to General Order 442.01(I).
- K. The Personnel Division Commander will coordinate scheduling of the evaluation and supply that information to the employee's chain-of-command. The employee's chain-of-command will give the involved employee a date by which he or she must have an evaluation scheduled or initiated. The Personnel Division Commander will also send a letter to the psychologist outlining the job duties and any specific concerns regarding the employee being evaluated. This will enable the psychologist to consider these issues in the evaluation of the employee's fitness for duty.
- L. The psychologist is not allowed by state law to release any of the results of the evaluation to the City of Dallas, to the Dallas Police Department, or to any other person or government entity unless any of the following are applicable:
  - 1. Such disclosures are required or authorized by law.
  - 2. The psychologist determines that there is a probability of imminent physical injury by the employee, either self-inflicted or to others, or where there is a probability of immediate mental or emotional injury to the employee.
  - 3. There is a written consent for release signed by the employee.
- M. The results of a fitness for duty evaluation may not be used to escape responsibility for improper behavior, as defined by the Dallas Police Department Code of Conduct, General Orders, City Ordinances, and state or federal law.

#### 444.02 Substance Abuse Assistance

- A. The purpose of this directive is to establish avenues of assistance for employees with substance abuse related problems so that discipline may be avoided whenever possible. Substance abuse can involve the use of alcohol, prescription drugs, or illegal drugs. If the substance being abused is an illegal substance, the Substance Abuse System Program cannot be used to avoid the normal disciplinary system.

# Dallas Police Department General Order

## 444.00.00 Police Psychological Services

Revised 01/03/2023

- B. Responsibilities of Supervisors
  1. Supervisors who have reason to believe that an employee has developed a substance abuse problem or is prone to instances of substance abuse may meet privately with the employee. The supervisor will explain the assistance programs available to the employee and/or refer the employee to Psychological Services or the Employee Wellness Unit.
  2. The intent of the Department is to prevent the employee from reaching a point where substance abuse related problems adversely affect the employee's job performance or professional integrity.
- C. Programs Available
  1. Police Psychological Services Counseling and related services are available to assist employees with substance abuse related problems.
  2. Employee Assistance Program – The EAP is available at no charge to City of Dallas employees to assist with a variety of issues including but not limited to : Legal Services, Work and Life Issues, Mediation Services, and Financial Assistance. Information available through the Human Resources Department and City of Dallas Intranet.
  3. Employee Wellness Unit – Refer to General Order 445.00

### 444.03 Critical Incident Management

- A. The purpose of the Critical Incident Management program is to provide comprehensive support for employees involved in critical incidents.
- B. A critical incident is defined as any occurrence having the potential to interfere with an individual's ability to function. Potential Critical incidents occur where employees are involved in situations such as:
  1. Police Involved Shootings.
  2. Any incident resulting in serious injury or death (Use of Deadly Force, line-of-duty death, death as a result of vehicular collision).
  3. Multiple serious injuries and/or deaths have occurred.
  4. Incidents which supervisors believe require psychological support.
- C. The Division, Section, or Unit Commander will notify Psychological Services personnel of an incident requiring psychological support.
- D. Peer Support personnel may be utilized to make the initial contact with the involved employee to provide immediate support and referral if necessary. Peer Support personnel are trained to recognize significant distress and may request that the involved employee be seen immediately by a mental health professional.
- E. Each potentially critical incident is different depending on many factors including the severity of the stressor and the number of officers involved. Some critical incidents require individual counseling and others are best managed in a group setting. Psychological Services will coordinate with supervisors of the involved officers to provide the most appropriate intervention.
- F. Critical Incident Management procedures for police involved shootings are as follows:
  1. The Special Investigations Unit (SIU) will notify Psychological Services personnel of all officers involved in critical incident.
  2. Psychological Services personnel will contact the involved officer within 24 hours of notification to offer psychological support.
  3. The involved officer will attend three (3) sessions to be coordinated by the Psychological Services Unit.
  4. The first session will occur within the first week and before the officer returns to full duty.
  5. The second session will take place approximately three months following the incident and a third session will occur six months after the incident. Three sessions over time are recommended because many people are unaware of the impact of exposure to potentially traumatic events until weeks or months after the incident.
- G. Critical Incident Management procedures for other potentially traumatic events are as follows:
  1. The Division, Section or Unit Commander of the involved officer (s) will notify Psychological Services personnel of an incident requiring psychological support.
  2. Psychological Services will contact the supervisors of the involved officer(s) within 24 hours to determine the appropriate intervention for the particular incident. Different interventions are recommended depending on the severity of the potential trauma and the number of officers involved. All officers involved in potentially severe critical incidents receive psychological support and will be provided with information about stress recognition, prevention and referral options. Group interventions for line of duty deaths are not completed until after the funeral.
- H. Voluntary Participation - Participation in any type of group or individual psychological support / intervention is voluntary and separate from issues or decisions related to an officer's fitness for duty.
- I. Annual training with at risk units - As part of a comprehensive plan for the management of critical incident stress, annual training will be provided for units more likely to be exposed to potentially traumatic events. (e.g.; Vice, Homicide, Narcotics, Family Violence Child Exploitation/Abuse, and 911 Communications). Training is designed to promote emotional self-care / resiliency by teaching trauma preparation and stress management. This program is designed to provide officers with the skills necessary to maintain emotional well-being in adverse and stressful environments. An important aspect of this program is training supervisors to recognize at risk officers and intervene before problems become severe.



## Dallas Police Department General Order

### 445.00 Employee Wellness Services

Revised 01/03/2023

#### 445.00 Employee Wellness Services Purpose

The Dallas Police Department offers peer support, access to police psychologists, and police chaplains to all employees. This section is intended to provide employees with an overview of all departmental wellness services available.

#### 445.01 Employee Wellness Unit

- A. The unit will be responsible for coordinating the Peer Support Program, Police Chaplain Program and Alcohol Rehabilitation Procedure.
- B. The mission of the Wellness Unit is to coordinate the delivery of the various decentralized services to assist employees in managing their emotional and physical well-being.
- C. The Dallas Police Department Employee Wellness Unit responsibilities include identifying resources for employees, providing training, educational seminars, and supporting employees proactively in an effort to help all employees better manage their careers.
- D. These programs and services are available to all employees, as well as their family members.

#### 445.02 Peer Support Program

- A. Program Purpose
  1. To provide all police employees with the opportunity for immediate peer support and assistance through times of personal or professional crisis by specially trained and selected fellow employees working in conjunction with designated mental health personnel. (Refer to Peer Support Program SOP for selection, training, and rejection/removal criteria).
  2. Peer support personnel are available 24 hours a day to support fellow employees and provide referral alternatives.
- B. Program Procedures
  1. Peer Supporters are on call and will respond at any hour of the day if requested.
  2. The Employee Wellness Unit will be responsible for maintaining a monthly updated list including the name, assignment, and work telephone number of each Peer Supporter. The lists will be made available to all Department employees.
  3. Police personnel may contact the Employee Wellness Unit, a Peer Supporter directly, or the Peer Support Program Coordinator for referral to a Peer Supporter.
- C. Program Confidentiality
  1. Communications between a Peer Supporter and an employee will be considered privileged by the Department and will remain strictly confidential except for matters involving:
    - a. Violations of the law.
    - b. Child Abuse.
    - c. Situations in which the person seeking counseling is considered a danger to himself/herself or others.
  2. If an employee directs the Peer Supporter to release information to a third party, the employee must sign a release form stating to whom the information is to be released.



## Dallas Police Department General Order

# 446.00 Alcohol Rehabilitation Leave Procedure

Revised 01/03/2023

### 446.00 Alcohol Rehabilitation Leave Procedure

#### Introduction

To better support the Dallas Police Department and its employees, the Chief of Police has created an Alcohol Rehabilitation Leave Procedure. By exercising his/her discretion pursuant to City of Dallas Personnel Rule 34-29(b)(6), the Chief of Police will provide employees of the police department 30 days of paid administrative leave to attend an in-patient alcohol support and rehabilitation program. The Wellness Unit will act as a liaison for the employee to the department and assist in onboarding to an appropriate alcohol treatment center.

#### 446.01 Purpose

The purpose of the Alcohol Rehabilitation Leave Procedure is to provide employees of the police department with support and assistance in securing confidential care to help them overcome the detrimental use of alcohol before their career and personal lives are irreparably damaged. A concerning number of alcohol-related arrests and incidents involving members of the department have occurred and continue to occur. Employee safety and well-being is paramount for the Dallas Police Department. As a proactive measure, this procedure is being implemented immediately to support department employees. Our success as a Department is dependent on a physically and mentally healthy workforce who care for themselves just as much as the community they serve.

#### 446.02 Procedure and Criteria for Participation

- A. Paid administrative leave for in-patient treatment is strictly intended for employees with alcohol abuse/alcohol addiction issues.
- B. Thirty days of paid administrative leave is available to employees who come forward prior to any city or departmental administrative violations related to alcohol use/abuse and prior to an arrest or citation for a criminal offense related to alcohol use/abuse.
- C. Employees seeking assistance may contact the Wellness Unit directly and do not need to notify their supervisor or chain of command. However, employees who contact the Wellness Unit during their shift will need to notify a supervisor if they need to leave work prior to the end of their shift.
- D. The Wellness Unit will assist employees in obtaining approval for paid administrative leave and pairing the employee with an approved in-patient treatment facility. The department will not provide paid administrative leave to employees who decide they do not want in-patient treatment. However, employees who do not want in-patient treatment may still use their own leave balances and seek approval for other types of leave, such as Family & Medical Leave, pursuant to the City's normal leave approval procedures.
- E. The Wellness Unit will assist in coordinating enrollment, and with the help of outside partners, coordinate possible financial assistance for any costs of treatment not covered by insurance.
- F. Upon conclusion of treatment, the employee must provide official documentation of successful completion of the program and will not be approved to return to work without a release from the treatment provider.
- G. Any additional absence from work needed for treatment beyond 30 days will be addressed on a case-by-case basis.
- H. The Wellness Unit will ensure employee confidentiality throughout this process to the fullest extent as allowed by applicable law. Participation in the Alcohol Rehabilitation Leave Procedure, including the use of the allotted 30-day paid administrative leave by any employee, will not affect an employee's seniority, nor will it be considered in promotion or reassignment decisions.



## Dallas Police Department General Order

# 500.00 Internal Investigations Table of Contents

Revised 12/29/2020

### **500.00 INTERNAL INVESTIGATIONS AND DISCIPLINARY PROCESS**

#### **501.00 PHILOSOPHY OF DISCIPLINE**

- 501.01 Prevention of Misconduct
- 501.02 Disparate Discipline

#### **502.00 REQUIREMENTS FOR MAKING COMPLAINTS**

#### **503.00 DISCIPLINARY AUTHORITY**

#### **504.00 EMPLOYEE RESPONSIBILITIES**

#### **505.00 COMPLAINT RECEIPT AND CLASSIFICATION**

- 505.01 Complaint Classification
- 505.02 External Administrative Complaints
- 505.03 Supervisor's Responsibilities in External Administrative Complaints
- 505.04 Administrative Originated Complaints and Supervisory Responsibilities
- 505.05 Types of Complaint Investigations

#### **506.00 EMPLOYEE RIGHTS**

- 506.01 Scheduling of Interview, Administrative Warning, Legal Counsel, and Association Representation During Disciplinary Action Hearings
- 506.02 Departmental Equipment and Facilities

#### **507.00 COMPLAINT PROCESSING AND INVESTIGATION**

- 507.01 Action upon Receipt of Complaint
- 507.02 Procedures for Control Number Investigations
- 507.03 Findings Assigned to Control Number Investigations
- 507.04 Administrative Inquiry Investigations
- 507.05 Public Integrity Investigations
- 507.06 Division Referral Investigations

#### **508.00 SPECIAL PROCEDURES**

#### **509.00 REVIEW AND RECOMMENDATION PROCESS**

#### **510.00 TYPES OF CORRECTIVE ACTION**

- 510.01 Discipline Matrixes

#### **511.00 IMPOSING CORRECTIVE ACTION AND DISCIPLINE**

- 511.01 Summary Discipline
- 511.02 Appeal Procedure for Summary Discipline
- 511.03 Documentation of Summary Discipline
- 511.04 Written Reprimand
- 511.05 Suspension, Demotion, and Discharge
- 511.06 Appeal Procedure for Reprimands, Suspensions, Demotions, and Discharges

#### **512.00 RESIGNATION WHILE UNDER INVESTIGATION OR AWAITING IMPOSITION OF PUNISHMENT**

**Dallas Police Department General Order**  
**500.00 Internal Investigations Table of Contents**

Revised 12/29/2020

**513.00 ADMINISTRATIVE LEAVE/RESTRICTED DUTY POLICY**

**514.00 TCOLE NOTIFICATION FORM**

**515.00 CHIEF OF POLICE NOTIFICATION PROCEDURES**

**516.00 PROHIBITION OF RETALIATION**

516.01 Purpose

516.02 Procedure

516.03 Definitions

516.04 Duty to Report Misconduct

516.05 Retaliatory Conduct

516.06 Actions Outside the Scope of this General Order

516.07 Prevention of Misconduct



## Dallas Police Department General Order

### 501.00 Philosophy of Discipline

Revised 12/29/2020

#### 501.00 PHILOSOPHY OF DISCIPLINE

- A. The Chief of Police is charged with the responsibility and has the authority to maintain discipline within the Department. The policy of the Dallas Police Department is to provide citizens with a fair and effective avenue for redress of their legitimate grievances against members of this Department. At the same time, members of this Department must be protected from false charges of misconduct or wrongdoing and must be provided with due process safeguards. The Department seeks to maintain its integrity and that of its employees. In so doing, the Department will not hesitate to impose severe disciplinary actions on those found guilty of any violation such as untruthfulness or dishonesty, which is contrary to the ethics of this Department. The Department will remove from employment those individuals who prove to be unfit for their assignment and dismiss unjustified allegations against innocent members of this Department.
- B. It is the policy of the Department to accept and investigate all complaints of misconduct or wrongdoing from any citizen or departmental employee as prescribed by state law and Department policy. A thorough and impartial examination of the available factual information will be conducted. When an allegation of misconduct is sustained, the employee will receive corrective action according to the degree of misconduct. The corrective action taken will consider factors such as:
  1. The degree of severity of the offense.
  2. The record of the offender.
  3. The seriousness of the consequences of the violation.
  4. The minimum discipline requirement from applicable discipline matrix.
  5. Any successful intervention that prevents misconduct from escalating
- C. All members will comply with City and Department rules, regulations, directives, and orders. Employees will be held strictly accountable for properly exercising the authority they have been given to protect the rights, lives, and property of all individuals. At the same time, Department members must be protected against false allegations of misconduct. Accordingly, the Chief of Police must ensure that internal investigations are conducted in accordance with the fundamental principles of fairness and that Department members are afforded all their rights. This can only be accomplished through a consistently thorough investigative process. Prompt, thorough investigations will be conducted into allegations of misconduct.
- D. The imposition of corrective actions and necessary penalties are among the methods available to the supervisory chain-of-command to achieve departmental goals and compliance with departmental policies and procedures. Use of this authority is intended to eliminate the particular behavior and to censure the employee(s) responsible for the misconduct.
- E. The Dallas Police Department is committed to providing high quality law enforcement services applied efficiently, fairly, impartially, and with empathy. In so doing, officers are held to the highest standards of official and professional conduct and are expected to respect the rights of all citizens. Officers' voluntary adherence to these standards, motivated by an ethical obligation to perform their job to the best of their ability, is eminently desirable and an ultimate objective of this Department.
- F. If an officer does not adhere to the standards of official conduct, either through deliberate action or negligence, corrective action will be applied in a prompt and certain manner. This corrective action will be applied consistently and fairly to all employees at all times.

#### 501.01 Prevention of Misconduct

The Dallas Police Department will make every effort to eliminate the organizational conditions that may foster, permit, or encourage improper behavior by its employees. The complaint investigative process will be used to identify unclear or inappropriate departmental procedures or conditions to the employee's chain-of-command for appropriate administrative action.

#### 501.02 Disparate Discipline

- A. It is the policy of the Dallas Police Department to prohibit disparate discipline in any form.
- B. Disparate discipline has both a legal and an ethical meaning. Legally, disparate discipline is a form of disparate treatment as defined by law. It is action or activity which unlawfully or unjustly results in unequal treatment of persons or groups based on age, color, national origin, race, ethnic group, religion, or gender for which distinctions are not supported by legal or rational considerations. In ethical terms, disparate discipline is the withholding and/or the application of the disciplinary process solely for reasons described by law as being unlawful and unjust.
- C. Commanders will recommend disciplinary action in a fair and consistent manner recognizing the need to consider the individual factors of each case. Supervisory and command personnel will consider factors such as the nature of the offense/misconduct, the intent of the employee, the employee's past record and/or repetitive violations of the same nature.



## Dallas Police Department General Order

### 502.00 Requirements for Making Complaints

Revised 08/05/2022

#### 502.00 REQUIREMENTS FOR MAKING COMPLAINTS

- A. Personnel complaints will be handled in accordance with Texas Government Code, Section 614.021-614.023, as interpreted by the City Attorney.
  1. Complaints must be made in writing and signed by the person aggrieved. Affidavit form is preferred; however, it is not required.
  2. A signed letter of complaint will be sufficient after verifying that it is not a fictitious letter signed with a fictitious name.
  3. A signed memorandum or Request for Control Number BlueTeam web entry from a supervisor or other employee who is aware of the facts of an incident may fulfill the requirements for an internally originated complaint.
- B. All complaints will be accepted and reviewed upon receipt. Personnel complaints will not be investigated more than 60 days after the alleged incident, with the following exceptions:
  1. When the complaint involves a criminal violation, the criminal statute of limitations will prevail. Such limitations, however, will not prevent the Department from taking disciplinary action deemed necessary to preserve the integrity of the Department.
  2. When the complainant can show good cause for not making the complaint within the specified time limit.
- C. Complaint Restrictions
  1. Complaints relative to differences of opinion between a police officer and a citizen over the issuance of a traffic citation will not be investigated unless there is an allegation of a violation of law or departmental rules on the part of the officer.
  2. Complaints relative to differences of opinion between a citizen and an arresting police officer regarding the guilt or innocence of that citizen will not be investigated but will be properly disposed of within the judicial system. If a citizen can furnish sufficient evidence, however, that the arrest was malicious and/or illegal, the complaint may be investigated at the discretion of the Internal Affairs Division Commander.
  3. Complaints involving a citizen's misunderstanding of departmental policy, which are resolved by a supervisor explaining the correct departmental policy and where the citizen is satisfied with the response, will not require investigation.
  4. Complaints relative to differences of opinion between a citizen and the investigating officer regarding the contributing factors listed on an accident report will not be investigated.



## Dallas Police Department General Order

### 503.00 Disciplinary Authority

Revised 11/04/2016

#### 503.00 DISCIPLINARY AUTHORITY

- A. Chapter 12, Section 4 of the City Charter gives the Chief of Police exclusive right to suspend or discharge employees of the Police Department for violations of departmental rules and regulations.
- B. Chapter 12, Section 4 of the City Charter states the Chief of Police may delegate this authority to discipline as he or she deems fit. Therefore, any duty assigned to the Chief of Police, Executive Chief of Police, Assistant Chief of Police/Assistant Director, Bureau Commander, Deputy Chief of Police, Division Commander, or Organizational Commander in the discipline or appeal process in General Order 500 will always include the meaning of "or his/her designee."
- C. This order establishes a procedure for investigating complaints against employees of the Dallas Police Department for alleged or suspected violations of departmental regulations, the Code of Conduct, the City of Dallas Personnel Rules, the Civil Service Board Code of Rules and Regulations, Administrative Directives, the Charter or Ordinances of the City of Dallas, or the laws of the State of Texas or the United States.
- D. The Internal Affairs Division will exercise staff supervision over incidents of reported infractions that are investigated by departmental supervisors and may result in corrective action.
- E. The Internal Affairs Division will investigate or cause to be investigated:
  1. Citizen complaints meeting the requirements in Section 502.00 above.
  2. Requests for investigations from the City Manager.
  3. Administrative allegations against members of the Department involving the commission of a criminal offense, misconduct, or negligence in the performance of duty. (Responsibility for the actual criminal investigation remains with the appropriate investigative unit.)
  4. Shooting incidents in which an employee is injured or in which an employee discharges his or her weapon. This investigation will cover the justification of the employee firing a weapon as prescribed by the policy of this Department.
  5. Accidents involving departmental vehicles when the investigation reveals misconduct or a violation of departmental rules. The violation will be investigated in accordance with this order.
  6. Any incident when directed by the Chief of Police or the Assistant Chief of the Investigations Bureau.



## Dallas Police Department General Order

### 504.00 Employee Responsibilities

Revised 06/28/2013

#### 504.00 EMPLOYEE RESPONSIBILITIES

- A. Officers and non-sworn personnel are required to notify a supervisor or the Internal Affairs Division whenever they learn through personal observation or report of any violation of the General Orders, Code of Conduct, the City of Dallas Personnel Rules, the Civil Service Board Code of Rules and Regulations, the Charter of the City of Dallas, the Ordinances of the City of Dallas, and/or the laws of the State of Texas or the United States by any employee of the Department.
- B. Each member participating in a complaint investigation or having knowledge of a reported incident will submit an internal statement to the Chief of Police when directed. The report will include all information and evidence known or reported to the member relating to the incident. This will include any tape recordings, photos, etc.
- C. Supervisory and command personnel will initiate investigations when they become aware of infractions by any member of the Department. They will not look to higher authority for initiation of this action.
- D. Each member will cooperate fully with personnel of the Internal Affairs Division or any other member conducting an investigation.
- E. No members of this Department will conduct a personnel investigation, or question any individual in regards to an on-going personnel investigation, unless authorized by this order or pursuant to the approval of the Commander of the Internal Affairs Division.
- F. Employees with Pending Criminal Cases
  1. When a supervisor becomes aware that a departmental employee has a pending criminal case, initiated by an agency other than the Dallas Police Department, a memorandum outlining the circumstances should be forwarded to the Commanders of the Internal Affairs Division and Public Integrity Unit without delay.
    - a. A pending criminal case is defined as follows:
      - i. When an employee is arrested.
      - ii. When an employee has been formally charged with a criminal offense (whether or not there was an arrest).
      - iii. When an employee is the focus of a criminal investigation, or has simply been listed as a suspect in a criminal offense report.
    - b. The memorandum will include the employee's name and badge number (if applicable), the circumstances of the incident, the date of the incident, whether the employee was arrested, charged or simply the focus of an investigation, the agency conducting the investigation, and any other information that is available.
  2. The Commanders of the Internal Affairs Division and Public Integrity Unit will review the information, make a determination on whether or not an internal investigation is required, and will ensure that a copy is forwarded without delay to the Unit Commander of the Legal Services Unit.
  3. It will be the responsibility of the Unit Commander of the Legal Services Unit to contact the District Attorney's Office and provide that office information on the pending criminal case.
  4. Once notified of a pending criminal matter, the Commanders of the Internal Affairs Division and Public Integrity Unit will be responsible for monitoring the incident and updating the Unit Commander of the Legal Services Unit when the pending criminal matter has been resolved.
  5. Upon notice of resolution of the pending criminal matter, the Unit Commander of the Legal Services Unit will be responsible for notifying the District Attorney's Office.



## Dallas Police Department General Order

### 505.00 Complaint Receipt and Classification

Revised 08/05/2022

#### 505.00 COMPLAINT RECEIPT AND CLASSIFICATION

##### 505.01 Complaint Classification

- A. Complaints received from citizens, regardless of where the citizen first reports the complaint, will be classified as an External Administrative Complaint.
- B. Complaints received from officers and supervisors within the Department will be classified as an Internal Administrative Complaint.

##### 505.02 External Administrative Complaints

- A. Any complaint received by mail will be immediately forwarded in an envelope marked Confidential to the Internal Affairs Division for processing under this order. A copy will be maintained by the organizational level receiving the complaint.
- B. Citizens who telephone and wish to make a complaint will be immediately referred to a supervisor, or if between the hours of 8:00 a.m. and 5:00 p.m. on weekdays, to the Internal Affairs Division.
- C. Citizens who appear in person at the Jack Evans Police Headquarters building between 8:00 a.m. and 5:00 p.m. on weekdays, and wish to make a complaint against a member of the Department, will be referred to the Internal Affairs Division. When the Internal Affairs Division is closed, citizens will be referred to any supervisor.
- D. Citizens who appear in person at outlying facilities will be granted immediate access to a supervisor.
- E. Citizens may also initiate an External Administrative Complaint with the Office of Community Police Oversight. The Department shall not prohibit or discourage any citizen from initiating an External Administrative Complaint with the Office of Community Police Oversight.

##### 505.03 Supervisor's Responsibilities in External Administrative Complaints

If a complaint is referred to a supervisor, the supervisor will:

- A. Interview the complainant either in person or by phone to determine the nature of the complaint.
- B. In all cases advise the complainant that in order for formal action to be taken against a member of the Department, the complaint must be made in writing and signed by the complainant.
- C. If the complainant desires an investigation, the supervisor will:
  1. If interviewing the complainant in person:
    - a. Obtain an affidavit (preferred) or a written signed complaint.
    - b. Create an External Complaint BlueTeam web entry documenting the nature and parties involved in the complaint. Attach the affidavit or written signed complaint to the web entry.
    - c. To complete the web entry, select the "Mark Complete" option in BlueTeam which will automatically forward the entry directly to the BlueTeam Program Administrator.
    - d. The supervisor shall ensure their lieutenant/manager is notified of the external complaint prior to the end of their tour of duty.
  2. If interviewing the complainant by telephone:
    - a. Advise the complainant to appear in person at the Internal Affairs Division or Office of Community Police Oversight at 1500 Marilla Street, 5CS Dallas, TX, 75201, to provide an affidavit or if the complainant cannot appear in person, to send a signed letter to the Office of Community Police Oversight (and provide the address). They may also send the signed complaint by fax, email, or use the on-line complaint form.
    - b. Complete the External Complaint BlueTeam web entry and select the "Mark Complete" option in BlueTeam which will automatically forward the External Complaint web entry directly to the BlueTeam Program Administrator. The supervisor shall ensure their lieutenant/manager is notified of the external complaint prior to the end of their tour of duty. Indicate in the web entry that the complainant has been referred to the Internal Affairs Division and the Office of Community Police Oversight and understands what action is required of him or her. Include the complainant's address and telephone number in the BlueTeam web entry.
- D. If the complainant does not desire an investigation and the complaint is minor the supervisor will:
  1. Enter the complaint in BlueTeam as an "External Complaint" incident and select the "Mark Complete" option which will automatically forward the External Complaint web entry directly to the BlueTeam Program Administrator. The supervisor shall ensure their lieutenant/manager is notified of the external complaint prior to the end of their tour of duty. The supervisor shall suspend any anticipated corrective action until it is determined if the matter will be submitted for mediation by the Office of Community Police Oversight.
  2. If the matter does not proceed to mediation, the complaint will be returned to the Department by the Office of Community Police Oversight through Internal Affairs for appropriate action.
- E. Upon becoming aware of an employee's involvement in an alleged or suspected criminal violation or serious violation of departmental regulations, the supervisor will inform the on-duty commander as soon as possible. The on-duty commander will consult a member in the chain-of-command at the rank of Major, Section Manager, or higher, who will determine whether to relieve the employee from duty. If instructed to do so, the on-duty commander will take custody of the employee's credentials and city-owned weapon. If the on-duty commander is not immediately available, the supervisor detecting the violation or a detective from the Internal Affairs Division will consult a Major,

# Dallas Police Department General Order

## 505.00 Complaint Receipt and Classification

Revised 08/05/2022

- Section Manager, or higher in the employee's chain-of-command, who will determine whether to relieve the employee from duty and take custody of any credentials and city-owned weapon.
- F. In all cases, the supervisor will report the complaint to their on-duty commander within one hour of receipt of the complaint. If, in their opinion, the violation is of a serious nature, the on-duty commander will notify the duty sergeant of the Internal Affairs Division. Otherwise, the incident will be reported to the Internal Affairs Division as required above.
- G. Violations which must be immediately reported include, but are not limited to:
1. Physical abuse when bodily injury is visible or can be reasonably expected or assumed to have occurred.
  2. Violations of the law.
  3. Any action which could reasonably be expected to result in unfavorable criticism of the individual or the Department.

### 505.04 Internal Administrative Originated Complaints and Supervisory Responsibilities

- A. Supervisory Review
1. A supervisor may initiate and conduct a Supervisory Review of the circumstances and take necessary corrective action on minor violations of which the supervisor has direct knowledge or has personally observed when such corrective action consists of summary discipline. A Supervisory Review does not require the assignment of an Internal Affairs Control Number.
  2. Summary discipline includes Advice & Instruction, Documented Counseling, or Supervisor's Report (Correction).
  3. In any circumstance in which the supervisor issues an Advice & Instruction, Documented Counseling or Supervisor's Report (Correction), the document will be forwarded through the chain-of-command to the Internal Affairs Division following the guidelines of General Order 511.01.
- B. Control Number Investigation
1. Any supervisor may initiate a request for investigation into an alleged violation of law, rules, or regulations of the Department. To initiate such a request, the supervisor will:
    - a. Complete a Request for Control Number BlueTeam web entry giving a synopsis of the allegation.
    - b. Forward the BlueTeam web entry through the chain-of-command and Assistant Chief via the BlueTeam Program Administrator to the Internal Affairs Division. A courtesy copy will be sent to the employee's Organizational Commander if that commander is different than the initiating supervisor's.
    - c. Maintain a copy of the form in organizational level files.
  2. Upon receipt of the form, the Commander of the Internal Affairs Division will determine whether the complaint should be handled as a standard, documented Internal Affairs investigation and given a control number (Control Number Investigation) or as a Division Referral Investigation which will be given a Division Referral Number.
  3. Formal discipline may not be imposed without the issuance of an Internal Affairs Control Number. Formal discipline includes a Written Reprimand, Suspension, Demotion, or Discharge.

### 505.05 Types of Complaint Investigations

- A. An Internal Affairs Control Number Investigation will be conducted based on allegations involving the commission of a criminal offense, serious misconduct or negligence in the performance of duty and whether if SUSTAINED, the punishment would result in discipline higher than summary.
1. Indebtedness Complaints
    - a. No member will be disciplined for failing or refusing to pay an unjust or justifiably disputed debt or usurious interest; or a deficiency claim for property repossessed by a vendor unless such deficiency has been entered as a court judgment after an opportunity was provided for the debtor to appear and contest the claim; or a debt barred by a discharge in bankruptcy or by the statute of limitations.
    - b. A member may be disciplined for failure to pay just debts.
  2. False Accusations Made Against Employees
    - a. If an employee has any questions regarding false accusations against him or her, the employee should contact the Internal Affairs Division Commander.
    - b. The Internal Affairs Division Commander will review accusations for possible criminal or internal rule violations and initiate an investigation when appropriate. In those cases where there is an indication that an individual intentionally or knowingly made false accusations or submitted false evidence, the case will be referred to the Public Integrity Unit for possible filing of criminal charges.
  3. Sexual Harassment Complaints will be addressed or investigated as outlined in General Order Section 431.00.
- B. The Internal Affairs Division Commander has the authority to return a Request for Control Number to the Division for investigation if it is his or her determination that if SUSTAINED, the punishment would result in Summary Discipline only. The request would then be assigned a Division Referral Number and returned to the Division for investigation as outlined in General Order Section in 507.06.



## Dallas Police Department General Order

### 506.00 Employee Rights

Revised 07/26/2017

#### 506.00 EMPLOYEE RIGHTS

##### 506.01 Scheduling of Interview, Administrative Warning, Legal Counsel, and Association Representation During Disciplinary Action Hearings

The following rights are afforded employees in internal investigations.

- A. Administrative (*Garrity*) Warning  
In all administrative investigations, the investigator and/or supervisor shall issue to the employees an Administrative (*Garrity*) Warning prior to any interview or request for internal statement.
- B. The interview of a Department member other than in the initial stage of an investigation will be scheduled at a reasonable time, preferably while the member is on duty, or if feasible, during daylight hours.
- C. An interview, depending upon the allegations, will normally take place at either the employee's unit of assignment, the Internal Affairs Division, or other appropriate location.
- D. Prior to an interview, the Department employee under investigation will be informed of the identity of the person in charge of the investigation, the interviewing officer(s), and the identity of all persons to be present during the interview.
- E. Immediately prior to the interview of a Department employee under investigation, the employee will be informed in writing of the nature of the complaint and the name of all complainants. This may be accomplished by presenting the accused employee with a letter of allegation, a copy of the citizen's letter or affidavit, or a copy of the *Request for Control Number BlueTeam* web entry. No formal administrative investigation may be initiated solely on the basis of an anonymous complaint.
- F. The length of the interview will be reasonable, with interruptions permitted for personal necessities, meals, telephone calls and rests.
- G. An employee will not be threatened with transfer, disciplinary action, dismissal, or promised a reward as inducement to provide information relating to an incident under investigation, or for exercising any rights contained herein, except as provided in the Administrative Warning.
- H. An employee and their legal counsel will be provided one copy, without unnecessary delay, of any written statement the employee has made at the time when the statement is finalized and signed by the employee. The employee shall keep the statement confidential.
- I. Employees who are the subject of an investigation, or employees who have discharged their firearms, or have witnessed another employee discharge a firearm, or are being investigated for a death in custody, are allowed to have legal counsel or an on-duty supervisor (not in their chain-of-command), present during any interview, subject to the following conditions.
  1. If an employee chooses to have legal counsel present during the interview, it is the responsibility of the employee to ensure that legal counsel is present on the date and time, and at the place of the interview.
  2. The purpose of counsel is to protect an employee's rights; not assist in the preparation of substantive replies to allegations of misconduct. If an employee chooses to have legal counsel present, legal counsel is permitted to be present for any questioning of the employee.
  3. Financial liability resulting from the use of legal counsel will be the responsibility of the involved employee.
  4. If an employee is entitled to have legal counsel and chooses not to have legal counsel, the employee may be accompanied by an on-duty supervisor not in the employee's chain-of-command. The supervisor will follow the same guidelines as legal counsel.
- J. If an employee is to be presented with a written allegation as described in Section 506.01E, the investigating officer will attempt to notify the accused employee at least 48 hours in advance of any interview. The accused employee will be given the nature of the complaint, the complainant's name, and date and time of the incident, if known. This will allow the employee to arrange for legal counsel if necessary.
  1. The Chief of Police may waive the 48-hour notice and/or providing the employee with advance notice of the nature of the complaint, if a departmental need exists to expedite the investigation, or if the investigation might be compromised if advance notice is given. In the event the 48-hour notice is waived, the employee will be given a reasonable time to obtain legal counsel (not more than two hours).
  2. A separate 48-hour notice is not necessary when additional allegations are presented in a continuing internal investigation.
- K. Before an employee who is the subject of an investigation provides a statement to an investigator the employee and his/her legal counsel, if any, will be provided an opportunity to review any videotape, audio recording, photograph, or other recording of the operative conduct or alleged injuries, if any, which is the subject of the allegations if such recording is within the possession or control of the Department.
- L. An investigator may not interview an employee who is the subject of an investigation or conduct any part of the investigation at the person's home or at a hospital without the person's written permission.
- M. A person may not be assigned to conduct an investigation if the person is the complainant, a decision-maker regarding disciplinary action, or a person who has any personal involvement regarding the alleged misconduct.
- N. Either the investigator or the employee may record an interview, but only if prior notification of intent to record is given to the other party.
- O. An accused employee may submit a written request for a behavioral cause investigation or an intoxilyzer, blood, urine, or physical examination if he or she believes such would be beneficial to his or her defense. The decision on whether to approve such a request rests with the Internal Affairs Division and Public Integrity Unit Commanders. The Department may require such tests of an accused employee. The results of such tests would be limited to administrative use, except as provided by law.

**Dallas Police Department General Order**  
**506.00 Employee Rights**

Revised 07/26/2017

- P. Employees are given the opportunity to have one association representative be present with the employee during a Disciplinary Action Hearing.
1. If an employee chooses to have a representative present during a hearing, it is the responsibility of the employee to request the representative and ensure the representative is present on the date, time, and location of the hearing. A hearing will not be delayed if a representative is not present.
  2. Only one representative per employee will be permitted to attend a hearing.
  3. Representatives are not allowed to record the hearings, take notes, make statements, ask questions, or otherwise become involved in the hearing or interfere with the hearing in any manner.
  4. Representatives are only permitted to attend the portion of the hearing in which the employee is present in the room.
  5. Failure to adhere to the established guidelines will result in the representative's dismissal from the hearing.
  6. Representatives will not be allowed to attend discipline appeal hearings unless the employee's attorney will not be in attendance.
  7. Representatives may not be on duty while attending hearings (exceptional leave may be granted for such purposes if staffing allows).

**506.02 Departmental Equipment and Facilities**

- A. Employees of the Police Department may be assigned departmentally owned vehicles, lockers, desks, cabinets and offices for the mutual convenience of the Department and its personnel. The retention of personal items in such containers or facilities is at the risk of the employee and the Department will not be responsible for any losses. Such equipment is subject to entry and inspection without notice, even if the employee has placed a personally owned lock on departmental property.
- B. Entry into departmental property for purposes of individual administrative investigations will be based on reasonable suspicion of work-related misconduct. Nothing found as a result of an administrative investigation search may be used in criminal proceedings.
- C. If an employee is the subject of a criminal investigation, a search of departmental equipment (lockers, desks, etc.) and facilities or offices assigned to the exclusive use of an employee to recover evidence for use in criminal proceedings will not be made except by warrant or consent. This is not to constrict the gathering of evidence when in plain view.
- D. Routine inspections of facilities and equipment (lockers, desks, etc.) may be conducted. Evidence of violations of law or departmental procedures may be used in both criminal and administrative actions. In routine inspections personal items such as purses, briefcases, and gym bags will not be searched.
- E. Employees are advised that telephones subscribed to or owned by the Department are to be used predominantly for departmental business. While it is understood that personal situations do arise during work hours, personal business on departmental telephones should be kept to a minimum. The Department reserves the right to supervise the use of its telephones at all times to ensure proper performance of operations.



## Dallas Police Department General Order

### 507.00 Complaint Processing and Investigation

Revised 08/05/2022

#### 507.00 COMPLAINT PROCESSING AND INVESTIGATION

##### 507.01 Action Upon Receipt of Complaint

Upon receipt of a written complaint directly from a citizen, or an internally generated Request for Control Number BlueTeam web entry from a departmental supervisor, the Internal Affairs Division Commander will:

- A. Determine whether the complaint should be handled as a standard documented Internal Affairs investigation and given a control number; or as a Division Referral Investigation and given a Division Referral Number.
- B. Ensure the complaint is investigated promptly with the greatest degree of investigative efficiency, and concluded in a timely manner.
- C. In the case of citizen written complaints received by mail, cause a letter to be sent to the complainant acknowledging receipt of the complaint. Additionally, cause a memo to be sent to the accused officer(s) advising of the complaint. The letter to the citizen and memo to the employee will contain the Control Number assigned (if applicable) and the name of the person responsible for conducting the investigation or inquiry; or the reason why an investigation will not be conducted.

##### 507.02 Procedures for Control Number Investigations

- A. Internal Affairs directed investigations having control numbers will be conducted by sworn personnel assigned to the Internal Affairs Division, or as directed by the Internal Affairs Division Commander.
- B. Accused employees and employees who have discharged their firearm are allowed to have legal counsel of their choice present during any interview in a formal investigation, in accordance with the provisions of General Order Section 506.01. Accidental discharges will be investigated in accordance with General Order Section 418.08.
- C. If an employee is the subject of a formal investigation, the investigating officer will notify the employee and present the complaint in accordance with the procedure specified in General Order Section 506.01.
- D. The employee will report to the Internal Affairs Division or other location as directed, to respond to the complaint.
- E. During the initial interview, the investigating officer will inform the employee of the identity of the person in charge of the investigation and any other personnel present during the interview. An audio recording of the interview may be made, if deemed necessary by Internal Affairs personnel. If the interview is recorded, two copies will be made and one will be given to the employee at the conclusion of the interview. If the interview is recorded by use of a stenographer or court reporter, the employee may make an audiotape for the employee's own records.
- F. The Director of the Office of Community Police Oversight, or his or her designee, may monitor an Internal Affairs investigation of any External Administrative Complaint, including observing witness interviews (from a separate room), submitting recommendations of interview inquiries, and issuing evidentiary retention requests.
- G. The Director of the Office of Community Police Oversight may monitor an Internal Affairs Investigation of a Critical Incident, including observing witness interviews (from a separate room), submitting recommendations of interview inquiries, reviewing documentary and physical evidence, and accessing relevant police data. For purposes of this Section, a Critical Incident means an officer-involved shooting or a use of force incident that results in serious bodily injury or death, as defined in Chapter 37 of the Dallas City Code.
- H. Prior to any questioning, the employee will be presented with a signed copy of allegations (either a letter or affidavit signed by the complainant or a letter of allegation from the detective) against him or her. The investigating officer will then issue the employee the Administrative Warning. The employee will sign receipt of the Administrative Warning.
- I. At the conclusion of the interview, the employee may be required to submit a written internal statement covering the details of the incident. All internal statements will be taken on Internal Statement forms. In cases where the interview is recorded, the interview itself may serve as the internal statement. In such cases, the interview may be transcribed and the employee called in at a later date to review and sign a copy of the transcript. A copy of the transcript will be provided to the employee. If the detective determines a written internal statement is required, the employee will prepare the internal statement at the time and in the manner directed by the investigating officer.
- J. The employee is not allowed to have an attorney present while preparing a written internal statement. The employee and counsel, if present, are allowed to confer. One copy of the employee's internal statement will be provided to the employee and their counsel at the time when the statement is finalized and signed by the employee. The employee shall keep the statement confidential.
- K. When written internal statements are taken, the employee may submit a supplemental statement any time before the end of the business day following receipt of his or her copy of the internal statement. In recorded interviews, all issues should be resolved prior to the end of the interview. Supplemental statements will therefore not be accepted unless prior approval is obtained from Internal Affairs.
- L. No person other than the assigned investigating officer, or those at his/her direction, will investigate personnel complaints. This includes contacting witnesses, complainants, or others involved. If information regarding a complaint comes to an employee's attention, the employee will forward it to the investigating officer or the Internal Affairs Division Commander. Requests for additional investigation will be made in writing through the chain-of-command to the Internal Affairs Division Commander.
- M. If a legal opinion is needed, a written request will be made through the Internal Affairs Division Commander. No other legal opinions will be sought regarding disciplinary matters by any Department member. This does not apply, of course, to an employee's relationship to private counsel.

# Dallas Police Department General Order

## 507.00 Complaint Processing and Investigation

Revised 08/05/2022

- N. The assigned investigating officer, or one acting at his or her direction, is responsible for contacting all witnesses, obtaining all other evidence, and ensuring a complete investigation.
- O. Upon completion of the investigation, the investigating officer will submit a report to the Chief of Police through the Internal Affairs Division Commander. All pertinent items of information (internal statements, affidavits, etc.) will accompany this report as attachments. The Internal Affairs Division Commander will review the investigative summary report for completeness and accuracy. The summary report will be signed by the investigating officer.
- P. At any time during the Internal Affairs investigation of an External Administrative Complaint or a Critical Incident, the Director of the Office of Community Police Oversight may ask questions of or discuss the investigation with the Chief of Police.

### 507.03 Findings Assigned to Control Number Investigations

- A. At the conclusion of an investigation or inquiry, any written report or memorandum generated will be reviewed by the Internal Affairs Division Commander. In Control Number Investigations, the Internal Affairs Division Commander will make a finding based upon evidence contained within the documentation. Possible findings include:
  - 1. UNFOUNDED -- the investigation determined that the act or acts complained of did not occur.
  - 2. EXONERATED -- the investigation revealed that the acts complained of occurred but were justified, lawful, and proper.
  - 3. NOT SUSTAINED -- the investigation failed to disclose sufficient evidence to prove or disprove the allegation.
  - 4. SUSTAINED -- the investigation disclosed a preponderance of evidence in support of the allegation made in the complaint.
  - 5. COMPLETE -- the investigation established the facts of an Administrative Inquiry and determined that no violations of the rules occurred.
- B. If the Internal Affairs Division Commander concludes that the conduct of any employee is improper, he or she will cite in the report the departmental rule, regulation, or order which was violated. The Internal Affairs Division Commander will sign the conclusion report upon completion of the review.
- C. Upon conclusion of the investigation if the allegation or incident is classified as Unfounded, Exonerated, or Not Sustained, the Internal Affairs Division will notify the employee in writing through the member's chain-of-command.
- D. Any SUSTAINED finding must be reviewed by the Chief of Police or his/her designee, who will render the final finding on the matter under investigation. If the Chief's or designee's decision is that an allegation is SUSTAINED, the investigation will be processed in accordance with General Order Section 509.00.
- E. Any mitigating circumstances surrounding the situation, such as unclear or poorly drafted departmental policy, inadequate training, or lack of proper supervision, will also be noted for chain-of-command administrative action. During the course of the investigation, if violations indicative of summary punishment are uncovered that are not related to the improper conduct, these violations may be included in the chain-of-command recommendation which will be in the form of a memorandum to the Organizational Commander for his/her action. (A response is required to the Internal Affairs Division regarding any Chain of Command Recommendation.)

### 507.04 Administrative Inquiry Investigations

- A. To ensure the integrity of the Department and maintain the confidence of the citizen, it is sometimes necessary to conduct investigations into allegations of misconduct or mishandling of police incidents, even though the allegations do not meet the requirements for making formal complaints as set out in General Order 502.00.
- B. Administrative inquiries may be conducted in the following circumstances:
  - 1. The employee is unknown.
  - 2. Allegations are not specific - unable to tell if a violation occurred.
  - 3. City Manager referrals.
  - 4. Allegations from a third party at the discretion of the Internal Affairs Division Commander. Such allegations must be in writing and signed by a person with first-hand knowledge of the incident and must be brought within the time limit for accepting formal complaints.
  - 5. Anonymous complaints. Anonymous complaints alleging criminal activity will be reviewed by the Public Integrity Unit.
  - 6. Any incident when directed by the Chief of Police, or the Executive Assistant Chief of Police.
  - 7. Allegations where a strong likelihood exists that the complainant is untruthful.
- C. When a complaint is assigned to be investigated as an Administrative Inquiry, the Internal Affairs Division Commander will determine whether that inquiry will be conducted by Internal Affairs personnel or a supervisor within the employee's Bureau.
- D. The assigned investigator will conduct an inquiry into the incident by contacting and interviewing all available witnesses and participants, both Department employees and citizens, and examining any other evidence. The investigator may obtain internal statements from involved employees.
- E. The Administrative Inquiry will follow the guidelines of an Internal Affairs Control Number Investigation except upon completion of the inquiry, if no violations of policy are found, the investigator will assign a "Finding" of COMPLETE only. If violations of policy are discovered, the investigation will be continued as a Formal Internal Affairs Control Number Investigation.

# Dallas Police Department General Order

## 507.00 Complaint Processing and Investigation

Revised 08/05/2022

### 507.05 Public Integrity Investigations

- A. For the purpose of this order the term Public Integrity Investigation will mean those investigations of public officials or City of Dallas employees alleged to have committed: perjury; falsification of reports; solicitation of bribes; inappropriate handling of recovered/seized drugs, property or monies; associating with persons involved in criminal conduct; or any other conduct which could be considered abuse of office or authority.
- B. Responsibility For Notification
  - 1. When a member of this Department becomes aware of information that indicates any Police Department employee is involved in criminal conduct, he or she will immediately forward that information to the respective Bureau Commander.
  - 2. To protect the confidentiality of the investigation, an employee who becomes aware of the violation will not be required to notify the chain-of-command but will report the allegation directly to his or her Bureau Commander.
  - 3. The Bureau Commander will evaluate the information available and, if it is determined that it is sufficient to warrant investigation, the commander will contact the Chief of Staff or his/her designee and request a formal investigation.
- C. Public Integrity Investigation Procedure
  - 1. If it is determined that an investigation is warranted, the Public Integrity Unit will be responsible for investigating the allegations to determine if criminal charges are applicable, preparation of prosecution reports, and presentation of evidence to a Grand Jury.
  - 2. Witness officers are required to report to the Public Integrity Unit, however they are not afforded legal counsel. Witness officers will be shown body worn camera footage.
  - 3. Upon completion of the investigation, a written report will be presented to the Chief of Staff, who will present the results to the Chief of Police.
  - 4. If it is determined that an allegation does not require investigation by the Public Integrity Unit, it will, with concurrence of the Commander of the Investigations Bureau, be referred to the Bureau that normally would have investigative responsibility.
  - 5. Any allegation of criminal conduct by an employee of the Dallas Police Department may, at the discretion of the Chief of Police or the Commander of the Investigations Bureau, be assigned to the Public Integrity Unit for investigation.
  - 6. Administrative Violation
    - a. If violations are discovered during a Public Integrity Investigation, the Commander of the Public Integrity Unit will notify the Commander of the Internal Affairs Division of such violations. Once notified, the Internal Affairs Division Commander will decide whether to assign an Internal Affairs investigator to conduct a concurrent investigation or to delay the administrative investigation until completion of the criminal investigation.
    - b. An exception to the notification procedure above can be exercised by the Commander of the Investigations Bureau when, in his or her opinion, the ongoing criminal investigation could be compromised or must, out of necessity, remain secret until completion.
    - c. When the Public Integrity Unit completes the criminal investigation, the Internal Affairs Division will be notified. The Internal Affairs Division will then proceed with its review of that information.

### 507.06 Division Referral Investigations

- A. Investigations that are classified as Division Referrals will have DR affixed to the Control Number and will be assigned to the involved employee's division for investigation by the involved employee's immediate supervisor or as directed by the involved employee's Divisional Commander. Division Referral investigations are required to be completed and returned to the Internal Affairs Division ("Program Administrator") within 45 working days or 64 calendar days from the date received by the supervisor assigned to investigate.
- B. A written request for an extension of a Division Referral investigation is required if an investigation cannot be completed by the suspense date. A signed memorandum shall be submitted to the commander of the Internal Affairs Division from the affected Division Commander assigned the investigation and specifies the number of days being requested. The number of days requested shall not exceed 30 calendar days.
- C. The commander of the Internal Affairs Division will notify a Division Commander via BlueTeam that an investigation has been assigned to their division. The affected Division Commander will assign the Division Referral Investigation to a supervisor within the division.
- D. The assigned supervisor will be responsible for contacting all witnesses, obtaining all other evidence, and ensuring a complete investigation. (If at any point in the investigation it is determined that discipline higher than Summary would be recommended, the investigation will be immediately returned to Internal Affairs for a formal investigation).
- E. Prior to questioning of an employee in a division referral investigation, the investigating supervisor will notify the employee of the nature of the allegations against the employee.
- F. Prior to questioning an employee in a division referral investigation, the investigating supervisor will issue the involved employee or witness employee the Administrative Warning (Garrity). The employee will sign receipt of the Administrative Warning.
- G. At the conclusion of the interview, the employee will be required to submit a written internal statement covering the details of the incident. All internal statements will be taken on Internal Statement forms.
- H. If the Investigating Supervisor concludes that the conduct of any employee is improper, he/she will cite in the report the departmental rule, regulation, or order which was violated.

**Dallas Police Department General Order**  
**507.00 Complaint Processing and Investigation**

Revised 08/05/2022

- I. Upon completion of the investigation, the investigating supervisor will submit the investigation via BlueTeam and it will be reviewed through the involved employee's chain of command.
- J. All pertinent items of information (Internal Statements, etc.) will accompany this report as attachments.
- K. At the conclusion of the investigation, the Section or Division Commander will make a finding based upon evidence contained within the documentation and cite the finding in the "Comments" box when approving the investigation. Possible findings include:
  - 1. UNFOUNDED – the investigation determined that the act or acts complained of did not occur.
  - 2. EXONERATED – the investigation revealed that the acts complained of occurred but were justified, lawful, and proper.
  - 3. NOT SUSTAINED – the investigation failed to disclose sufficient evidence to prove or disprove the allegation.
  - 4. SUSTAINED – the investigation disclosed a preponderance of evidence in support of the allegation made in the complaint.
  - 5. COMPLETE -- the investigation determined that no violation(s) of the rules occurred.
- L. If SUSTAINED, the Section or Division Commander will determine if Summary Discipline will be issued as a result of the investigation. (The DR# will be used on any summary discipline issued as a result of a Division Referral Investigation and Summary Discipline Appeal procedures as outlined in General Order Section 511.02 will apply).
- M. Once the Section or Division Commander has approved the investigation, they will have the investigating supervisor inform the citizen of the findings and their right to appeal to the Office of Community Police Oversight (OCPO) located at City Hall at 214-671-8283, Monday-Friday, between the hours of 8:00 a.m. and 5:00 p.m. The notification must be entered into the narrative of the investigation.
- N. Once the Section or Division Commander has approved the investigation, the Section/Division should forward the investigation, via the BlueTeam Program Administrator, to the Internal Affairs Division for filing. All Division Referral investigations will be maintained and archived by the Internal Affairs Division.
- O. The classification of the investigation will be entered into the Internal Affairs Database for statistical purposes and it will be noted on the employee's Concise Report.
- P. For Division Referrals conducted as a result of an External Administrative Complaint, the Internal Affairs Division shall provide the Director of the OCPO confirmation that the complaint has been addressed, and provide the Director access to relevant information.



## Dallas Police Department General Order

### 508.00 Special Procedures

Revised 08/05/2022

#### 508.00 SPECIAL PROCEDURES

- A. The Chief of Police may circumvent all formal disciplinary procedures to render an immediate decision when he deems it necessary to preserve the integrity of the Department.
- B. A disciplinary hearing shall not be held with an employee whose alleged conduct involves the violation of any local, state, or federal law, or whose conduct has been the subject of any criminal investigation (including Class C citations), without first obtaining written permission from the Chief of Police. The Internal Affairs Division shall notify the Chief of Police in writing of an employee's upcoming disciplinary hearing involving the above criteria.
  1. The Chief of Police may either:
    - a. Choose to hold a hearing with the involved employee(s) and render a disciplinary decision, or
    - b. Instruct a hearing be conducted by a Bureau Commander.
  2. The Chief of Police's decision shall be documented in writing. If the Chief of Police chooses to hold a disciplinary hearing, the involved employee's Bureau Commander shall make a disciplinary recommendation on a Disciplinary Recommendation Form prior to the hearing. In the event the Chief of Police instructs a Bureau Commander to hold a hearing and render a decision, the involved employee shall have the same appeal rights as stipulated in General Order 500.00.
  3. It shall be the responsibility of the Internal Affairs Division to identify which upcoming disciplinary hearings meet the criteria stipulated in General Order 508.00(B). If it is discovered during a disciplinary hearing held by a Bureau Commander that the employee's alleged conduct involves the criteria stipulated in General Order 508.00(B), the Bureau Commander shall not render a disciplinary decision at the conclusion of the hearing. Afterwards, the Bureau Commander shall make a disciplinary recommendation on a Disciplinary Recommendation Form, and the Internal Affairs Division shall follow the procedures stipulated in General Order 508.00(B)(1-2). If the Chief of Police subsequently chooses not to hold a disciplinary hearing, the disciplinary decision shall be determined by the Bureau Commander who originally convened a hearing with the involved employee. As a hearing has already been held by the Bureau Commander, a disciplinary decision may be rendered without convening a second hearing.
- C. The Chief of Police may order any and all tests, examinations, and procedures he deems necessary to preserve the integrity of the Department.



## Dallas Police Department General Order

# 509.00 Review and Recommendation Process

Revised 08/05/2022

### 509.00 REVIEW AND RECOMMENDATION PROCESS

When a Control Number Investigation complaint is sustained:

- A. The Commander of the Internal Affairs Division will cause the accused employee to come to the Internal Affairs Division to review the completed investigation. The employee is required to document the review and complete an Employee Response Document.
  1. The accused employee is entitled to have legal counsel present.
  2. The Internal Affairs Division shall provide one copy of the investigation to the accused employee after the Employee Response Document is completed.
- B. The Commander of the Internal Affairs Division will ensure the employee's chain of command reviews the completed investigation and completes a Disciplinary Recommendation Form. The Commander of the Internal Affairs Division may either:
  1. Forward a copy of the completed investigation and a Disciplinary Recommendation Form to the Organization Commander and chain of command where the employee was assigned at the time of the incident, or
  2. Notify and schedule the employee's chain of command where the employee was assigned at the time of the incident to report to the Internal Affairs Division to review the completed investigation.
- C. Each supervisory level will make its recommendation on a Disciplinary Recommendation Form, beginning with the first-level supervisor (sergeant or above). If the employee subject to disciplinary action is on Probationary Status, this fact will be noted on the Disciplinary Recommendation Form to ensure that the employee's chain-of-command is aware of the employee's Probationary Status. The form will be forwarded to the Division/Organizational Commander level through the chain-of-command, with each level making a recommendation. No supervisor who is a subject of the investigation will participate in the recommendation process.
- D. If any additional information is required in order for any supervisor to make a recommendation, he or she will direct this request to the Internal Affairs Division Commander. The complainant, witnesses, Legal Services Section, etc., will not be contacted.
- E. The employee's chain of command will notify the employee by departmental email they have reviewed the investigation and forwarded it to the next level of supervision. They will inform the employee of their disciplinary recommendation. Each supervisor will note in the supervisor's comment section of the Disciplinary Recommendation form the following information:
  1. The date the employee was notified.
  2. Any other information the supervisor believes to be relevant.The supervisor will then forward the Disciplinary Recommendation Form through the chain-of-command. Each supervisory level, after the initial supervisor, will send an email to the employee notifying the employee that the investigation has been reviewed and sent to the next supervisory level for review.
- F. Once the Division/Organizational Commander has made his or her recommendation, the employee's supervisor will advise the employee of all disciplinary recommendations and will document this meeting on the bottom of the form. The Disciplinary Recommendation form and the Internal Affairs Division's written investigation will be returned to the Internal Affairs Division.
- G. If the recommendation is a Written Reprimand or below, a briefing or hearing may be held with an Assistant Chief/Assistant Director to determine disciplinary action. If the Assistant Chief/Assistant Director determines that the employee will be issued summary discipline as the result of an Internal Affairs investigation, that discipline may not be appealed to the Summary Discipline Appeals Board. If the Assistant Chief/Assistant Director determines that the employee will be issued a Written Reprimand that discipline may be appealed using the guidelines outlined in General Order Section 511.06.
- H. If the recommendation is for a Suspension, a hearing with the employee will be held with an Assistant Chief/Assistant Director. If the Assistant Chief/Assistant Director determines that the employee will be suspended, the employee may appeal using the guidelines outlined in General Order Section 511.05.
- I. If the recommendation is for Demotion or Discharge, the investigation will be forwarded through the employee's chain of command for his or her recommendation to the Assistant Chief/Assistant Director in the employee's chain of command. An Assistant Chief/Assistant Director will hold a hearing with the employee. If following the hearing, the Assistant Chief/Assistant Director does not agree with the recommendation of Demotion or Discharge, the Assistant Chief/Assistant Director will determine discipline for the employee and the employee will follow appeal procedures using guidelines in General Order Section 511.06. If the Assistant Chief/Assistant Director agrees with the recommendation of Demotion or Discharge, a hearing will be held with the Chief of Police and the involved employee. If the Chief of Police does not agree with Demotion or Discharge, he will then determine discipline for the employee and the employee will follow appeal procedures outlined in General Order Section 511.06. If the Chief of Police demotes or discharges the employee, the employee will follow appeal procedures outlined in General Order Section 511.06.



# Dallas Police Department General Order

## 510.00 Types of Corrective Action

Revised 4/17/2023

### 510.00 TYPES OF CORRECTIVE ACTION

- A. There are two main categories of discipline: Summary and Formal. The following is a scale of progressive corrective action to be used by the Department.
  1. Summary Discipline:
    - a. Advice and Instruction - Informal advice or instruction on how to better perform a job duty and which requires a change in behavior. Documented in a memorandum to the employee. Original given to employee, copy to employee's personnel file and copy attached to BlueTeam entry and forwarded to Internal Affairs via Program Administrator.
    - b. Documented Counseling - Counseling requiring a change in behavior. Documented in a memorandum to the employee. Original given to employee, copy to employee's personnel file and copy attached to BlueTeam entry and forwarded to Internal Affairs via Program Administrator.
    - c. Supervisor's Report of Correction - Supervisor's formal means of documenting minor violations and required behavior change. Documented in a memorandum to the employee. Original given to employee, copy to employee's personnel file and copy attached to BlueTeam entry and forwarded to Internal Affairs via Program Administrator.
  2. Formal Discipline:
    - a. Written Reprimand - Formal Letter of Reprimand from a Division/Organizational Commander to the employee issued at the direction of an Assistant Chief/Assistant Director.
    - b. Suspension Without Pay - Definite suspension of one or more working days. Suspensions may not exceed 45 working days, in accordance with City of Dallas Personnel Rules, Section 34-37.
    - c. Demotion - Permanent reduction in rank or reduction in rank for a definite period of time.
    - d. Discharge - Termination of employment.
- B. Training or change in assignment may be coupled with the above when in the best interest of the Department. These actions will not be considered corrective action and will not be reflected on the employee's resume.

### 510.01 DISCIPLINE MATRIXES

A discipline matrix aims to develop consistency in discipline and reduce perceived disparity. Matrixes provide minimum discipline guidelines on sustained violations and can be enhanced based on the totality of the circumstances. The following discipline matrixes will be used when applicable to the sustained violations of the employees.

- A. Court Sign In/Out Violations
  1. If the investigation finds the employee failed to sign in and/or out of court the following discipline matrix will be used:

First Violation:	Advice and Instruction
Second Violation:	Documented Counseling
Third Violation:	Supervisor's Report
Fourth Violation:	Written Reprimand
Fifth & Subsequent Violations:	Suspension, Demotion, or Discharge

2. A period of twelve (12) months, beginning at the date of the violation or infraction, will be used in determining the appropriate discipline.

- B. Off-Duty Employment Violations
  1. If an audit or investigation finds the employee failed to comply with the off-duty employment policy (421.00), the following discipline matrix will be used:

First Violation:	Advice and Instruction
Second Violation:	Documented Counseling
Third Violation:	Supervisor's Report
Fourth Violation:	Written Reprimand
Fifth & Subsequent Violations:	Suspension, Demotion, or Discharge

2. A period of twelve (12) months, beginning at the date of the violation or infraction, will be used in determining the appropriate discipline.

# Dallas Police Department General Order

## 510.00 Types of Corrective Action

Revised 4/17/2023

**C. Court Failure to Appear Violations**

1. If the investigation finds the employee failed to appear for court the following discipline matrix will be used:

First Violation:	Documented Counseling
Second Violation:	Supervisor's Report
Third Violation:	Written Reprimand
Fourth Violation:	Suspension
Fifth & Subsequent Violations:	Suspension, Demotion, or Discharge

2. A period of twenty-four (24) months, beginning at the date of the violation or infraction, will be used in determining the appropriate discipline.

**D. DVR/ BWC Violations**

1. If the investigation finds the body camera, DVR, or body microphone did not work and the officer failed to document the incident and report it to supervisor, or the officer failed to document it was not activated or turned off inadvertently in an offense/arrest report, supplement, or miscellaneous incident report (MIR), the following discipline matrix will be used:

First Violation:	Documented Counseling
Second Violation:	Supervisor's Report
Third Violation:	Written Reprimand
Fourth Violation:	Suspension
Fifth & Subsequent Violations:	Suspension, Demotion, or Discharge

2. A period of twenty-four (24) months, beginning at the date of the violation or infraction, will be used in determining the appropriate discipline.
3. If the investigation finds that the officer intentionally/inappropriately turned off, failed to turn on, or interfered with a recording in order to conceal or commit a violation of department policy, or any law, the recommendation of discipline to the Chief of Police will not be required to follow the matrix.

**E. Sick Leave Policy Violations**

1. If the investigation finds the employee violated the department policy for undocumented sick leave incidents, the following discipline matrix will be used:

First Violation:	Written Reprimand
Second Violation:	One (1) Day Suspension
Third Violation:	Three (3) Day Suspension
Fourth Violation:	Suspension, Demotion, or Discharge

2. Discipline will be assessed for instances of undocumented sick leave in excess of six incidents and/or fifteen days in each six-month period: January 1 to June 30 and July 1 to December 31.
3. Physician's Statements for verification of sick leave must be submitted to employee's supervisor within 48 hours of the employee's return to duty.
4. A period of twenty-four (24) months, beginning at the date of the violation or infraction, will be used in determining the appropriate discipline.

## Dallas Police Department General Order

# 510.00 Types of Corrective Action

Revised 4/17/2023

### F. BlueTeam Account and Reporting Violations

1. If the investigation finds the employee violated any of the rules codified in General Order 202.15, "Requirement to Access BlueTeam Account Daily," the following disciplinary matrix will be used:

First Violation:	Verbal Training and/or Coaching
Second Violation:	Advice and Instruction
Third Violation:	Documented Counseling
Fourth Violation:	Supervisor's Report
Fifth Violation:	Written Reprimand
Six Violation:	Suspension
Seventh & Subsequent Violations:	Suspension, Demotion, or Discharge

2. A period of twenty-four (24) months, beginning at the date of the violation or infraction, will be used in determining the appropriate discipline.
3. When a supervisor conducts "Verbal Training and/or Coaching" with an employee on the first violation, the coaching/training session shall be documented via email to the employee and a higher-ranking supervisor in the supervisor's chain of command.
4. If an investigation finds that the employee intentionally failed to complete or review a BlueTeam report in order to conceal and/or delay the submission of evidence to any administrative, civil, or criminal investigation, then this disciplinary matrix shall not apply.
5. This disciplinary matrix does not apply to Division Referral investigations assigned within BlueTeam.
6. Employees that accept sustained allegations resulting in Summary Discipline up to and including a Supervisor's Report, from the preceding matrixes, can choose to have their discipline expedited.
7. In summary discipline incidents that the employee requests to have expedited, a request for control number does not need to be generated. The summary discipline will be issued to the employee given by approval of the Deputy Chief of the employee's division.
8. Summary Discipline will be documented in a memorandum to the employee. The original memorandum will be given to the employee, a copy will be placed in the employee's personnel file, a copy attached to the BlueTeam entry, and forwarded to Internal Affairs via Program Administrator.
9. Incidents that may result in a Written Reprimand, Suspension, Demotion, or Discharge will refer to General Order 511.00 for proper procedures and a Request for Control number must be generated.
10. In incidents that result in a Written Reprimand or Suspension, discipline will be issued to the employee by their Bureau Commander.
11. Employees will still have their right to appeal their discipline per General Order 511.00.

### G. Motor Vehicle Stop Data Entry Violations

1. If the investigation finds the employee violated any of the rules codified in General Order 432.00, Biased Policing and Racial Profiling, the following disciplinary matrix will be used:

First Violation:	Verbal Training and/or Coaching
Second Violation:	Advice and Instruction
Third Violation:	Documented Counseling
Fourth Violation:	Supervisor's Report
Fifth Violation:	Written Reprimand
Six Violation:	Suspension
Seventh & Subsequent Violations:	Suspension, Demotion, or Discharge

## Dallas Police Department General Order

# 510.00 Types of Corrective Action

Revised 4/17/2023

2. A period of twenty-four (24) months, beginning at the date of the violation or infraction, will be used in determining the appropriate discipline.
3. When a supervisor conducts "Verbal Training and/or Coaching" with an employee on the first violation, the coaching/training session shall be documented via email to the employee and a higher-ranking supervisor in the supervisor's chain of command.
4. If an investigation finds that the employee intentionally failed to complete the Traffic Data Input in order to conceal and/or delay the submission of evidence to any administrative, civil, or criminal investigation, then this disciplinary matrix shall not apply.
5. This disciplinary matrix does not apply to Division Referral investigations assigned within BlueTeam.
6. Employees that accept sustained allegations resulting in Summary Discipline up to and including a Supervisor's Report, from the preceding matrixes, can choose to have their discipline expedited.
7. In summary discipline incidents that the employee requests to have expedited, a request for control number does not need to be generated. The summary discipline will be issued to the employee given by approval of the Deputy Chief of the employee's division.
8. Summary Discipline will be documented in a memorandum to the employee. The original memorandum will be given to the employee, a copy will be placed in the employee's personnel file, a copy attached to the BlueTeam entry, and forwarded to Internal Affairs via Program Administrator.
9. Incidents that may result in a Written Reprimand, Suspension, Demotion, or Discharge will refer to General Order 511.00 for proper procedures and a Request for Control number must be generated.
10. In incidents that result in a Written Reprimand or Suspension, discipline will be issued to the employee by their Bureau Commander.
11. Employees will still have their right to appeal their discipline per General Order 511.00.



## Dallas Police Department General Order

### 511.00 Imposing Corrective Action and Discipline

Revised 4/19/2024

#### 511.00 IMPOSING CORRECTIVE ACTION AND DISCIPLINE

##### 511.01 Summary Discipline

- A. Summary discipline provides immediate disciplinary action against employees who fail to conform to certain departmental standards of conduct and appearance. Summary discipline may be initiated by any supervisor and is imposed within the employee's chain-of-command by Advice and Instruction, Documented Counseling, or a Supervisor's Report of Correction
- B. An Advice and Instruction, a Documented Counseling, or a Supervisor's Report of Correction will be documented by the supervisor in a memorandum to the employee. It will be routed through the employee's chain-of-command for review and approval by the Section or Division Commander. A supervisor will sign and issue the discipline to the employee. Upon receiving the discipline memorandum, the employee shall acknowledge receipt by signing and documenting the date in the space provided for the employee. A copy of the discipline memorandum shall be given to the employee, and the original shall be placed in the employee's unit file. A BlueTeam entry for Summary Discipline will be made with the discipline scanned and attached. The BlueTeam entry and a scanned copy of the discipline will be sent through the chain of command to the Internal Affairs Division via the BlueTeam Program Administrator. The Internal Affairs Division will assign a tracking number and file the copy in the Employee's Summary Discipline file. Documentation will also be entered into the Internal Affairs Database. The discipline memorandum will contain the following:
  1. The subject line will state the level of summary discipline being issued.
  2. The body of the document will give a brief description of the incident.
  3. A specific rule violation shall be cited.
  4. It will provide notice of applicable appeal rights.
  5. It will end with a space for employee to sign and date when it was received.
- C. Action under this section will not bar a recommendation for a more severe penalty by higher authority when it is felt that summary discipline is inappropriate.
- D. The imposition of any discipline greater than summary discipline listed above requires a Control Number Investigation.
- E. Summary discipline is not deemed complete until it has been reviewed by higher authority.

##### 511.02 Appeal Procedure for Summary Discipline

- A. Should an employee wish to appeal their Summary Discipline approved by the Section or Division Commander, he or she will have ten (10) working days to make a written request for review to the affected Bureau Commander, through their Group Commander. The Group Commander will review the summary discipline and related documents and make a written recommendation in a timely manner to the Bureau Commander. If no Deputy Chief exists in the employee's organizational structure, the written request for review shall be made directly to the affected Bureau Commander.
  1. The Bureau Commander will conduct a personal interview with the employee. During the course of the interview, the Bureau Commander will examine the circumstances and the appropriateness of the discipline imposed, as well as the consistency with previously imposed summary discipline.
    - a. If satisfied that the discipline imposed showed no disparate treatment, the Bureau Commander will sign the written discipline, indicating his or her concurrence.
    - b. If not satisfied, the Bureau Commander will take the action he or she deems appropriate.
  2. The Bureau Commander will inform the employee of his or her decision, via memorandum, within ten (10) working days of the interview. A copy of this memorandum will be forwarded to the Internal Affairs Division Commander.
  3. Should the employee disagree with the decision of the Bureau Commander, the individual may appeal the decision to the Summary Discipline Appeals Board.
  4. Summary Discipline issued as a result of an Internal Affairs investigation is not appealable.
- B. Summary Discipline Appeals Board
  1. The Chief of Police, or an Executive Assistant Chief designated by the Chief of Police, will appoint a board comprised of two chief-level officers and one Major level officer to review appeals of Documented Counseling and Supervisor's Reports issued to employees. Summary Discipline Appeals Board assignments will be for one year (January 1 through December 31). A board chair and alternate will be designated.
  2. No member of the board will be in the appellant's chain-of-command.
  3. An employee wishing to appeal the decision of the Bureau Commander will have ten (10) working days from the date of notice of the Bureau Commander's decision to make a written notice of appeal to the Commander of the Internal Affairs Division. The notice of appeal will include the reasons why the employee is appealing the action. After receipt of the written notice of appeal, the Internal Affairs Division Commander will forward the appeal to the current chairperson of the Summary Discipline Appeals Board.
  4. The employee will be notified in writing of the receipt of this request for review by the current chairperson of the Summary Discipline Appeals Board.
  5. The board will review the summary discipline and related documents and make a written recommendation to the Chief of Police, or designated Executive Assistant Chief, to uphold, modify, or reverse the discipline. The decision of the Chief of Police or designated Executive Assistant Chief will be final. This decision will be forwarded to the Internal Affairs Division Commander.

# Dallas Police Department General Order

## 511.00 Imposing Corrective Action and Discipline

Revised 4/19/2024

6. The board will not hear any appeal of a Documented Counseling or Supervisor's Report of Correction issued at the direction of an Assistant Chief/Assistant Director following the final classification of a sustained complaint in an Internal Affairs investigation.

### 511.03 Documentation of Summary Discipline

- A. All summary discipline memos will be forwarded to the Internal Affairs Division via BlueTeam to be included in the employee's Concise Report. A copy of the summary discipline memo will be placed in the employee's unit file.
- B. Absent subsequent similar disciplinary action, summary discipline memos will be removed from an employee's unit file three years from the date of issue. (This pertains to written Summary Discipline imposed following a Supervisory Review or as the result of a Control Number Investigation.) If subsequent similar discipline is imposed, the original summary discipline memo will not be removed until three years from the date of the subsequent discipline. It will be the responsibility of the employee's Bureau Commander to note if the summary discipline reports should be maintained past the three-year period.

### 511.04 Written Reprimand

- A. When the recommended disciplinary action is a Written Reprimand, the Internal Affairs Division will prepare a Letter of Reprimand. It will be addressed to the employee and contain the following information:
  1. A brief description of the incident involving the employee.
  2. The specific rule violated.
  3. The authority in which it is issued.
  4. The employee's right to appeal.
- B. The letter will be routed back to the employee's commander who will issue it to the employee. Upon receiving a Written Reprimand, the employee will acknowledge receipt by signing one copy, which will be sent to the Internal Affairs Division. The original of the letter will be given to the employee, and a copy will be put in the employee's unit file.

### 511.05 Suspension, Demotion, and Discharge

- A. Communication of Disciplinary Action
  1. With any investigation conducted by the Internal Affairs Division, the Assistant Chief/Assistant Director may at his/her discretion conduct a hearing with the employee. If no hearing is conducted and the Assistant Chief/Assistant Director's order for disciplinary action is for a Written Reprimand, the Assistant Chief/Assistant Director may personally communicate the disciplinary action or designate the responsibility to any Deputy Chief or Organizational Commander in the employee's chain-of-command.
  2. When the Chief of Police's decision is for Discharge, the Chief of Police or Acting Chief of Police will personally conduct a hearing with the employee. The Chief of Police may personally communicate the disciplinary action or designate the responsibility to any Assistant Chief.
- B. If the Chief of Police decides on an action of Demotion or Discharge or if an Assistant Chief/Assistant Director decides on an action of a definite Suspension, the Chief of Police, or an Assistant Chief/Assistant Director will:
  1. Establish a date and time for the hearing. The employee's chain-of-command and a member of the Internal Affairs Division will be present.
  2. At the hearing, review the case with the employee's chain-of-command to determine if any new information has been developed to alter any recommendations.
  3. Allow the employee to give any information or mitigating circumstances not brought out in the investigation.
  4. Inform the employee of the corrective action to be taken.
- C. If issues are raised in the hearing of sufficient weight to require review of the corrective action originally decided, the hearing officer will postpone administration of corrective action until the new information is reviewed.
- D. When an employee is suspended or relieved from duty, the immediate supervisor (or in his or her absence any supervisor in the chain-of-command) will collect the employee's credentials. For a uniformed employee this will include the cap and breast badges, warrant of appointment, identification card, and any city-issued weapon. The supervisor will secure the credentials and issued weapon until the employee returns to duty. The suspended employee will be given a suspension order prepared by the hearing officer. For a sworn officer, this order will state that the suspended officer is not to carry the police badge, identification card, or warrant of appointment, and is not to perform law enforcement duties. The order will also prohibit the officer from carrying any type of handgun until reinstated, except as permitted under the Texas Penal Code.
- E. If the employee is discharged, the immediate supervisor will:
  1. Collect all issued badges, the identification card, warrant of appointment, and any issued weapon in the officer's possession.
  2. Provide the individual with an Employee Termination Checklist (available from the Personnel and Development Division) to ensure all city-issued property and equipment is turned over to the Quartermaster Unit.

### 511.06 Appeal Procedure for Reprimands, Suspensions, Demotions, and Discharges

- A. Employees Who Have Completed Their Probationary Period
  1. Written Reprimand Appeal
    - a. Upon written notification from the Assistant Chief/Assistant Director of a Written Reprimand, an employee will have ten working days to exercise the right of appeal by submitting a written request for an appeal hearing to the Executive Assistant Chief of Police in his or her chain of command. This written request

**Dallas Police Department General Order**  
**511.00 Imposing Corrective Action and Discipline**

Revised 4/19/2024

- must be submitted through the Internal Affairs Division Commander. The Internal Affairs Division will coordinate all appeal procedures for Written Reprimands.
- b. If the Executive Assistant Chief upholds the Written Reprimand, the employee will have ten working days to exercise the right to a second level of appeal by submitting a written request for an appeal hearing to the Chief of Police. The decision made at the second level for a Written Reprimand by the Chief of Police is non-appealable.
  - c. If the Chief of Police issues a written reprimand, an employee will have ten (10) working days to exercise the right to appeal by submitting a written request for an appeal hearing to the Assistant City Manager. This written appeal must request a hearing before the Assistant City Manager in care of the Human Resources Director, 1500 Marilla, Room 6-A-N. The decision made by the Assistant City Manager is non-appealable.
2. Suspension Appeal
    - a. Upon receipt of written notification from an Assistant Chief/Assistant Director of a definite Suspension, an employee will have ten working days to exercise the right of appeal by submitting a written request for appeal to the Chief of Police. This written request must be submitted through the Internal Affairs Division Commander. The Internal Affairs Division will coordinate all first level appeals of a Suspension.
    - b. If the Chief of Police upholds a Suspension, an employee will have ten (10) working days to exercise the right to a second level of appeal by submitting a written request for an appeal hearing to the Assistant City Manager. This written appeal must request a hearing before the Assistant City Manager in care of the Human Resources Director, 1500 Marilla, Room 6-A-N. The decision made at this second level is non-appealable.
    - c. If the Chief of Police issues a suspension, an employee will have ten (10) working days to exercise the right to appeal by submitting a written request for an appeal hearing to the Assistant City Manager. This written appeal must request a hearing before the Assistant City Manager in care of the Human Resources Director, 1500 Marilla, Room 6-A-N. The decision made by the Assistant City Manager is non-appealable.
  3. Demotion or Discharge Appeal
    - a. Upon receipt of written notification from the Chief of Police of a Discharge or Demotion in a Civil Service rank, an employee will have ten (10) working days to exercise the right of appeal by submitting a written request for an appeal to the City Manager. This written appeal must request a hearing before the City Manager in care of the Human Resources Director, 1500 Marilla, Room 6-A-N.
    - b. If the City Manager or designee upholds a Discharge or Demotion, the employee may appeal to a Civil Service Trial Board or to an Administrative Law Judge by submitting a written request for appeal to the Secretary of the Civil Service Board within ten (10) working days of the date the employee received notice of the City Manager's decision.
- B. Employees Who Have Not Completed Their Probationary Period
1. Probationary employees have no right of appeal for any Discharge or corrective action taken by the Chief of Police.
  2. Probationary employees, including those holding the position of Apprentice Police Officer or Probationary Police Officer, may be discharged from employment at any time within the probationary period. Such employees have no right of appeal under the provisions of the Civil Service Board Code of Rules and Regulations, but must be informed that they have failed probation. The decision of the Chief of Police will be final in these cases.
- C. As prescribed by Chapter XVI, Section 10, of the Charter of the City of Dallas, no promotion of any member of the Department will be deemed complete until a period of six months will have elapsed following said promotion. At any time during this six month probationary period, the Chief of Police may rescind the promotion.



## Dallas Police Department General Order

### 512.00 Resignation While Under Investigation

Revised 05/16/07

#### 512.00 RESIGNATION WHILE UNDER INVESTIGATION OR AWAITING IMPOSITION OF PUNISHMENT

When a departmental employee resigns while under investigation, or other adverse circumstances, or awaiting imposition of punishment, the employee's Bureau or Division Commander will ensure that the required memorandum is submitted to the Personnel and Development Division in accordance with General Order Section 405.02, reflecting that member's ineligibility for rehire.



## Dallas Police Department General Order

# 513.00 Administrative Leave/Restricted Duty Policy

Revised 02/25/2021

### 513.00 ADMINISTRATIVE LEAVE/RESTRICTED DUTY POLICY

During the course of Departmental operations, it may become necessary to place employees on Administrative Leave/Restricted Duty for their welfare or the welfare of the Department. In determining if an employee should be placed on Administrative Leave/Restricted Duty, a supervisor will consider both the needs and effect on the employee, as well as the public trust in the Department.

- A. Only supervisors the rank of Lieutenant, Major or above will place an employee on Administrative Leave/Restricted Duty. The approval must be given by a member of the employee's chain-of-command (Major or above) or the Duty Commander. The approval may be verbal or written and will be included in the Administrative Leave/Restricted Duty letter.
- B. If one of the following conditions occurs, the Commander will place the employee on Administrative Leave/Restricted Duty when:
  1. The employee is filed on for a criminal offense classified as a Class B misdemeanor or above.
  2. A warrant has been issued for a criminal offense classified as a Class B misdemeanor or above.
  3. The employee has been indicted by a Grand Jury.
  4. The employee's presence causes or may cause unnecessary disruption in the work place.
  5. The employee's mental capabilities are impaired due to injury, illness, alcohol abuse, drug abuse, or emotional distress.
  6. The employee is issued a Class C citation for theft, assault, or other breach of the peace.
  7. The employee is taken into custodial arrest.
  8. It is the decision of the Chief of Police.
- C. A letter advising the employee of placement on Administrative Leave/Restricted Duty status will be prepared. The letter will be addressed to the employee, signed by the supervisor, and contain specific statements relative to the employee's conduct while on Administrative Leave/Restricted Duty.
  1. If placed on Administrative Leave, the employee will be instructed to remain at home and be available between the hours of 8:00 a.m. - 5:00 p.m., Monday through Friday, and to notify an Internal Affairs supervisor by telephone and obtain permission prior to leaving the residence for any reason during those hours. The employee will also be required to notify their chain of command and ensure that the appropriate entry into the payroll system is made. The Internal Affairs Supervisor will also notify the employee's chain of command when the employee is given permission to use discretionary time to ensure the appropriate entries are entered into the payroll system.
  2. The employee will remain on Administrative Leave until notified otherwise by a supervisor in the chain-of-command. When the employee receives a subpoena to appear in court, the Division Commander or designate must notify the District Attorney's office, who will determine if the employee will be allowed to testify in any criminal proceeding.
  3. The employee will be advised that any violation of the order will subject the individual to additional investigation and may be a basis for disciplinary action.
  4. A sworn employee placed on Administrative Leave will be instructed not to carry the issued badge, identification card, or warrant of appointment, and not to be armed or perform law enforcement duties.
  5. If placed on Restricted Duty, the employee will be instructed where the restricted duty assignment will be and any restrictions associated with the assignment. While on restricted duty, the employee will not be in uniform, will have limited contact with the public and will not be allowed to perform any law enforcement duties away from the restricted duty assignment.
- D. If placed on Administrative Leave, the supervisor will take possession of the employee's city issued weapons, taser, badge, identification card, and warrant of appointment.
  1. Employees placed on Administrative Leave for reasons outlined in General Order Section 513.00 B1-8, will return all other city issued equipment to the Quartermaster within 2 business days of being placed on Administrative Leave. Employees arrested will be required to return all other city issued equipment within 2 business days from being released from detention/jail.
  2. The employee's immediate supervisor will be responsible for ensuring the employee returns all city issued equipment to the Quartermaster. The immediate supervisor will verify with the Quartermaster that all equipment has been returned by the employee.
- E. When being placed on or released from Administrative Leave/Restricted Duty, the employee will acknowledge receipt of the document by signing, dating, and writing the time received on a copy of the document.
- F. A copy of the Administrative Leave/Restricted Duty letter will be forwarded to the employee's Assistant Chief/Assistant Director and the Internal Affairs Division. If the employee or unit reports directly to the Chief of Police, the copy will be forwarded to the Assistant Chief, Office of the Chief of Police.
- G. When being removed from Administrative Leave/Restricted Duty status, a letter will be prepared to advise an employee of being released from Administrative Leave/Restricted Duty. A copy of the release letter will be forwarded to the employee's Assistant Chief/Assistant Director and the Internal Affairs Division.
- H. The employee's Assistant Chief/Assistant Director will review the circumstances and determine if the Administrative Leave will be continued. The employee's Assistant Chief/Assistant Director will have the option to alter the Administrative Leave to placement in an administrative position. If the employee is placed in a restricted duty position, the employee's Assistant Chief/Assistant Director will decide if the employee's credentials and/or weapons will be returned.
- I. Officers involved in police shootings or discharges will be placed on Special Assignment in accordance with General Order Section 317.00.



## Dallas Police Department General Order

### 514.00 TCOLE Notification Form

Revised 08/29/2011

#### 514.00 TCOLE NOTIFICATION FORM

- A. TCOLE requires notification within 30 days whenever an officer is arrested, charged, indicted, or convicted of a criminal offense for which confinement may be punishment (any offense above a Class C Misdemeanor or for any Class C Misdemeanor involving the duties and responsibilities of office or family violence).
- B. All personnel are responsible for notifying the Internal Affairs Division when any DPD Officer is arrested, charged, indicted or convicted of a criminal offense, Class B Misdemeanor or above.
- C. The Internal Affairs Division will be responsible for sending out notification to TCOLE.

#### 514.01 OFFICER'S RESPONSIBILITY

- A. TCOLE requires officers to make notification in writing within 30 days when they are arrested, charged, indicted, or convicted of a criminal offense above a Class C Misdemeanor or any Class C Misdemeanor involving the duties of office or family violence.
- B. The notification must include the name of the arresting agency, the style, court, and cause number of the charge or indictment.
- C. Officers are also required to notify TCOLE of:
  - (1) any name change
  - (2) a permanent mailing address other than an agency address
  - (3) all subsequent address changes
  - (4) the final disposition of the criminal action
- D. Failure to comply with the provision as outlined in Chapter 211, Rule 211.27, of the Texas Administrative Code will result in the officer being reprimanded by TCOLE. The reprimand will become a permanent record in the officer's file. Two or more reprimands may result in the suspension of the officer's TCOLE certification.



## Dallas Police Department General Order

### 515.00 Chief of Police Notification Procedures

Revised 03/10/10

#### 515.00 CHIEF OF POLICE NOTIFICATION PROCEDURES

- A. The Chief of Police will be notified either by e-mail or phone of any critical incident involving Departmental personnel including, but not limited to, all arrests or criminal charges brought against any employee of the Dallas Police Department. This notification will be made by the Duty Commander or any Command level personnel with knowledge of the incident.
  1. This notification will include all personnel who are placed on Administrative Leave or Restricted Duty as a result of an arrest or critical complaint being investigated by Internal Affairs or Public Integrity.
  2. A copy of the Administrative Leave/Restricted Duty List will be provided to the Chief of Police weekly by the Commander of the Internal Affairs Division.
- B. The Chief of Police will have access to the Internal Affairs IAPro database. This database provides immediate access to all complaints against the agency or employees.



## Dallas Police Department General Order

### 516.00 Prohibition of Retaliation

12/29/2020

#### 516.00 Affirmative Duty to Report Serious Acts of Misconduct and Prohibition of Retaliation

##### 516.01 Purpose

It is the purpose of this General Order to promote integrity and prevent retaliation by requiring the mandatory reporting of serious infractions of Departmental orders, procedure, or rules, and by prohibiting retaliatory conduct or actions against employees who make such reports.

##### 516.02 Procedure

The Department prohibits retaliatory conduct against or interference with an employee who reports, assists, or seeks to report serious acts of misconduct by other employees.

##### 516.03 Definitions

Affirmative Duty: The personal responsibility and obligation of an employee to report serious acts of misconduct — rather than to provide such information only when requested.

False Report: A report that is not made in good faith and that is based on information that an employee knows or should reasonably know is likely to be inaccurate, intentionally or negligently ignores exculpatory or mitigating information, or is made with malice or for the purpose of harassing or wrongfully accusing another employee.

Good Faith Report: A report of wrongdoing that, if true, would constitute a serious violation of Departmental policy, procedures, rules, or the law, which the person making the report has an objectively reasonable basis to believe is true and which is made without malice or consideration of personal benefit.

Retaliatory Conduct: Materially adverse conduct that would not have occurred but for the fact that the employee made a report of serious misconduct, and which the employee has an objectively and subjectively reasonable belief is materially adverse, meaning that the conduct is such that it might well dissuade a reasonable employee from reporting, assisting, or seeking to report serious acts of misconduct. However, conduct is not retaliation under this General Order if the action is taken for reasons other than the employee's report of serious acts of misconduct; or if it involves routine personnel changes, such as reassignments; or if it involves common offenses, slights, and minor annoyances that often take place at work and that all employees experience.

Serious Acts of Misconduct: A deliberate act or failure to act that could reasonably form the basis for formal disciplinary action against an employee, including suspension, demotion, or termination. Serious acts of misconduct include, but are not limited to, criminal conduct; unnecessary or inappropriate use of force; dereliction of duty; dishonesty; disregard of public trust; or official oppression.

##### 516.04 Duty to Report Misconduct

- A. All employees of this Department have an affirmative duty to report serious acts of misconduct. The failure to report a serious act of misconduct that the employee reasonably believes has occurred may result in corrective or disciplinary action.
- B. An employee who reasonably believes serious misconduct has occurred should make a report to their immediate supervisor. Reporting through the chain of command must be maintained at all times, subject only to the exceptions outlined herein. If the employee has an objectively reasonable basis to believe their immediate supervisor is involved in the misconduct, the employee should make their report to the next highest member in their chain of command who is not involved in the misconduct.
- C. When an employee reasonably believes serious misconduct has occurred that involves criminal conduct, misconduct, or disregard of public trust, or serious misconduct of members of the command staff or City officials, the employee may make a report directly to the employee's Assistant Chief or Assistant Director.
- D. All employees have an affirmative duty to cooperate fully during the investigation of any allegation of employee misconduct, whether conducted by this Department or by another authorized authority.

##### 516.05 Retaliatory Conduct

Retaliation against employees who make good faith reports of misconduct against another employee are prohibited. Retaliatory conduct may form the basis for serious disciplinary action, up to and including termination of employment. Any complaint of retaliatory conduct shall be submitted to the complaining



## Dallas Police Department General Order

### 516.00 Prohibition of Retaliation

12/29/2020

employee's supervisor. If the supervisor is the subject of, or is involved in the complaint, an employee shall submit the complaint to the next higher-ranking employee in the chain of command.

#### 516.06 Actions Outside the Scope of this General Order

- A. The duty to report serious misconduct as outlined in this General Order is not a limitation on an employee's right to initiate complaints or grievances in accordance with other City rules and procedures, or in accordance with applicable law.
- B. This General Order does not protect employees who make objectively unreasonable or bad-faith reports or who violate a duty of confidentiality.

#### 516.07 Prevention of Misconduct

- A. Prevention of serious employee misconduct and promotion of a principled and effective work environment requires that all employees abide by this General Order.
- B. All supervisors bear a responsibility to ensure that employees under their supervision fully understand the importance of adherence to Departmental procedures, orders, and rules, and that they also understand the Department's commitment to ensuring employee compliance. Supervisors who receive a report of retaliation will take appropriate action, including chain of command review or requesting a control number from the Internal Affairs Division, as appropriate.



**Dallas Police Department General Order**  
**800.00 Uniforms, Appearance, Vehicles and Equipment**  
**Table of Contents**

Revised 09/23/2021

**800.00 UNIFORMS, APPEARANCE, VEHICLES, AND EQUIPMENT**

**801.00 UNIFORMS**

- 801.01 Number of Uniforms Authorized
- 801.02 Replacement Uniforms
- 801.03 Regulations for Uniform Wear
- 801.04 Line Inspections

**802.00 UNIFORM ITEMS FOR SWORN AND NON-SWORN PERSONNEL**

- 802.01 Outer Load Bearing Vest (OBV)
- 802.02 Outer Carrier Vest Cover System (VCS)
- 802.03 Caps and Other Headgear
- 802.04 Undershirts
- 802.05 Shirts
- 802.06 Identification Loops
- 802.07 Sleeve Patches
- 802.08 Insignia of Rank
- 802.09 Badges
- 802.10 Nameplates
- 802.11 Awards and Insignia
- 802.12 Ties
- 802.13 Trousers
- 802.14 Shorts
- 802.15 Socks
- 802.16 Shoes
- 802.17 Boots
- 802.18 Jackets
- 802.19 Wet Weather Items
- 802.20 Cold Weather Accessories
- 802.21 Ballistic Vests
- 802.22 Reflective Vests
- 802.23 Duty Gear
- 802.24 Sidearms and Ammunition
- 802.25 Batons
- 802.26 Oleoresin Capsicum (OC) Chemical Spray (Pepper-mace)
- 802.27 Miscellaneous Equipment
- 802.28 Special Use Items
- 802.29 Quantities & Authorized Issue Items
- 802.30 Uniform Accessories on Shirts
- 802.31 Uniform Accessories on Tuffy Jackets
- 802.32 Award Configurations
- 802.33 Back Patches

**803.00 UNIFORMS FOR RESERVE SPECIALISTS, CADETS, AND EXPLORER SCOUTS**

- 803.01 Uniform Items for Reserve Specialists
- 803.02 Uniform Items for Cadets-and Explorer Scouts

**804.00 PERSONAL APPEARANCE FOR SWORN AND NON-SWORN PERSONNEL**

- 804.01 Policy
- 804.02 Hairstyles

**Dallas Police Department General Order**  
**800.00 Uniforms, Appearance, Vehicles and Equipment**  
**Table of Contents**

Revised 09/23/2021

- 804.03 Facial Hair
- 804.04 Tattoos, Brands and Body Art
- 804.05 Jewelry for All Employees
- 804.06 Makeup for Female Employees
- 804.07 Fingernail Appearance
- 804.08 Employees Attending Court
- 804.09 Non-Uniform Apparel While on Duty

**805.00 STOLEN, LOST, OR DAMAGED CITY EQUIPMENT**

- 805.01 Security, Upkeep, and Reporting Procedures
- 805.02 Determining Responsibility
- 805.03 Value of Equipment, Restitution, Depreciation, and Discipline
- 805.04 Reimbursement for Loss or Damage to Personal Property

**806.00 HOME STORAGE VEHICLES**

- 806.01 Policy on Assignment and Usage
- 806.02 Procedure for Requesting Home Storage Vehicles

**807.00 VEHICLE COORDINATOR**

- 807.01 Appointment and Responsibilities
- 807.02 Reporting Mechanical Problems
- 807.03 Vehicle Related Requests
- 807.04 Non-Leased Vehicle Safety Inspection

**808.00 PARKING OF POLICE VEHICLES**

- 808.01 Enforcement
- 808.02 Parking in the Parking Garage at Jack Evans
- 808.03 Parking in the South Lot of Jack Evans Headquarters
- 808.04 Visitors Parking Lot
- 808.05 Parking in the Police & Courts Building Area
- 808.06 Towing of Vehicles
- 808.07 Reimbursement for Parking Fees and State Tollway Fees

**809.00 FIXED ASSETS AND EQUIPMENT**

- 809.01 Ordering and Receiving Fixed Assets and Equipment
- 809.02 Donated Fixed Assets, Equipment, and Monetary Gifts
- 809.03 Repairs
- 809.04 Inventory, Maintenance and Transfer of City Property
- 809.05 Projectors, Screens and VCRs
- 809.06 Facilities
- 809.07 Telephone Service
- 809.08 Directory Assistance from Desk Set or Cellular Telephones
- 809.09 Long Distance Calls from Desk Set or Cellular Telephones
- 809.10 Equipment Procedures and Guidelines

**810.00 PROCEDURES FOR REQUESTING VEHICLE, UNIFORM AND EQUIPMENT CHANGES**

**811.00 TOWING OF POLICE VEHICLES**

**812.00 DALLAS POLICE DEPARTMENT LOGO**

**Dallas Police Department General Order**  
**800.00 Uniforms, Appearance, Vehicles and Equipment**  
**Table of Contents**

Revised 09/23/2021

***ILLUSTRATIONS***

- 802.27 Uniform Accessories on Shirts***
- 802.28 Uniform Accessories on Tuffy Jackets***
- 802.29 Award Configuration***



## Dallas Police Department General Order

# 801.00 Uniforms

Revised 09/23/2021

### 801.00 UNIFORMS

#### 801.01 Number of Uniforms Authorized

- A. The number of authorized uniforms issued to employees will be according to the guidelines stated in the Quartermaster Unit S.O.P.
- B. Uniforms are replaced on an *as needed* basis. Before coming to the Quartermaster Unit, employees should obtain an issuance request form from their division and comply with the instructions printed on the form.
- C. Employees will turn in one item for each new or reconditioned item received. For sanitary reasons, all returned items must be cleaned per the manufacturer's instructions. All usable clothing items must be returned on hangers.

#### 801.02 Replacement Uniforms

If additional replacement uniforms are required for an employee to perform duties and maintain a neat and clean appearance, the uniforms can be ordered according to the Quartermaster Unit S.O.P.

#### 801.03 Regulations for Uniform Wear

- A. Class A Duty Uniform – Sworn
  1. The Class A duty uniform for all sworn personnel will consist of the Class A uniform trousers worn with the long or short sleeve uniform shirts as issued by the Quartermaster Unit. Ties are optional with the long sleeve shirt.
- B. Class A Dress Uniform - Sworn
  1. The Class A dress uniform for all sworn personnel below the rank of Captain will consist of the Class A uniform trousers worn with a long sleeve Class A uniform shirt, a black tie, and the uniform cap as issued by the Quartermaster Unit.
  2. The Class A dress uniform for Captain and chief officers will be the double-breasted executive dress uniform coat worn with Class A trousers, white shirt, black tie, and uniform cap as issued by the Quartermaster Unit.
  3. The dress Class A uniform will be worn on formal occasions including funerals, the Police Memorial Day Ceremony, the Annual Awards Banquet, Police Academy Graduation Ceremony, and when directed by the Chief of Police.
- C. Class A Dress Uniform – Non-Sworn
  1. The Class A dress uniform for all non-sworn personnel will consist of the Class A uniform trousers worn with the long or short sleeve marine blue (former Class C) or dark blue Class A uniform shirt as issued by Quartermaster Unit\_for the employee's job classification.
- D. Class B Duty Uniform - Sworn
  1. The Class B Duty Uniform for sworn personnel will consist of the Class B uniform trousers worn with the long or short sleeve Class B uniform shirt as issued by Quartermaster Unit.
  2. The Class B Outer Carrier Uniform for sworn personnel will consist of the Class B uniform trouser worn with the long or short sleeve polo and the outer carrier vest.
  3. The Class B Polo Uniform for sworn personnel will consist of the Class B uniform trouser worn with the long or short sleeve polo shirt for the outer carrier vest but will have the ballistic vest, as issued by the Quartermaster, underneath the polo shirt.
- E. Class B Duty Uniform – Non-Sworn
  1. The Class B Duty Uniform for non-sworn personnel will consist of the Class B uniform trousers worn with the long or short sleeve light or dark blue Class A uniform shirt as issued by Quartermaster Unit\_for the employee's job classification.
- F. Class C Duty Uniform – Sworn
  1. The Class C duty uniform for sworn personnel will consist of a polo shirt with appropriate color DPD badge for the officer's rank, with the 5.11 trousers. Color for the polo (black or navy blue) and trousers (khaki or coyote) will be at the discretion of the Division Commander. (Red polos will only be used for the Training Division). Class C uniform is designed for administrative personnel only. Division Commanders will determine if a Class C Uniform is authorized for their division.
- G. Class C Duty Uniform – Non-Sworn (new)
  1. The Class C duty uniform for non-sworn personnel will consist of a polo shirt with appropriate non-sworn badge for the non-sworn's position, with the 5.11 trousers. Color for the polo (black or navy blue) and trousers (khaki or coyote) will be at the discretion of the Division Commander. (Red polos will only be used for the Training Division). Class C uniform is designed for administrative personnel only. Division Commanders will determine if a Class C Uniform is authorized for their division.
- H. Class D Duty Uniform – Athletic Wear
  1. The Class D duty uniform will consist of athletic shorts and shirts provided by the Quartermaster Unit depending on the employee's Division. (Only the Community Operations Division and Training Division will be given Class D Uniforms. The Community Operations Division and Training Division will hand out the Class D uniforms to their personnel. Commanders above and below in those divisions are also authorized to wear Class D's uniforms when appropriate.) Events that are authorized for personnel to wear Class D's will require at least two sworn officers in full Duty Uniforms to be present to maintain a safe atmosphere and to respond to disturbances if needed.
- I. Alternate Summer Duty Uniforms
  1. The alternate summer duty uniform for sworn and non-sworn will consist of the short sleeve Class A or Class B uniform shirt and the Class A or Class B uniform shorts as issued by the Quartermaster Unit.

# Dallas Police Department General Order

## 801.00 Uniforms

Revised 09/23/2021

2. The alternate summer duty uniform will only be worn by personnel working in the following areas:
  - a. Uniformed Patrol (including N.P.O.)
  - b. Uniformed Traffic (excluding the motorcycle squad)
  - c. Gang Unit
  - d. Bicycle Unit
  - e. Auto Pound
  - f. Off-duty employment (if it involves traffic control or outdoor events)
3. The summer duty uniform will only be worn between the dates of April 1 and October 31.
- J. All personnel assigned to wear the uniform will report for roll call or detail at the designated time in complete uniform as prescribed in the provisions of this order.
- K. Uniforms will be kept neat, clean, pressed, and in good repair at all times. Leather goods will present a clean and polished appearance. While wearing the uniform, employees shall maintain a military bearing, avoiding mannerisms such as slouching, shuffling, and keeping hands in pockets.
- L. The uniform will not be worn off-duty except when:
  1. Traveling to and from work.
  2. Appearing in court in an official capacity for the Dallas Police Department.
  3. Engaging in outside employment in an approved official police capacity.
- M. An incomplete uniform will not be worn at any time. No item of the uniform will be worn at any time except as a part of a complete uniform.
- N. No substitutions for issued uniform items will be allowed unless specifically provided for in the General Orders.
- O. Officers may carry either a City-issued cellular telephone or personal cellular telephone upon their person. If a personal cellular telephone is not black or neutral in color, it must be kept concealed when the officer is on-duty or in uniform.
- P. When the option for a long or short sleeve shirt is given with any uniform as outlined in A-P, employees must select long sleeve if by wearing a short sleeve it exposes their tattoos.
- Q. Uniforms for non-sworn employees are determined by the division commander.

### 801.04 Line Inspections

- A. Organizational commanders or their designee will ensure that line inspections are conducted monthly by supervisors within the organizational unit and documented in a report to the Division Commander or highest-ranking commander below the rank of Assistant Chief.
  1. *Personnel Line Inspection Form* can be located on the departmental Intranet under Resources/Forms.
  2. The *Personnel Line Inspection Form* will be used as a guide to ensure consistent application of the Line Inspection process. However, the form can be edited to include inspection items that are specific to the individual unit.
- B. The line inspections will address, at a minimum, the following:
  1. Uniform and appearance guidelines as outlined in General Orders sections 801.00 – 804.00.
  2. Proper maintenance of departmentally issued or approved equipment.
  3. Safety and cleanliness of the employees work station (when applicable)
  4. Adherence to Code of Conduct 3.4.
- C. Discrepancies Discovered During Line Inspections
  1. All discrepancies will be documented by supervisors on the *Personnel Line Inspection Form*.
  2. Immediate corrective action will be taken by the employee to correct the discrepancy when possible. Issues such as needing a haircut, etc. must be resolved prior to the next work day of the employee. Supervisors are responsible for follow-up to ensure that all discrepancies have been resolved prior to the beginning of the employee's next scheduled work day.
  3. Discrepancies and corrective action taken will be documented in the employee's performance file. Repeated violations will result in a non-compliance rating on the employees' performance plan.



## Dallas Police Department General Order

# 802.00 Uniform Items for Sworn and Non-Sworn Personnel

Revised 4/19/2024

### 802.00 UNIFORM ITEMS FOR SWORN AND NON-SWORN PERSONNEL

#### 802.01 Outer Load Bearing Vest (OBV)

- A. An Outer Load Bearing Vest (OBV) may be issued to an individual officer. The purpose of the OBV is to carry authorized duty equipment on the vest in lieu of carrying those items on the Sam Brown Duty Belt. Wearing of the OBV does not replace wearing the required Sam Brown duty belt while in uniform.
- B. To ensure the body armor's manufacturer warranty is not voided, only an approved and authorized OBV shall be worn.
- C. The following duty equipment may be mounted on the OBV:
  - 1. Taser in an approved holster (pouches are not approved for carry)
  - 2. Department issued radio.
  - 3. Flashlight
  - 4. OC Spray Canister (MK 3 and MK 4 models only)
  - 5. Handcuffs
  - 6. Expandable Baton
  - 7. Tourniquet in holder
  - 8. Individual First Aid Kit (IFAK).
  - 9. Multi-purpose tool
- D. Primary handgun and magazine pouch shall be carried on the Sam Brown duty belt and will not be mounted on the OBV.
- E. No edged weapons will be carried or mounted on the OBV. (i.e. knives or push daggers)
- F. Body Worn Camera (BWC) shall be carried and mounted in accordance to BWC training.
- G. Name and badge number tapes issued by the department shall always be worn on the OBV. The name tape shall be worn on the right chest. The badge number tape shall be worn under the badge on the left chest. (Specialized units SOP may apply to certain personnel for officer safety.)
- H. A soft badge will be worn on the OBV. It will be worn on the OBV badge attachment point.
- I. A department issued "Dallas Police" patch will be worn on **upper center rear of the OBV**.
- J. The OBV will only be worn with the Class B uniform and is not authorized for wear with the Class A uniform.
- K. Officers are expected to keep the OBV clean and free of defects.
- L. To maintain a professional and neutral appearance no unauthorized patches will be attached to the OBV (i.e. moral patches or flags).

#### 802.02 Outer Carrier Vest Cover System (VCS)

- A. Outer Carrier Vest Cover System (VCS): Officers at their own expense may purchase an exterior ballistic vest cover as an optional uniform item. The exterior vest cover is intended as a convenience and can be worn over either the short or long-sleeved Blauer, ArmorSkin Base Shirt Style #8372 uniform shirt.
- B. Officers may purchase and wear the following Blauer ArmorSkin Vest Cover System (VCS) with the Class A or Class B uniform:
  - 1. Blauer, ArmorSkin Ballistic Vest Cover, Style #8370
  - 2. Blauer, ArmorSkin Base Shirt Style #8372. The officer must affix a quartermaster issued **7 x 10 black cloth "Dallas Police" patch to the upper center rear of the vest**.
  - 3. Blauer, ArmorSkin Suspension System, Style #174.
  - 4. Officer shall wear the Class A long sleeve or short sleeve shirt with a Class A ArmorSkin Vest Cover.
  - 5. Officers shall wear the ArmorSkin Base Shirt when wearing the Class B ArmorSkin Vest Cover.
  - 6. The ArmorSkin Suspension System is optional.
  - 7. Officers shall wear their metal badge emblem and metal name tag on the Class A Ballistic Vest Cover.
  - 8. Officers shall wear the cloth embroidered badge emblem and embroidered name tag with badge # on the Ballistic vest cover, that is the same style, size, and type issued by the Quartermaster Unit.
  - 9. Officers and Senior Corporals will have silver embroidery badges and supervisory level officers will have gold badges.
  - 10. Officers are prohibited from wearing the Class A or Class B VCS at formal events.
  - 11. Officers shall not wear external body armor carriers whose color has faded to the point where they are no longer a reasonable color match to the rest of the uniform.
  - 12. The Ballistic Vest Cover can only be taken off inside secured police facilities.

#### 802.03 Caps and Other Headgear

- A. Only caps issued by the Quartermaster Unit will be worn. The Class A uniform cap will be worn:
  - 1. On formal occasions, on any post assignment requiring high visibility, (i.e., point control, including part-time jobs, parades, State Fair of Texas, etc.), and when directed by the Chief of Police.
  - 2. During off-duty assignments under the same circumstances as required for on-duty assignments.
  - 3. Optionally at any other time.

# Dallas Police Department General Order

## 802.00 Uniform Items for Sworn and Non-Sworn Personnel

Revised 4/19/2024

4. Level on the head as viewed from front and back and with the front tip of the cap bill level with the top of the eyebrows as viewed from the side.
- B. Bills of Uniform Caps
  1. The bill for uniform caps worn by personnel in the rank of Captain and below will be black in color and without further design.
  2. The bill for uniform caps worn by all chief officers will be black and will have the gold-colored oak leaf design.
- C. Cap Straps and Badges
  1. Uniformed personnel below the rank of Sergeant will have a silver-colored cap strap and cap badge.
  2. Sergeants and above (supervisory officers) will have a gold-colored cap strap and cap badge.
- D. Motorcycle and Bicycle Helmets - Motorcycle helmets, bicycle helmets, and other protective headgear will continue to be required for those persons assigned to motorcycle duty and bicycle patrol.
- E. Officers assigned to the Mounted Squad will wear the Campaign Hat issued by the Quartermaster Unit.
- F. A white *hard hat* with no markings may be worn while working an off-duty assignment at a construction site requiring hard hats.
- G. Officers are allowed to wear the DPD baseball cap, purchased through the Quartermaster Unit, with all Class B, Class C, or Class D uniforms while on duty, and while outside for an extended period of time. The baseball cap is intended for the officer's protection from the sun and weather.

### 802.04 Undershirts

Undershirts worn with the uniform shirt must be white, black or navy blue in color, if exposed. Long sleeve undershirts will not be worn with the short sleeve uniform shirt. These are a non-issue item.

### 802.05 Shirts

- A. Only uniform shirts issued by the Quartermaster Unit will be worn, except for the VCS undershirt
- B. Only buttons issued by the Quartermaster Unit will be worn on the Class A uniform shirt. Officers below the rank of Sergeant will wear silver colored buttons; Sergeants and above will wear gold colored buttons.
- C. All buttons on the shirt will be buttoned at all times with the exception of collar buttons. Sleeves will not be rolled up or turned under on any uniform shirt regardless of the uniform type.

### 802.06 Identification Loops

- A. The Quartermaster Unit will issue identifying colored cloth loops to uniformed personnel. These loops will be worn by slipping the loops over the epaulets on the uniform shirt.
- B. Assignment designations by color are:
  1. Office of the Chief of Police, Executive Assistant Chiefs, all Assistant Chiefs, Intelligence Division, Media Relations, and Internal Affairs- no loops issued
  2. Administrative Bureau
    - a. Personnel and Training Divisions - royal blue with silver braid
  3.
    - b. Support Services and Communications Groups – navy blue with gold braidPatrol Operations and Patrol Bureau - green
  4. Tactical and Special Operations Bureau
    - a. Tactical Operations and Special Operations Divisions – multi-colors of black, red, and yellow braids.
    - b. Traffic Section – red loops
    - c. Tactical Investigations and Special Investigations Divisions– no loops
  5. Investigations Bureau - no loops issued
  6. Community Engagement & Operation Bureau – royal blue loops
  7. Specialty loops are authorized on a case by case, year by year basis by the Chief of Police. (examples; pink loops for breast cancer awareness month).

### 802.07 Sleeve Patches

- A. Only patches identified in this order will be worn on the uniform.
- B. The *Dallas Police Department* patch will be worn on the left shoulder of the uniform shirt and the winter jacket. Restrictions on the display of the patch are contained in Section 812.00 (Dallas Police Department Logo).
- C. Patches worn to identify a particular unit (Tactical, Mounted, Motorcycle, etc.) will be worn on the right shoulder of the uniform unless otherwise stated in the Quartermaster Unit S.O.P.
- D. A service stripe denoting each five years of service will be worn on the lower left sleeve of the winter shirt and executive dress coat.

### 802.08 Insignia of Rank

- A. Uniformed personnel below the rank of Sergeant will wear silver-colored *D.P.D.* collar ornaments.
- B. Officers with the rank of Senior Corporal will wear silver-colored cloth chevrons (with two stripes) denoting rank on each shirt sleeve.
- C. Sergeants will wear gold-colored *D.P.D.* collar ornaments and gold-colored cloth chevrons (with three stripes) denoting rank on each shirt sleeve.
- D. Lieutenants and above will wear gold-colored insignia denoting the proper rank on the uniform shirt collar.
- E. Collar rank insignias are:
  1. Lieutenant - one bar.
  2. Captain - two bars.

# Dallas Police Department General Order

## 802.00 Uniform Items for Sworn and Non-Sworn Personnel

Revised 4/19/2024

3. Major – oak leaf.
4. Deputy Chief - one star.
5. Assistant Chief - two stars.
6. Executive Assistant Chief – three stars
7. Chief of Police - four stars.

### 802.09 Badges

- A. Each officer will be issued, as a loaned item, one breast badge and one cap badge in the officer's current rank, until a numbered breast badge and a numbered cap badge can be given to the officer with their badge number printed on the badges.
- B. Only badges issued by the Quartermaster Unit will be worn by police personnel.
- C. Officers below the rank of Sergeant will be issued silver-colored badges.
- D. Officers in the rank of Sergeant and above will be issued gold-colored badges.
- E. The breast badge will be worn on the wearer's left side of the uniform shirt.
- F. A cloth badge provided by the Quartermaster Unit to the specified contractor will be sewn on the winter jacket as illustrated in Section 802.28.
- G. A black elastic banding, a mourning badge band, or black tape will be used to cover the horizontal center of the uniform badge, without covering the badge number, during the following situations:
  1. The death of any Department member killed in the line-of-duty. The banding or tape will be worn from the time the member is reported deceased until immediately following the committal service.
  2. When attending the funeral/memorial/committal services of any Department member not killed in the line-of-duty or retired members of the Dallas Police Department.
  3. When attending the funeral/memorial/committal services of a member of another law enforcement agency, whose death was in the line-of-duty, or while on official business at the other law enforcement agency, from the time of death until immediately following the committal service.
  4. Police Officer Memorial Day.
  5. As authorized by the Chief of Police.
- H. Officers may purchase an off-duty wallet badge for the current rank held.
- I. Upon promotion, officers may purchase the breast badge of their previous rank. Any badge purchased by the officer will be at most current cost (per contract cost for new badge), plus tax. The officer will have the option to pay for his/her badge via money order, cashier's check or payroll deduction. Should the officer opt not to purchase his/her previous rank badge, the badge shall be returned to the Quartermaster Unit and destroyed. The cap badge of the previous rank will be returned to the Quartermaster Unit and destroyed.
- J. Upon leaving the Department before retirement, an officer may purchase the breast badge for the last rank held, provided that the officer had a minimum of five (5) years sworn service with the Department. The officer must not be under administrative or criminal investigation, and must be recommended as eligible for rehire. Specific procedures are contained in the Quartermaster Unit S.O.P.
- K. Upon retirement (20 years' service; disability; or eligible to draw a pension), officers will be given their issued breast badge, cap badge, and last numbered wallet badge. Officers will be given the option to have the breast badge and/or cap badge mounted on a service plaque. Guidelines for badges presented on Service Plaques are contained in General Order 405.04.
- L. Cloth Badges for Class B's and OBV's will be issued by the Quartermaster Unit for the officer's current rank. No other badges will be used.
- M. Officers who purchased the VCS will only use a cloth badge with the same style, size, and type issued by the Quartermaster Unit for the officer's current rank.
- N. Scroll badges are reissued as needed and considered to be on loan. They must be returned to the Quartermaster when the officer's numbered badge becomes available to be issued in a timely manner. Scroll badges that become excessively worked, damaged, or deemed not reusable shall be destroyed and new ones ordered to replace them. If the officer holds onto the scroll badge for an excessive time while their number badge is available, the officer may be charged a service fee for failing to turn in the scroll badge at the Quartermaster Units discretion.

### 802.10 Nameplates

- A. Nameplates issued by the Quartermaster Unit will be worn by all uniformed personnel. The nameplate is worn immediately above the right pocket when no awards are worn.
- B. Uniformed personnel below the rank of Sergeant will wear silver-colored metal nameplates.
- C. Uniformed personnel in the rank of Sergeant and above will wear gold-colored metal nameplates.
- D. Name plates for all Class B's and OBV's will be issued by the Quartermaster Unit. No other name plates will be used.
- E. Officers who purchased the VCS or VCS polo will only use a name plate with the same style, size, and type issued by the Quartermaster Unit.

### 802.11 Awards and Insignia

- A. Awards and insignia when worn on the Class A uniform shirt or Class A dress coat will be worn above the right pocket in the following descending order: Long Service Award pin, Helicopter Insignia, Master Peace Officer Bar, Corporal Bar, Nameplate, Awards. All awards and insignia when worn together will be spaced one-sixteenth inch apart.
- B. Long Service Award Pin
  1. To be awarded to sworn and non-sworn employees in five-year increments based upon number of years' service to the City of Dallas.

**Dallas Police Department General Order**  
**802.00 Uniform Items for Sworn and Non-Sworn Personnel**

Revised 4/19/2024

2. Each pin will contain a miniature Dallas Police Badge with a wreath formed in the shape of a diamond encircling the badge. The bottom of the badge will contain the number of years of service.
  3. Pins issued for 5, 10, and 15 years of service will be made of sterling silver and contain a blue sapphire. The recipient's Division or Section Commander, in the presence of their co-workers, will present these pins.
  4. Pins issued for 20 years of service or longer will be made of 10k yellow gold and contain a diamond. The Chief of Police or an Assistant Chief will present these pins at an awards ceremony that the Employee Relations Team (Personnel and Development Division) will coordinate. The Commander of the Personnel and Development Division will ensure the Office of the Chief of Police and the City Manager's Office are notified of the event.
- C. Helicopter Insignia
1. To be awarded as a permanent award to Command Pilots assigned to the Helicopter Unit of the Department. Command Pilot status is attained after completion of 350 hours total flight time and passing the Command Pilot Check Ride administered by the departmental supervising Certified Flight Instructor.
  2. The Helicopter Insignia will be the standard aviation wings containing a miniature Dallas Police Badge in the center. The insignia measures 2 1/2" in length and 7/8" in height.
  3. Helicopter Insignia will be silver-colored for personnel below the rank of sergeant, and gold-colored for supervisory ranks.
- D. Motorcycle Insignia
1. To be awarded as a permanent recognition to officers who have maintained a continuous level of proficiency over a period of five consecutive years. The insignia will be a permanent recognition of those accomplishments.
  2. The Motorcycle Insignia will be the standard winged wheel insignia with the spoke wheel in the middle and the wings on each side. The insignia measures 1 1/4" in length and 7/8" in height.
  3. The Motorcycle Insignia will be silver-colored for personnel below the rank of sergeant and gold-colored for the rank of sergeant. The insignia will be paid for by the individual officer.
- E. Master Peace Officer Bar
1. To be awarded to any peace officer who holds the certification as a Master Peace Officer under eligibility guidelines set forth by the Texas Commission on Law Enforcement (TCOLE).
  2. The Master Peace Officer Bar is a black enamel Bar with the Texas State Seal and the words *Master Peace Officer* featured in gold color.
- F. Corporal Bar
1. Officers with the rank of Corporal and holding the Civil Service Class Code 46005 (not Senior Corporal - Class Code 46016), may wear the Corporal Bar.
  2. The Corporal Bar is a metal bar, silver in color, with the word *Corporal* engraved in black lettering.
- G. The Department authorizes for wear 30 different awards as described in Section 414.00. A maximum of 13 awards, not to include the Police Cross, may be worn. Only one of each award will be displayed on the uniform. Subsequent identical awards will be recognized and displayed as follows:
1. A bronze star will be added for each additional award when the basic award is the Police Medal of Honor, Police Medal for Valor, Meritorious Conduct Bar, Police Commendation Bar, Life Saving Bar, Police Shield, Certificate of Merit, Certificate of Civic Achievement, and the Theodore Roosevelt Award.
  2. A number denoting the number of times an award has been earned will be affixed to the Marksmanship Award.
  3. When the officer has received multiple Safe Driver Awards or Perfect Attendance Awards, only the award showing greatest longevity in each of these categories will be worn.
  4. Only one Field Training Officer Bar will be worn.
- H. Uniformed personnel who have received departmental awards may wear them above the right pocket on the uniform shirt. Officers with up to eight awards will display the awards in rows of two. Officers with nine or more awards will display them in rows of three. All awards will be worn in order as listed in General Order 414.00, with the highest award on the top row, and nearest the heart. Awards will be spaced one-sixteenth inch apart on all sides.
- I. When the nameplate is worn with awards, service pin, Master Peace Officer Bar, Corporal Bar, or helicopter insignia, all items will be mounted to a black plastic holder, or black, silver, or gold metal holder (worn outside the shirt), or a cardboard or plastic backing device (worn inside the shirt).
- J. Awards, bars, insignia, and service pins worn as a group will not be worn without a holder or backing device. Officers who elect to wear authorized insignia and awards will purchase the holders or backing devices at their own expense.
- K. Awards are issued by the Personnel and Development Division, except the Shooting Bar and Safe Driving Bar, which are issued by the Firearms Training Center and the Safety Team, respectively. The Drug Recognition Expert Bar will be forwarded by TCOLE to the Department for presentation per Section 414.01.
- L. Lost pins, awards, bars, and insignia will be replaced at the officer's expense.

**802.12 Ties**

- A. Uniformed employees below the rank of Captain will be issued black, clip-on ties for wear as described in Section 801.03.
- B. Captains and above will be issued black neckties for wear as described in Section 801.03.
- C. Quantities and distribution are listed in the Quartermaster Unit SOP.

**802.13 Trousers**

- A. Only uniform trousers issued by the Quartermaster Unit will be worn.
- B. Uniformed personnel below the rank of Sergeant will have gold piping down the sides of the Class A trouser legs.
- C. Uniformed personnel in the rank of Sergeant and above will have black braid down the sides of the Class A trouser legs.

**Dallas Police Department General Order**  
**802.00 Uniform Items for Sworn and Non-Sworn Personnel**

Revised 4/19/2024

- D. Trousers will be no shorter than two inches above the top of the sole of the footwear at the heel, and no longer than the top of the heel when standing erect.
- E. Trousers will have no more than a 1/4 inch break in the front.
- F. Alterations to *peg* or *flare* the trouser leg will not be permitted.
- G. Uniformed personnel will wear the appropriate footwear for their trousers when alteration measurements are taken.

**802.14 Shorts**

- A. Only uniform shorts issued by the Quartermaster Unit will be worn.
- B. Uniform shorts (excluding issued bicycle shorts) will be hemmed to a length of no more than one inch above the knee and will not extend below the knee.
- C. Only uniformed personnel assigned to bicycle units and the auto pound may wear a bicycle-type short.
- D. Shorts will not be worn at any formal occasion. (e.g., ceremonies, funerals, etc.)
- E. Compression or track-type (Spandex) shorts worn with the uniform shorts must not be visible beneath the shorts.
- F. Wearing of the uniform shorts must be indicated on off-duty employment cards.

**802.15 Socks**

- A. Socks worn with the duty or dress uniform with low-cut shoes will be black or navy blue in color. These are non-issue items.
- B. Only black mini-crew (ankle) socks may be worn with the uniform shorts.
  - 1. Must be fully extended (not pushed down).
  - 2. No more than 4 inches above the rim of the footwear.
  - 3. No visible writing or logos imprinted or embroidered.

**802.16 Shoes**

- A. Shoes must have a smooth grain appearance and must be a hard-surface material made from leather, patent leather, or any of the synthetic materials available such as Corfam. Soft, pliable leather/synthetic material is prohibited.
  - 1. The shoes must be black and any stitching on the shoes must be black. The toe area (from the forward part of the shoe tongue to the forward tip of the shoe) will not contain any visible stitching.
  - 2. The toe-style will be round or medium-round.
  - 3. Shoe soles will be black with black edging and will be constructed from leather, rubber, or a neoprene-type material for better traction.
  - 4. Heels will not exceed 1 1/2 inches in height, from the top of the sole to the bottom of the heel.
  - 5. Loafers, wing tips, or shoes with ornamental designs, buckles, or straps are prohibited.
  - 6. Shoes are not departmental-issue items.
- B. Shoes worn with the standard duty uniform or the dress uniform may be either low-cut or high-top, and will present a business-like appearance.
- C. Sports and/or athletic-type shoes are prohibited from wear with the Class A dress uniform.
- D. High-top shoes will not be worn with the uniform shorts.
- E. The Training Division Commander can authorize other footwear for the Training Division when outlined in the Training Division S.O.P.

**802.17 Boots**

- A. Boots may be worn with the standard duty uniform or the dress uniform.
- B. Boots will not be worn with duty shorts.
- C. Boots must have a smooth grain appearance and must be a hard surface material made from leather, patent leather, or any of the synthetic materials available such as Corfam. Soft, pliable leather/synthetic material is prohibited. Boots having a canvas or Gortex-type ankle construction are permitted if the uniform trousers cover that area when the officer is standing.
- D. The boots must be black and any stitching on the boots must be black. The toe area will not contain any visible stitching.
- E. The toe-style will be round or medium-round.
- F. Boot soles will be black with black edging and will be constructed from leather, rubber, or a neoprene-type material for better traction.
- G. Heels will not exceed 1 5/8 inches in height, from the top of the sole to the bottom of the heel.
- H. Boots with ornamental designs, buckles, or straps visible below an imaginary line drawn from the wearer's Achilles tendon to the forward tip of the boot, are prohibited.
- I. Approved design for boots include Wellington-type, western style, and lace-up combat boot-style as long as they meet the specifications listed in this section.
- J. Other than boots issued to members assigned to the Mounted Unit or Motorcycle Unit, boots are not a departmental-issue item.
- K. Boots issued to officers assigned to the Mounted Unit or Motorcycle Unit will conform to standards and specifications set by the Quartermaster Unit.
- L. Black boots not meeting the above specifications (such as steel-capped toe boots) may only be worn by officers in positions that require clothing other than the standard duty or dress uniform (such as the dark blue Nomex flight suit, the utility uniform, or the Firearms Training Unit uniform). The lowest ranking chief officer in the member's chain-of-command will be the approving authority for uniforms other than the standard duty or dress uniform.

**Dallas Police Department General Order**  
**802.00 Uniform Items for Sworn and Non-Sworn Personnel**

Revised 4/19/2024

- M. The Training Division Commander can authorize other footwear for the Training Division when outlined in the Training Division S.O.P.

**802.18 Jackets**

- A. Only winter jackets issued by the Quartermaster Unit may be worn.
- B. Accessory items to be worn on the winter jacket are illustrated in Section 802.28.
- C. Raid jackets issued by the Quartermaster Unit are authorized to be worn.
- D. Any jackets other than the winter jackets and raid jackets are special assignment items and are covered in Section 802.26.
- E. Winter jackets will not be worn while wearing uniform shorts. (This does not include bicycle units.)
- F. Jackets sold by the DPD Explorer Program are authorized to wear when the Community Operations Assistant Chief has approved the items to be sold and is documented in a memorandum as authorized for sale to DPD personnel.

**802.19 Wet Weather Items**

- A. Uniformed personnel will wear only wet weather items issued by the Quartermaster Unit, with the exception of black rainboots or shoes, which may be used/worn at the employees' discretion.
- B. Rainwear (raincoats or rain suits are optional) will be issued to all uniformed personnel.
- C. Rubber boots issued by the Quartermaster Unit are special assignment items and are covered in Section 802.26.
- D. Plain black umbrellas may be used by uniformed administrative personnel at their discretion. The use of umbrellas is prohibited for field personnel.

**802.20 Cold Weather Items**

In cases of extremely cold weather, officers will be permitted to wear black earmuffs, black wool neck scarves, plain black or dark blue turtleneck sweaters under uniform shirts, and/or black beanie cap. These accessories are intended to protect an officer from foul weather and should not be worn routinely. These items are non-issue items.

**802.21 Ballistic Vests**

- A. The issuance of a ballistic vest is mandatory for all sworn officers and Reserve Officers.
- B. All officers, regardless of assignment, are required to be measured for ballistic vests in their duty uniform with the Sam Browne belt. Officers without proper equipment will not be measured. The only exception will be for officers with documented permanent limitations. The officers should contact the Quartermaster Unit for further instructions.
- C. It is the policy of the department to maximize officer safety through the use of ballistic vests. Therefore, all officers will wear ballistic vests under the following conditions:
  - 1. Uniformed officers assigned to the Patrol Bureau.
  - 2. Uniformed officers not assigned to the Patrol Bureau, but their assignment and/or task place them in situations where they would be required to act in an enforcement capacity. (SWAT, Love Field Unit, Traffic Unit, Tactical Services Unit, Administrative/Tactical Support Unit and Gang Unit)
  - 3. Uniformed officers of any rank while engaged in public activities away from the workplace.
  - 4. Non uniformed officers whose duties include:
    - a. The serving of a criminal warrant.
    - b. The planned apprehension of a wanted person.
    - c. A planned surveillance where an apprehension of a suspect could occur.
    - d. Undercover officers providing close cover in field operations when it does not jeopardize the operation.
  - 5. All uniformed officers will wear their ballistic vest while working off-duty jobs.
- D. Requirements for optional enhanced ballistic vest:
  - 1. Officers, at their own expense, may purchase for on duty use an enhanced ballistic vest designed to give additional protection from higher caliber weapon threats.
  - 2. Officers who choose to purchase these ballistic plates must meet the following requirements:
    - a. The ballistic plates must be rated at NIJ Level III or IV.
    - b. The ballistic plates must carry the NIJ 06 standard.
  - 3. Officers who purchase their own approved ballistic plate carrier must meet the following requirements:
    - a. The carrier must be intended to carry ballistic plates, and be black in color.
    - b. The officer must affix a rank appropriate cloth badge to the left front breast of the carrier issued by the Quartermaster Unit.
    - c. The officer must affix a 7" X 10" black cloth "Dallas Police" patch to the upper center rear of the carrier issued by the Quartermaster Unit.
    - d. Officer will attach a name plate with badge number to the carrier issued by the Quartermaster Unit.
  - 4. Before deploying this equipment, officers must successfully complete the 8 hour heavy body armor class provided at the Dallas Police Firearms Training Center.
  - 5. Officers may deploy this equipment when they believe the threat encountered or potential threat encountered justifies wearing of enhanced protection.
  - 6. Officers will maintain and replace this equipment at their own cost.
- E. Exceptions
  - 1. Uniformed officers assigned to Administrative positions while at their workplace.
  - 2. Undercover officers are exempt from wearing their ballistic vests when it would compromise their position as a police officer.
  - 3. Officers assigned to the Helicopter Unit are exempt from wearing the ballistic vest due to weight restrictions while operating the helicopter.

# Dallas Police Department General Order

## 802.00 Uniform Items for Sworn and Non-Sworn Personnel

Revised 4/19/2024

4. Detectives out in the field conducting interviews of witnesses.
5. An officer working an off-duty job in plain clothes and has prior approval during the Special Duty application process.
6. Any other situation as determined and approved by the affected Division Commander.
7. As authorized by the Chief of Police.

### 802.22 Reflective Vests

- A. Reflective vests with "Dallas Police" on the vest are issued by the Quartermaster Unit to all sworn employees, Public Service Officers, Security Officers, and Reserve Officers.
- B. The above employees will wear reflective vests during the hours of darkness when in uniform and while:
  1. Directing traffic whether performing on-duty or off-duty job responsibilities.
  2. Working collisions on major streets, freeways, tollways, or any roadway where heavy traffic is present or is likely to be present.
- C. The reflective vest will be kept readily available. Upon arrival at the scene of a collision, officers will put on the reflective vest as soon as reasonably possible.
- D. Non-sworn employees who work extra jobs in traffic control are issued a plain reflective vest.

### 802.23 Duty Gear

- A. Officers will wear the following duty gear issued by the Quartermaster Unit:
  1. One Sam Browne or Sally Browne belt with a rectangular silver-tone or gold-tone buckle, depending upon rank. Officers below the rank of sergeant will wear a silver-tone buckle. Sergeants and above will wear a gold-tone buckle.
  2. One holster
    - a. Officers hired after January 1, 2005, will be issued a Level 3 retention holster. This will be the only approved holster for their Class A uniform.
    - b. Officers hired before January 1, 2005, are provided the option to continue with the issued Level 1 holster or transition to the Level 3 retention holster. However, officers will be limited to the Level 3 holster upon successful transition.
  3. One handcuff case.
  4. Four belt keepers
  5. Magazine pouch.
  6. One waist belt.
  7. Tourniquet in holder (on duty belt or on outer load bearing vest).
- B. Certain items may be purchased by officers and worn in lieu of an issued item. Examples of non-issue items that may be worn include the following:
  1. Items having the same style and specifications as issued items may be worn. All duty gear worn, however, must have the same finish. (For example: a synthetic type holster cannot be worn with a plain leather Sam Browne belt.) Basket weave finishes are not allowed.
  2. A holster other than the issued item may be worn provided it is a belt slide model of the same general appearance, function, and design. The holster must be comparable in level of safety, have a trigger guard and a strap or retention screw to secure the weapon. The following are not allowed:
    - a. Cross-draw holsters.
    - b. Break-front or clamshell holsters.
    - c. Forward rake style holsters.
    - d. Swivel holsters.
    - e. Holsters with a protective flap completely covering the weapon. (except for DPD Honor Guard Ceremonial Dress).
  3. Due to the varying proficiency and manipulation required for the various levels of holsters, all officers purchasing any type of holster for duty use will be required to have the holster pre-approved by the Firearms Training Center and may require qualification with Range personnel before such holster is used on-duty. Officer purchases will be limited in the retention level of purchases as follows:
    - a. Officers hired after January 1, 2005, are restricted to the purchase of a comparable Level 3 retention holster.
    - b. Officers hired before January 1, 2005, that choose to continue carrying the Level 1 holster may purchase a comparable holster or upon approval transition to a higher level of security holster.
    - c. Officers hired before January 1, 2005, that successfully transition to the Level 3 holster issued by the Quartermaster Unit will be restricted to the purchase of a comparable Level 3 retention holster.The Rangemaster will have the final authority to set the qualification guidelines for the affected holsters with approval from the Commander of the Training Section.
4. The following ammunition carriers may be worn:
  - a. One six-loop cartridge carrier.
  - b. One twelve-loop cartridge carrier.
  - c. One six-loop cartridge carrier in addition to one speed loader carrier.
  - d. One or two drop pouches.
  - e. Two speed loader carriers or magazine pouches.
5. A handcuff case capable of containing two pair of handcuffs, provided it is of the same general appearance as the issue item.
6. Belt keepers need not be worn provided Velcro is used to secure the Sam Browne belt to the waist belt.
7. One Safariland 730 or similar flashlight holder.
8. One Safariland 33-2V, black glove pouch (or brand/model approved by Quartermaster Unit).

**Dallas Police Department General Order**  
**802.00 Uniform Items for Sworn and Non-Sworn Personnel**

Revised 4/19/2024

9. One black leather 1-1/4" wide key holder (as described in detail in the Quartermaster Unit S.O.P.). This is a non-issue item.
- C. All optional leather items will have a smooth black finish. No stamped or carved leather will be permitted.
  - D. The whistle may be worn on the Sam Browne belt; however, knives and similar items will not be displayed on the Sam Browne belt.
  - E. Officers may carry a folding knife while in uniform provided the knife is concealed or carried in the officer's pocket.
  - F. A multi-purpose tool may be carried on the Outer Load Bearing Vest or in a belt holder worn on the duty belt provided that the holder is the same finish as the other duty gear.
  - G. With the exception of folding knives or multi-purpose tools, no other edged weapons may be carried in uniform.
  - H. Mini-flashlights and an appropriate belt holder may be worn on the Sam Browne belt, provided that the belt holder is of the same finish as the other duty gear.
  - I. Issued duty gear needing replacement must be inspected by the Quartermaster Unit. Upon approval, an officer may receive replacement duty gear items by evenly exchanging used items for newly issued items.
  - J. By mutual agreement, the Commander of the Quartermaster Unit and the Department Safety Officer will resolve all questions of safety and uniformity of appearance of all duty gear worn by members of this Department.

**802.24 Sidearms and Ammunition**

Sidearms carried on duty will conform to standards and requirements set forth in General Order 418.01.

**802.25 Batons**

- A. All uniformed Police Officers and Reserve Officers are authorized to carry batons after they have successfully completed the Departmental training. Uniformed Police Officers and Reserve Officers may carry the baton as optional equipment.
- B. No Departmental personnel will carry the baton until they have successfully completed the Departmental training course in the use of the baton.
- C. The ASP collapsible baton is the primary intermediate weapon issued by the Department. Those officers who have been trained with the Monadnock PR-24, PR-24X, PR-24FX, PR-24FXP, and have not been trained with the ASP collapsible baton may continue to carry the Monadnock baton as a primary intermediate weapon.
- D. Officers who have been trained with the ASP collapsible baton may not carry any other baton.
- E. Officers will not carry knuckles, slappers, or blackjacks as defined in Chapter 46 of the Texas Penal Code.
- F. Officers are allowed to carry flashlights of their choice including long or heavy-duty flashlights. Flashlights are not designed as impact weapons and normally will not be used as a tool for self-defense. When time or conditions do not allow the deployment of the baton however, a flashlight may be used as an impact weapon. Under such circumstances the flashlight will be used following the same guidelines and methods as a baton.

**802.26 Oleoresin Capsicum (OC) Chemical Spray (*peppermace*)**

Chemical spray (*peppermace*) and carrier, authorized by the Patrol Bureau, may be issued to and carried by sworn personnel, uniformed non-sworn personnel, and volunteer Police Chaplains who are trained and certified by Police Academy staff under the direction of their Bureau and/or Division Commander. Further issuance information is contained in the Quartermaster Unit S.O.P.

**802.27 Miscellaneous Equipment**

The Quartermaster Unit will initially issue one whistle, one MAPSCO, and one flashlight. Officers may be permitted to carry their personal equipment in lieu of the issue item. Replacement of these items will be handled according to guidelines contained in the Quartermaster Unit S.O.P.

**802.28 Special Use Items**

- A. Items issued by the Department to officers in specialized police positions are designated as special assignment items.
- B. Items of clothing specific to a particular assignment will be worn by members assigned to that particular function only. These clothing items are to be worn only while the member is functioning as part of the specialized unit or operation.
- C. Special Use Items are not to be worn as part of the regular patrol uniform.
- D. Special Use Items—must be returned to the Quartermaster Unit when the member is no longer assigned to the Specialized Unit.
- E. Special Use Items will be approved through the Bureau Commander having responsibility and coordinated with the Quartermaster Unit.
- F. Use of any Special Use Item outside the scope of this general order must have written authorization of the Bureau Commander.

**802.29 Quantities and Authorized Issue Items**

The Quartermaster Unit Standard Operating Procedures will be the final authority on authorized issue items and quantities.

**802.30 Uniform Accessories on Shirts (Illustration) - at end of chapter**

**Dallas Police Department General Order**  
**802.00 Uniform Items for Sworn and Non-Sworn Personnel**

Revised 4/19/2024

**802.31** *Uniform Accessories on Tuffy Jackets (Illustration) - at end of chapter*

**802.32** *Award Configurations (Illustration) - at end of chapter*

**802.33** **Back Patches**

- A. Back Patches will be issued by the Quartermaster Unit for Class B's and OBV.
- B. Back Patches for the VCS will be the same style, size, and type issued by the Quartermaster Unit. No other back patches will be worn.

**Dallas Police Department General Order**  
**802.00 Uniform Items for Sworn and Non-Sworn Personnel**

Revised 4/19/2024

Uniform Accessories on Shirts  
(ILLUSTRATION)



D.P.D. Insignia: Worn 1/2" above bottom edge and parallel with bottom edge of collar.

D.P.D. Insignia: Worn 3/4" from collar tip.

Chevron stripes (Sergeant and Senior Corporal): Top stripe centered on sleeve 1/4" below the bottom of the D.P.D. patch.

When service stripes are worn, they are 4" from end of sleeve.

Insignia (Lieutenant and above): Worn parallel to leading edge of the collar.



Nameplate: Worn 1/4" above any awards. If no awards are worn, place immediately above the right pocket.

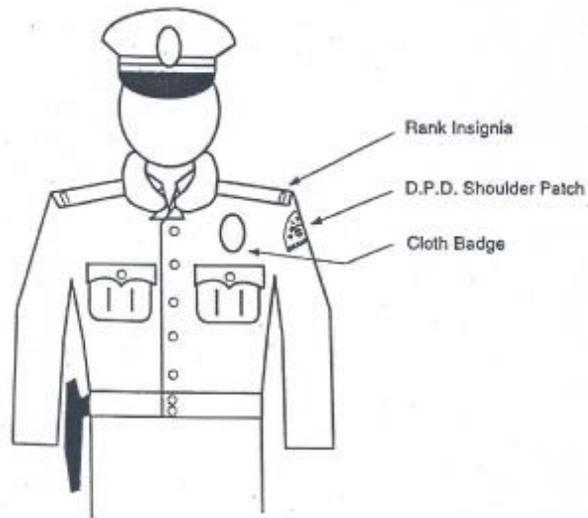
Awards: Worn 1/4" above top of pocket.

When wearing three or more awards, place the bar for the highest honor on the top row closest to the left breast with each award following in descending order. (Refer to 802.29 Award Configuration Illustration.)

**Dallas Police Department General Order  
802.00 Uniform Items for Sworn and Non-Sworn Personnel**

Revised 4/19/2024

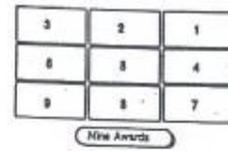
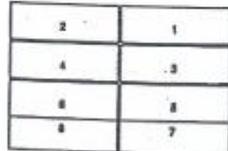
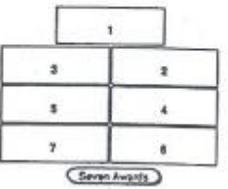
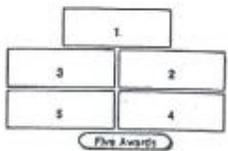
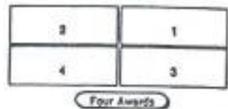
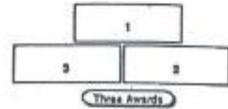
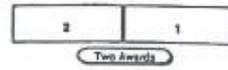
Uniform Accessories on Tuffy Jackets  
(ILLUSTRATION)



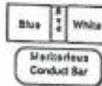
# Dallas Police Department General Order 802.00 Uniform Items for Sworn and Non-Sworn Personnel

Revised 4/19/2024

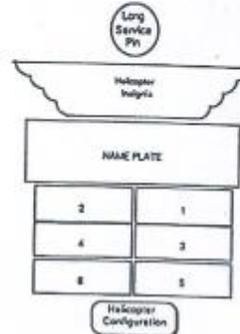
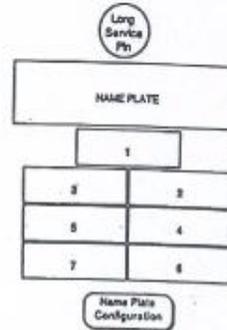
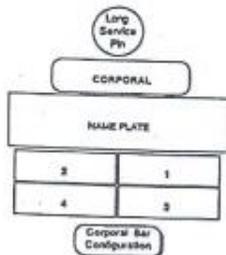
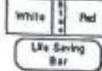
**Award Configurations  
(ILLUSTRATION)**



The Meritorious Conduct Bar will be worn with the blue field to the left and the white field to the right, as viewed by an individual facing the uniformed employee.



The Life Saving Bar will be worn with the white field to the left and the red field to the right, as viewed by an individual facing the uniformed employee.





## Dallas Police Department General Order

### 803.00 Uniforms for Reserve Specialists, Cadets, and Explorer Scouts

Revised 09/23/2021

#### 803.00 UNIFORMS FOR RESERVE SPECIALISTS, CADETS, AND EXPLORER SCOUTS

##### 803.01 Uniform Items for Reserve Specialists

- A. Reserve Specialists will wear only uniform items issued by the Quartermaster Unit as approved by the Chief of Police or their designee.
- B. Reserve Specialists, while wearing the uniform, are subject to those applicable uniform regulations established for uniformed officers, General Order 802.
- C. Refer to General Order 424.05 for more specific information on issuance of uniforms and equipment.

##### 803.02 Uniform Items for Cadets and Explorer Scouts.

- A. All personnel assigned to wear the uniform will report for duty at the designated time in complete uniform as prescribed in the provisions of this order.
- B. Uniforms will be kept neat, clean, pressed, and in good repair at all times. Leather goods if worn will present a clean and polished appearance. While wearing the uniform, employees shall maintain a military bearing, avoiding mannerisms such as slouching, shuffling, and keeping hands in pockets.
- C. The uniform will not be worn off-duty except when:
  - 1. Traveling to and from work.
  - 2. Appearing in court in an official capacity for the Dallas Police Department.
  - 3. Engaging in outside employment in an approved official capacity.
- D. An incomplete uniform will not be worn at any time. No item of the uniform will be worn at any time except as a part of a complete uniform.
- E. No substitutions for issued uniform items will be allowed unless specifically provided for in the General Orders.
- F. Uniformed Personnel may carry either a city-issued or personal cellular phone upon their person. If a personal cellular phone is not black or neutral in color, it must be kept concealed when the employee is on-duty or in uniform.
- G. Non-sworn personnel will wear only uniform items that conform to their duty assignments and are issued by the Quartermaster Unit as approved by the Chief of Police or their designee.
- H. Unless otherwise specifically denoted, the above listed employees are subject to the same regulations and requirements established for uniformed officers by General Orders 801.00 and 802.00.



## Dallas Police Department General Order

### 804.00 Personal Appearance

Revised 4/19/2024

#### 804.00 PERSONAL APPEARANCE FOR SWORN AND NON-SWORN PERSONNEL

##### 804.01 Policy

To promote personal safety of the members of the police department, prevent interference with equipment, and to facilitate effective performance of essential job duties, personal appearance must be regulated. These regulations require strict compliance to maintain a disciplined, identifiable, and efficient department.

##### 804.02 Hairstyles

- A. Requirements for all employees:
  - 1. All hair will be clean and free of any pests or offensive odor.
  - 2. Spray-on hair paint or extreme colorings (non-naturally occurring human hair colors) are not authorized.
  - 3. Wigs are permitted if they meet all provisions in this section.
  - 4. Protected hairstyles commonly or historically associated with race, such as braids, locks, and twists are permissible.
- B. Additional requirements for all employees in uniform:
  - 1. All employees in uniform shall maintain a hairstyle that:
    - a. Allows for the wearing of the police hat or other issued headgear.
    - b. Does not extend below the bottom edge of the shirt collar. Hair of any length is permitted but must be styled in a manner that meets this requirement (e.g. a bun or single ponytail).
    - c. Does not interfere with the proper wearing of any equipment (e.g. negative pressure respirator).
    - d. Will not fall over the ears, eyes, or face.
    - e. Is not styled as pigtails.
    - f. Is free of ornamentation (pins, headbands, and barrettes may be worn only when matching the individual's hair color).
- C. Exceptions:
  - 1. Exceptions are permitted only while the employee is on active undercover assignment, as otherwise required by law, or at the discretion of the Bureau Commander.

##### 804.03 Facial Hair

- A. Officers shall maintain one of the following approved styles of facial hair:
  - 1. **Clean Shaven** – no facial hair (Fig 1).
  - 2. **Mustache** – hair below the nose and above the upper lip (Fig 2).
    - a. Shall be trimmed and not extend below the upper line of the upper lip.
    - b. If worn alone, may not extend below the corners of the mouth.
    - c. Extreme styles such as handlebar mustaches are prohibited.
- B. Natural Beards (Fig 3) are not permitted.
  - 1. An officer may request a medical or religious exemption through their chain of command via memorandum. Supporting documentation will be required and exemptions will be evaluated on a case-by-case basis. Note that the department may not be able to grant an exemption for certain assignments based on health and safety.
  - 2. A male officer who is granted a medical or religious exemption shall conform to the following restrictions (**Natural Beard**):
    - a. The beard shall be worn with a mustache;
    - b. The beard shall cover the complete jaw line;
    - c. Cheeks shall be shaved on and above the cheekbone;
    - d. The neck shall be shaven on and below the Adam's apple;
    - e. The bulk of the beard (the distance that the mass of facial hair protrudes from the skin of the face) shall not exceed  $\frac{1}{4}$  of an inch (for medical exemptions);
    - f. No portion of the beard shall be exceptionally longer than the rest;
    - g. No designs may be shaved into facial hair;
    - h. Facial hair must be neatly sculpted and trimmed at all times;
    - i. Officers shall not claim a constant state of growth, only to avoid shaving or trimming on a regular basis;
    - j. Officers in assignments where the frequent use of a negative pressure respirator (N95 mask, gas mask, etc) is likely, will only be permitted to maintain a style of approved facial hair that does not come into contact with the seal.
    - k. Goatee style facial hair will not be allowed.
    - l. If an officer contends that the above requirements cannot be maintained based on an exemption, the officer shall provide supporting documentation and specify which requirements cannot be met at the time the officer makes the request for an exemption.
- C. A copy of the officer's medical exemption will be placed in the officer's medical file for record. A copy of the officer's religious exemption will be placed in the officer's personnel file.
- D. All facial hair shall conform to the following restrictions:
  - 1. Facial hair must be neatly sculpted and trimmed at all times;
  - 2. Officers in assignments where the frequent use of a negative pressure respirator is likely, will only be permitted to maintain a style of approved facial hair that does not come into contact with the seal.



Fig 1



Fig 2



Fig 3

**Dallas Police Department General Order**  
**804.00 Personal Appearance**

Revised 4/19/2024

- E. Supervisors shall:
  - 1. Ensure officers conform to an approved style of facial hair; and,
  - 2. Retain final approval and judgment on whether facial hair is acceptable in appearance.
- F. Officers serving in an undercover capacity may be allowed to wear alternate styles of facial hair as directed by their unit's standard operating procedures. If called to serve in a uniform capacity, they shall immediately conform to an approved style listed above.

**804.04 Tattoos, Brands, Body Art**

- A. Tattoos, brands, and body art that display any offensive or obscene design, logo, or wording are prohibited. Examples of offensive or obscene tattoos include, but are not limited to, designs, logos, or wording that advocate or symbolize sexual, gender, racial, religious, ethnic or national origin discrimination, or gang affiliation.
- B. No employee, sworn or non-sworn, shall have a visible tattoo, brand, or body art on their body while on duty or while working an off-duty job in uniform.
- C. All employees with visible tattoos, brands, or body art will cover them with the appropriate clothing (per G.O. 801.03, 802.02, and 804.08), conceal with makeup, or have them removed at the employee's expense.
- D. Exceptions are permitted by a Bureau or Division Commander only while the employee is:
  - 1. On an active undercover assignment.
  - 2. Participating in physical fitness programs.

**804.05 Jewelry for All Employees**

- A. Employees in uniform may wear a wristwatch or identification bracelet. Rings may also be worn, but only one on each hand is permitted. (A wedding set is considered as one ring.) Necklaces and other types of jewelry are prohibited while in uniform.
- B. Ear studs may be worn with the uniform, by female employees only. Such items will be limited to no more than two ear studs per ear. Earrings will not extend below the bottom of the ear lobe or have loose or dangling parts.
- C. Except as outlined in section B above, employees may not pierce and/or wear jewelry on or in any portion of the face to include:
  - 1. Tongue
  - 2. Lips
  - 3. Chin
  - 4. Nose
  - 5. Cheek
  - 6. Neck
  - 7. Eyebrows
  - 8. Forehead
- D. These guidelines also apply to non-sworn, uniformed employees.
- E. Male employees sworn and non-sworn will not be permitted to wear earrings on duty or while performing any approved uniformed or plainclothes police related off-duty employment. Exceptions are permitted only while the sworn employee is on active undercover assignment and will be at the discretion of the Bureau or Division Commander.

**804.06 Makeup for Female Employees**

The use of makeup by female employees, both uniformed and plainclothes, will be conservative. This does not imply a plain look but is meant to eliminate gaudiness.

**804.07 Fingernail Appearance**

- A. Female Personnel
  - 1. Fingernails will be kept clean, neatly trimmed and will not extend more than one-quarter inch (1/4") from the tip of the finger.
  - 2. Fingernail polish, if worn, will be of a solid shade without decals or ornamentation and will not detract from a uniform appearance. The wearing of fluorescent or multi-colored nails is prohibited.
  - 3. While in uniform or wearing plain clothes or acting in the Department's behalf, officers will be required to adhere to fingernail length guidelines.
  - 4. These guidelines also apply to non-sworn, uniformed employees.
- B. Male Personnel
  - 1. Fingernails will be kept clean, neatly trimmed and will not extend more than one-quarter inch (1/4") from the tip of the finger.

**804.08 Employees Attending Court**

Employees attending court have the option of wearing either the Class A uniform or civilian clothing. The uniform will not be worn if the employee is not attending court in an official capacity for this Department. Civilian clothing worn for court appearances must comply with standards set out in this directive.

**804.09 Non-Uniform Apparel While on Duty**

**Dallas Police Department General Order**  
**804.00 Personal Appearance**

Revised 4/19/2024

- A. All organizational levels within the Department are uniformed except any section or unit of a bureau or division that has full time investigative responsibilities.
- B. No employee assigned to wear the uniform will report for duty in civilian clothing without the permission of the individual's Organizational Commander.
- C. Non-uniformed employees assigned to duties involving frequent contact with the public, such as officers on investigative assignments and employees performing office duties, will report for duty in conservative apparel appropriate to an office setting. No jeans will be allowed.
  - 1. Male employees will report for duty in a suit or slacks and sport coat. A tie must be worn.
  - 2. Female employees will wear dresses, slacks, or pantsuits.
  - 3. Employees may not pierce and/or wear jewelry on or in any portion of the face to include:
    - a. Tongue
    - b. Lips
    - c. Chin
    - d. Nose
    - e. Cheek
    - f. Neck
    - g. Eyebrows
    - h. Forehead
  - 4. No employee will deviate from these standards without the permission of the individual's Bureau or Division Commander.
- D. Certain employees, such as academy staff, physical evidence and identification detectives, photo lab technicians, helicopter pilots, salvage yard personnel, and firearms training personnel, may wear work clothing appropriate to the nature of their work. Work clothing will not be considered a uniform and therefore will not be worn in lieu of the regulation uniform or proper civilian dress, if such is required. (An example being during court appearance.)
- E. Any holster worn by a non-uniformed officer must have a trigger guard and strap or retention screw to secure the weapon. The following will not be permitted:
  - 1. Cross-draw holsters.
  - 2. Break-front or clamshell holsters.
  - 3. Forward rake style holsters.
  - 4. Swivel holsters.
  - 5. Holsters with a protective flap completely covering the weapon.



## Dallas Police Department General Order

### 805.00 Stolen, Lost or Damaged City Equipment

Revised 08/05/2022

#### 805.00 STOLEN, LOST, OR DAMAGED CITY EQUIPMENT

##### 805.01 Security, Upkeep, and Reporting Procedures

- A. Security
  - 1. Personnel assigned lockers in police facilities will keep them locked when not in use.
  - 2. Personnel will ensure that all police equipment and uniforms are secure at all times. They will further ensure that all police equipment is not readily visible when left in any unoccupied vehicle.
  - 3. No police issued weapons, Tasers, pepperball guns, badges, uniforms, police identification cards, warrant of appointment, ammunition, and/or ballistic vests will be stored long-term in any unoccupied personal vehicle. Long term is more than six hours. A personal vehicle utilized in off-duty employment will not be considered long term storage.
  - 4. Personnel will ensure that police weapons, Tasers, pepperball guns, badges, uniforms, police identification cards, warrant of appointment, ammunition, and/or ballistic vests are secured in a locked and secure trunk of any unoccupied vehicle when unattended for a short term. For the purpose of this General Order, a locked and secure trunk cannot be opened by simply gaining inside access to the interior of the vehicle. Police equipment may not be stored in any vehicle not equipped with a trunk unless the vehicle is equipped with a secured and lockable storage compartment that must be securely mounted inside the vehicle passenger or storage area.
- B. Any employee who uses a marked vehicle assigned to the Patrol Bureau will completely fill out an Equipment Check Sheet and turn in the sheet to the appropriate supervisor or their designate before operating the vehicle.
- C. Employees shall promptly report the need for repairs of any City-owned property issued to, used, or possessed by them to the City Department officially charged with the maintenance of such property.
- D. No employee shall alter, repair, or in any way change, add to, disconnect, or remove any parts or accessories of any City-owned property without the permission of the Chief of Police. This includes buildings, office equipment, machines, clothing, firearms, communications equipment, Mobile Data Terminals (MDT), and motor vehicles. Minor, easily reversed changes, such as a change of stocks on an issued revolver, must be approved by the Rangemaster.
- E. Any employee who has City equipment or funds stolen, lost, or damaged will:
  - 1. Notify his/her supervisor
  - 2. Submit an Offense/Incident Report
  - 3. Submit a Lost or Damaged Property report immediately in the Blue Team system
- F. To receive a temporary replacement item, the employee will take a photocopy of the Offense/Incident Report to the Quartermaster Unit.

##### 805.02 Documenting and Determining Responsibility

- A. The employee will enter the BlueTeam system and select "Add New Incident." The employee will select "Lost or Damaged Property" from the drop-down list and complete the incident report. In the Incident Summary Section, the employee will outline all the facts and circumstances of the incident.
- B. The completed BlueTeam Incident Report will be forwarded via BlueTeam, with all supporting documentation, through the employee's chain of command for review. This section does not apply to damage occurring as a result of a motor vehicle accident.
- C. The employee's Section or Division Commander shall:
  - 1. Determine the employee's responsibilities in regards to negligence by the employee. (This may be documented in the BlueTeam "Comments.")
  - 2. Determine whether disciplinary action and/or restitution should be taken against/made-by the employee.
  - 3. Notify the employee via a signed memorandum of the result of the investigation, their decision regarding whether any disciplinary action will be taken, whether restitution shall be made by the employee, and issue discipline if needed as outlined per General Order 511.01. All disciplinary documentation, the related Offense/Incident Report, the memorandum notifying the employee, and any other necessary documentation must be signed, scanned, and attached in BlueTeam before forwarding to the BlueTeam Program Administrator.
- D. If the item lost, damaged, or stolen is a weapon of any kind or an item with a value above \$500.00:
  - 1. The report will be forwarded to the Group Commander in BlueTeam.
  - 2. The Group Commander will determine what restitution and/or discipline may be required. They will notify the employee of the result of the investigation by memorandum and issue discipline if needed. The incident will be forwarded to the Program Administrator with all required documentation as stipulated in General Order 805.02(C)(3).
  - 3. The Group Commander may decide, based on the circumstances of the loss/damage, Internal Affairs needs to investigate the incident. The incident will be forwarded in BlueTeam requesting it be converted to a Request for Control Number.
- E. The employee will follow the appeal procedures for disciplinary actions or restitution requirements.

##### 805.03 Value of Equipment, Restitution, Depreciation, and Discipline

- A. The provisions of this section apply to equipment or funds owned by the City of Dallas or loaned to the City by another governmental agency. Any employee who has equipment or funds stolen, lost, or damaged will follow the reporting procedure outlined in 805.01.

**Dallas Police Department General Order**  
**805.00 Stolen, Lost or Damaged City Equipment**

Revised 08/05/2022

- B. Employees will be subject to appropriate discipline if their negligence or failure to comply with written procedures resulted in either lost or stolen City funds or stolen, lost, or damaged City equipment. Failure to reimburse the City is cause for further disciplinary action.
- C. If it is determined that equipment was lost, stolen or damaged through the employee's negligence or failure to comply with written procedures, the employee may be required to make restitution. This does not apply to damage occurring as a result of a motor vehicle accident.
- D. Restitution will be made according to the schedule in the Financial and Contract Management's S.O.P. The value in the schedule will be set forth as the fair market value or the replacement cost whichever is applicable to the equipment in question.
- E. If funds are stolen or lost through the employee's negligence or failure to comply with written procedures, the employee will be required to make full restitution.
- F. The Quartermaster Unit will maintain or contact the appropriate department for a depreciation schedule for lost and stolen City issued property.
- G. City issued weapons, badges, and handcuffs do not depreciate.

**805.04 Reimbursement for Loss or Damage to Personal Property**

- A. For an employee's personal property to be eligible for reimbursement for loss or damage, that property must be necessarily worn or carried in the course of employment. Should an employee wish to use personal equipment in lieu of city issued equipment, and where such option is permitted, the Department's liability for damage will be limited to that amount that the City-issued equipment would normally have been. Equipment of greater value, worn at the option of the employee, should be insured by the employee.
- B. Procedures for requesting reimbursement are contained in Administrative Directive 3-5, and require submission of Personnel Form P-12.



## Dallas Police Department General Order

### 806.00 Home Storage Vehicles

Revised 01/06/09

#### 806.00 HOME STORAGE VEHICLES

##### 806.01 Policy on Assignment and Usage

- A. The first criterion to be met by all home storage vehicles is that no vehicle will be assigned to home storage if the officer does not live within a 25 mile radius of assigned work location.
- B. During vacation periods, extended periods of illness, or off-duty due to disability, the vehicle will be assigned to the officer who is second-in-command. In the absence of a second-in-command or if the second-in-command has a home storage vehicle and there is no need for the car, then it should be stored at the duty station. In order for the second-in-command to use a home storage vehicle in the Commander's absence, he or she must live within a 25 mile radius of assigned work location.
- C. Home storage vehicles assigned to command level personnel may be driven during off-duty hours when a Commander deems it necessary to visit a Departmental facility, observe police activities, or monitor police operations via police radio.
- D. Additional criteria for home storage authorization are set forth in City of Dallas Administrative Directive 6-2 and 6-3.

##### 806.02 Procedure for Requesting Home Storage Vehicles

- A. New requests for home storage vehicles will be initiated by Bureau and Division Commanders. A copy of a blank *Authorization for Home (Overnight) Storage of City Vehicle* form, as well as instructions on completing it, are included in City of Dallas Administrative Directive 6-2 and 6-3. That form will be completed and forwarded to the Chief of Police for their approval. The Office of the Chief of Police will then forward it to the Director of Equipment and Building Services and the Assistant City Manager over Public Safety for approval.
- B. A copy of the approved request will be forwarded by the Bureau and Division Commanders to the Fleet Management Team. The Fleet Management Team will be notified in writing any time any changes are made to the original request, i.e., a new vehicle is assigned to the driver, a new driver is assigned to the vehicle, transfers, etc.



## Dallas Police Department General Order

### 807.00 Vehicle Coordinator

Revised 01/30/07

#### 807.00 VEHICLE COORDINATOR

##### 807.01 Appointment and Responsibilities

- A. Each Organizational Commander will designate one employee who will serve as Vehicle Coordinator.
- B. Responsibilities of the Vehicle Coordinator will be:
  - 1. Act as the coordinator with the Departmental Fleet Manager in all matters pertaining to Police Department transportation. These matters include:
    - a. Service and maintenance failure.
    - b. Suggestions and recommendations for improvement in fleet operation.
    - c. Requirements for next year specifications.
  - 2. Maintain a separate file on each vehicle assigned to the organization. Any time a vehicle is permanently removed from service and/or transferred to another organization level, the coordinator will forward the file on that vehicle to the Fleet Manager. Any time a vehicle is reassigned within the organization, the coordinator will notify the Fleet Management Team by memorandum.
  - 3. Maintain a suspense file of *Request for Vehicle Service or Repair* forms on vehicles out of service for maintenance and/or repairs. This file will be reviewed daily to ensure that vehicles are returned to service in a timely manner. When a vehicle is returned to service, the Vehicle Coordinator will note the date on the bottom of the *Request for Vehicle Service or Repair* form and place the form in the vehicle's file.
  - 4. Visit roll call on each watch, or survey all assigned personnel if there is no roll call, at least once during each quarter to solicit any complaints and/or suggestions from officers concerning their vehicles.
- C. All communications with the Department of Equipment and Building Services will be channeled through Fleet Management, except mechanical problems that are discussed with the Service Center supervisors.

##### 807.02 Reporting Mechanical Problems

- A. The following procedure will be followed by any member of the Department experiencing a mechanical problem with a vehicle:
  - 1. The employee experiencing the problem will complete a *Request for Vehicle Service or Repair* form. The employee will take the form, along with the vehicle, to the Service Writer (normally the shift supervisor) at the assigned service center;
  - 2. A copy of the *Request for Vehicle Service or Repair* form will be given to the organizational Vehicle Coordinator;
  - 3. If the vehicle is not repaired to the satisfaction of the driver, and the driver cannot promptly resolve the problem with the Service Writer without conflict, he or she will contact the organizational Vehicle Coordinator, who will discuss the problem with the Service Center manager. (Non-supervisory personnel with vehicular problems will go through their immediate supervisors prior to contacting their organizational Vehicle Coordinator.)
  - 4. If the problem is not resolved at this step, the organizational Vehicle Coordinator will contact the Fleet Manager by memorandum through the chain-of-command. The Fleet Manager will resolve the problem with the Operations Manager or Assistant Director, Operations, of the Department of Equipment and Building Services.
- B. Any member of the Department assigned a vehicle he or she believes is in need of immediate replacement will notify the organizational Vehicle Coordinator.
  - 1. If the Vehicle Coordinator, after inspecting the vehicle, agrees that it should be replaced, he or she will contact the Fleet Manager and provide the equipment number, mileage, and reasons for requesting the vehicle be replaced.
  - 2. The departmental Fleet Manager will contact the Department of Equipment and Building Services with the request and will notify the Vehicle Coordinator of the anticipated replacement date.
- C. Nothing in this order shall relieve supervisors of their continuing obligation for safety and getting the job done by preventing problems, if practical, and solving problems, if necessary.

##### 807.03 Vehicle Related Requests

All requests related to police vehicles (except routine maintenance and repair) must be documented in writing and approved in advance by the Police Fleet Management Team, Equipment Services Section. These requests include:

- A. Requests for new or change in type of replacement vehicles.
- B. Change, addition or modification of vehicle auxiliary equipment.
- C. Transfer or change of assignment of a vehicle to another person or unit.

##### 807.04 Non-Leased Vehicle Safety Inspection

- A. Non-Equipment and Building Services leased vehicles, (i.e., seized, Auto Pound, and donated vehicles) are obtained frequently for police related duties. When a vehicle of this classification is obtained it must receive a safety inspection before it can be utilized. Vehicle Coordinators will ensure that:
  - 1. A non-fleet vehicle is inspected before being placed into service, utilizing the inspection checklist developed by the Fleet Management Team.
  - 2. The appropriate funding procedures established by the Equipment Services Section for this purpose are adhered to.
  - 3. Non-fleet vehicles are re-inspected yearly.

**Dallas Police Department General Order  
807.00 Vehicle Coordinator**

Revised 01/30/07

4. Detailed safety inspection records are maintained on each vehicle.
- B. Non-leased covert vehicles will not be utilized for any Department functions until the safety inspection has been completed.



## Dallas Police Department General Order

### 808.00 Parking of Police Vehicles

Revised 10/31/12

#### 808.00 PARKING OF POLICE VEHICLES

##### 808.01 Enforcement

- A. The Facilities Management Team will have functional supervision over the parking lots located at Jack Evans Police Headquarters Building. This office will ensure that personnel are assigned to:
  - 1. Periodically patrol the parking garage and parking lots.
  - 2. Assist drivers in getting vehicles out of blocked stalls.
  - 3. Issue *Parking Violation* citations to vehicles improperly parked on city parking facilities.
- B. Any vehicle not authorized to park, improperly parked, or blocking other vehicles on these parking facilities may be towed at the driver's expense.
- C. Supervisors are responsible for taking the action necessary to prevent repeated violations by their subordinates.

##### 808.02 Parking in the Parking Garage at Jack Evans

- A. All privately owned vehicles must possess a valid Police Headquarters parking placard to be permitted to park in the Police Headquarters parking garage.
- B. Privately owned vehicles will park in designated areas on the first and second levels of the parking garage.
- C. The third level of the parking garage is for City or fleet vehicles that have been assigned parking spaces by Facilities Management.
- D. No vehicle over seven feet high will enter the parking garage.

##### 808.03 Parking in the South Lot of Jack Evans Headquarters

- A. The Facilities Management Team has assigned specific parking spaces to various units on the South Lot.
- B. All other parking on the South Lot is for police employees having business at Jack Evans and not assigned to Headquarters.
- C. Parking of personal vehicles on the South Lot is prohibited.

##### 808.04 Visitors Parking Lot

- A. This lot is restricted for the use by citizens and other City employees having business at Jack Evans.
- B. There is a two hour time limit for parking on this lot.

##### 808.05 Parking in the Police & Courts Building Area

- A. Employees may park in the police parking area at 2033 Commerce St., (southeast of the Police & Courts Building.) Identification card swipe access is required.
- B. Officers driving police vehicles, who cannot park in police parking, will be allowed to park in metered zones and will be reimbursed for monies expended.
- C. Police vehicles will not park in a *No Parking Zone* or a *Loading Zone* unless an emergency clearly exists.
- D. No vehicles will park in the alley between the 2000 blocks of Main and Commerce Streets.

##### 808.06 Towing of Vehicles

Any vehicle that is found in violation of the parking policies set down in this section, in violation of city ordinance, or in violation as denoted by properly placed signage will be subject to citation and tow. The individual will be responsible for all fees and/or citations issued.

##### 808.07 Reimbursement for Parking Fees and State Tollway Fees

- A. Parking Fees
  - 1. Personnel will be reimbursed for parking expenses incurred while conducting police business or appearing in court either on-duty or off-duty. This does not apply to parking expenses incurred in conjunction with a normal duty assignment.
  - 2. To receive reimbursement for parking fees, the officer will complete the *Reimbursement for Parking Fees* form, staple the parking lot receipt to the Purchasing and Payables Unit copy, and forward them to his or her Organizational Commander. If an officer utilized meter controlled parking or slot-box parking, for which no receipt was given, this will be indicated on the form.
  - 3. If the officer misplaces the parking lot receipt, a memorandum will be written and forwarded with the *Reimbursement for Parking Fees* form to the Organizational Commander.
  - 4. The Organizational Commander will forward the *Reimbursement for Parking Fees* form to the Purchasing and Payables Unit each month for reimbursement.
  - 5. Organizational Commanders will be responsible for distributing the funds to the concerned personnel within their organizations.
- B. Tollway Fees
  - 1. The North Texas Tollway Authority (NTTA) does not permit toll free travel for law enforcement personnel traveling to and from work or on routine travel.

**Dallas Police Department General Order**  
**808.00 Parking of Police Vehicles**

Revised 10/31/12

2. The NTTA will not grant free passage to officers on duty and in the discharge of police obligations unless they are in an official, marked vehicle or have the proper Toll Tag assigned to the vehicle.
  3. Reimbursement for tollway fees will be granted only for travel on tollways while on City business. Reimbursement will not be made for employees traveling to and from work unless the employee is in a city vehicle. A *city vehicle* includes city-seized vehicles as well as those that are leased from the Department of Equipment and Building Services. No reimbursement will be made for employees traveling to or from court, unless the employee is on duty and traveling in a city vehicle.
  4. To receive reimbursement for tollway fees, the officer will complete the *Reimbursement for Parking Fees* form. A notation will be made at the top of the form when the reimbursement is for a tollway fee rather than a parking fee. The officer will staple the tollway fee receipt to the Purchasing and Payables Unit copies and forward them to his or her Organizational Commander.
  5. If the officer misplaces the tollway receipt, a memorandum will be written and forwarded with the reimbursement form to his or her Organizational Commander.
  6. The Organizational Commander will forward the *Reimbursement for Parking Fees* form (Purchasing and Payables Unit copy) which has been changed to read *Reimbursement for Tollway Fees* to the Purchasing and Payables Unit each month for reimbursement.
  7. Organizational Commanders will be responsible for distributing the funds to the concerned personnel within their organizations.
- C. The parking fees and tollway fees reimbursement requests will be kept separate when submitted to the Purchasing and Payables Unit.



# Dallas Police Department General Order

## 809.00 Fixed Assets, Equipment, Personal Property, and Donations/Gifts

Date last Revised 03/23/2023

### 809.00 FIXED ASSETS, EQUIPMENT, PERSONAL PROPERTY, AND DONATIONS/GIFTS

#### 809.01 PURPOSE

The City of Dallas has directed each department have management and control systems in place to ensure all assets, equipment, and personal properties, including items acquired via donations or gifts, are accounted for and a complex system is in place to retain and provide accurate documentation. Constant attention is necessary to properly manage such a system. The Quartermaster Unit's SOP for Fixed Assets, Equipment and Personal Properties is a guide for the management of these items within the Dallas Police Department and is based on the City's Administrative Directive 6-1 and other City of Dallas internal control directives. Each organizational level is responsible for establishing and maintaining adequate internal controls and security for all fixed assets, equipment and personal properties received by and/or assigned to that organizational level. The assigned Organizational Unit Fixed Asset Coordinators (OFACs) are required to work with their Organizational Unit Commanders to monitor, control and report all fixed assets, equipment and personal properties, including all activities related to these items, to their Unit Commanders and to the Quartermaster Unit.

#### 809.02 MANAGEMENT AND CONTROL OF FIXED ASSETS, EQUIPMENT AND PERSONAL PROPERTY

Officers are responsible for the proper maintenance and safe storage of all city equipment issued to them. This will include any cleaning, preventive maintenance, and workability of the equipment. Any repairs to issued duty weapons will be addressed by the Firearms Training Center. All other equipment assigned to the organizational level will be the responsibility of the Unit Commander or his/her designee for the proper care, maintenance, workability, and responsiveness of such equipment. This will include the equipment being inspected at regular intervals.

#### 809.02 DEFINITIONS

The following terms are used by the Quartermaster Unit, in conjunction with the City's Controller's Office, for determining the category of items to be tagged, recorded, and monitored:

- A. FIXED ASSETS, EQUIPMENT AND PERSONAL PROPERTY (VALUED \$5,000 AND ABOVE) – Specific items that are tangible (or intangible) in nature have a useful life of one year or more and have significant value which the City Controller's Office has defined as \$5,000 or more. For accreditation standards Capital Assets will be referred to as Fixed Assets.
- B. FIXED ASSETS, EQUIPMENT AND PERSONAL PROPERTY (VALUED BELOW \$5,000) - Items whose useful life may or may not be a year or longer.
- C. PORTABLE FIXED ASSETS, EQUIPMENT AND PERSONAL PROPERTIES - These items are usually transportable with minimal effort or support. They may also be considered unique, specialized or customized items, valuable to specific needs or functions within the organization's operations, and if lost, damaged or stolen would hinder the organization's (or specific employees') ability to perform (See Quartermaster Unit SOP Section 501).
- D. INTANGIBLE FIXED ASSET – software licenses purchased for Department use
- E. HIGH-RISK INVENTORY – Weapons (lethal and less than lethal), tasers and radios. All high-risk inventory must be reported to the Quartermaster on an annual basis or whenever an organization has a change in command. High-Risk inventory is usually issued by the Quartermaster Unit to specific sworn and non-sworn employees, as well as divisions. The exceptions are items that are purchased by or donated/gifted to ORGs or Special Task Forces.
- F. PROPERTY ID NUMBER – The identification number usually inscribed on a decal which includes the words "Property of (the) City of Dallas". The decals vary depending on the value or the source of funding for acquiring the fixed assets, equipment or personal properties.
- G. OFAC – Refers to the employee assigned by each organization as the *Organizational Fixed Asset Coordinator* to monitor and coordinate the assigned organization's fixed assets, equipment, and personal property records.
- H. PRAF – This refers to the department's *Purchase Requisition Authorization Form*. This form is used by the organizations to request the purchase of items.
- I. ADVANTAGE 3 (AMS) – The City's financial system. All fixed assets, equipment, and personal properties valued at \$5,000 or above must be recorded in the City's ADVANTAGE 3 (AMS) financial system.
- J. QUARTERMASTER'S INVENTORY SYSTEM – System used by the Quartermaster Unit to account for stock items such as uniforms, equipment and protective supplies issued by the Quartermaster to sworn and non-sworn personnel to perform their duties. The Quartermaster Unit also serves as the supplier of these items to the Department of Transportation-Parking Enforcement Division, the City's Security, Marshal's Office, and Code Compliance. It also accounts for DPD's fixed assets, equipment and personal property as detailed in the Quartermaster Unit SOP Section 501. These items are reviewed department wide on an annual basis as required by Administrative Directive 6-1.
- K. DIVISIONAL ONLY ASSETS – Items such as office furniture, small office machines, tools, and appliances that are City-owned. The inventory for these items is the responsibility of the individual organizations. Each organization will maintain a log (manual or PC databased) and document the acquisition of the item(s). At the request of the organization, a yellow property tag can be provided by the Quartermaster Unit for the Organizational Fixed Asset Coordinator to assign a property ID for the purpose of internal records to track the item(s). **Exception:** If such items



## Dallas Police Department General Order

### 809.00 Fixed Assets, Equipment, Personal Property, and Donations/Gifts

Date last Revised 03/23/2023

- are acquired by an external fund (i.e., Grants or Confiscated Funds), the organization must report the acquisition to the Quartermaster as detailed in General Order 809.02(C) *Procedures for Tracking Fixed Assets, Equipment, and Personal Property*.
- L. GROUPED ASSETS – Per the City's AD 6-1, grouped assets involve combining like pieces of equipment to be recorded under a single fixed asset number (i.e., software/equipment licenses, sets of furniture designed to go together). Assets may be grouped to provide operating information, because of administrative decisions (expediency) and/or satisfy regulatory requirements. Individual pieces of the equipment may or may not meet the significant value requirement of the fixed asset definition.
  - M. EXTERNAL (OUTSIDE) FUNDS – Funds received by the City from outside sources that include, but are not exclusive to grant funds, federal funds, state funds, Confiscated Funds, and donations.

#### 809.03 PROCEDURES

- A. Procurement
  - 1. Each Unit Commander will designate one employee to serve as the ORG's Organizational Fixed Asset Coordinator (OFAC). The OFAC is required to be familiar with fixed assets, equipment and personal properties guidelines and procedures as detailed in the City's Administrative Directives 6-1, General Orders 809.00, and Quartermaster Unit's SOP on Fixed Assets Section 501.
  - 2. Each Unit Commander will ensure there is an accurate and up-to-date system established along with properly recorded and/or filed documentation in place to account for:
    - a. Appropriate property tags are properly placed on fixed assets, equipment, and personal properties or attached to documentation associated with the purchase of said items.
    - b. Deletions, additions, transfers, or any other transaction needed to reflect changes in the status of any assets, equipment, or property are submitted to the Quartermaster Unit to update ADVANTAGE 3 and/or the Quartermaster Inventory System.
    - c. Accuracy of all transactions.
    - d. Documentation of temporarily loaned assets, equipment and personal properties to other units and/or employees.
  - 3. Commanders/Managers are responsible for notifying the Quartermaster Unit, in writing of any problems or discrepancies that cannot be resolved by the organization's *Organizational Fixed Asset Coordinator (OFAC)*.
  - 4. All assets, equipment, or personal property will be ordered in accordance with the most current purchasing directives.
  - 5. All procurement requests must be accompanied with a memorandum justifying the purchase and a PRAF. The memo will be thru the employee's chain of command to the Assistant Director of Finance utilizing the approval levels below:
    - a. Purchases under \$100 may be approved by the respective Unit Commander (Lieutenant or higher)
    - b. Purchases between \$100 and \$3,000 may be approved by the respective Group Commander (Deputy Chief)
    - c. Purchases over \$3,000 and all technology requests, regardless of cost, must be approved by the respective Bureau Commander (Assistant Chief)
  - 6. All technology requests (desk phone, cell phone, computers, software licenses, software subscriptions, etc.) must be approved by Police Technology
  - 7. Any PRAF or Vehicle Repair Request for requesting Confiscated funds must be approved by the Narcotics Chain of Command in addition to the requestors Chain of Command
  - 8. Copies of any PRAFs, memos, quotes, invoices, and any other documentation related to the item(s) submitted to the Financial Contract and Management Procurement Section for purchase shall be maintained on file by the requesting ORG and the Procurement Section.
  - 9. The Procurement Section shall submit copies of the above purchasing documents related to items required to be tracked per the Fixed Asset, Equipment and Personal Property guidelines as defined in the Quartermaster's SOP Section 501.
  - 10. Items not normally stocked by the Quartermaster Unit, can be specified and purchased by any organizational level with a separate organization number. These assets can be delivered directly to the organization which placed the order.
  - 11. Exceptions to this delivery procedure:
    - a. ammunition and firearms are delivered directly to the Firearms Training Center
    - b. Technology items
    - c. Tazers
- B. Tracking Fixed Assets, Equipment, and Personal Property
  - 1. Organizational OFACs shall provide the Quartermaster Unit with a copy of any PRAFS, memos, quotes, and other supporting documentation when purchasing items as defined in the Quartermaster Unit's SOP Section 501.



## Dallas Police Department General Order

### 809.00 Fixed Assets, Equipment, Personal Property, and Donations/Gifts

Date last Revised 03/23/2023

2. The receiving organization will forward the signed and dated packing slips to the Procurement Section and the Quartermaster Unit within two (2) days after delivery of the item(s).
3. The Quartermaster Unit will then provide yellow Property ID tags (based on its value and category) to the organization's OFAC. The OFAC will need to sign for the property ID tag(s) and place the tag(s) on the asset, equipment, or property in a location that is easily visible for inventory audits.
4. For non-consumable items purchased using external funds or acquired by donation, the ORG receiving the item(s) will contact the Quartermaster to obtain the proper Fixed Asset Property tags to affix to the asset, equipment, personal property, or documentation related to the purchase of said item(s).
5. The Quartermaster Unit will create a "fixed asset" code within the Inventory System to identify the external funded, non-consumable item based on the funding source and description. This method will be used to distinguish such an item from the inventory items issuance by the Quartermaster Unit as described above in G.O. 809.02, Section A.9. If its value is \$5,000 or over, it will also be entered into the ADVANTAGE 3 (AMS) financial system as required per the City's AD 6-1, Section 4.1.
6. If the item(s) purchased by the organization falls within the definition of DIVISIONAL ASSETS ONLY as described in General Orders 809.01, Section A.10 and the Quartermaster Unit's SOP Section 501, the organization shall enter the item(s) on its PC databased or manual system used to maintain inventory. At the request of the Property organization's OFAC, City Property ID tags will be provided by the Quartermaster Unit to assign an ID Tag number to enable the ORG to track the items.

#### 809.04 INVENTORY, DISPOSAL AND TRANSFER OF FIXED ASSETS, EQUIPMENT AND PERSONAL PROPERTY

- A. Per City Administrative Directive 6-1, Section 4.2.6, each Department Director is responsible for conducting an annual inventory of fixed assets, equipment, and personal property assigned to that department.
  1. The annual inventory will be conducted during September 1<sup>st</sup> – 31<sup>st</sup>. The results of that inventory must be submitted to the Quartermaster Unit by October 15<sup>th</sup>. The Quartermaster Manager will complete a final report summarizing the results of department's inventory audit, and submit it to the Assistant Director of the Financial and Contract Management Division for signature and submission to the Chief of Police by October 31<sup>st</sup>. Reports must be retained for a period of no less than five years.
  2. The Operational Technology Unit will conduct an inventory of the technology assets that are assigned to employees.
  3. A change-of-command inventory will be conducted whenever there is a permanent change-of-command at an organizational level with a separate ORG number. The results of the inventory will be documented to the Chief of Police with a copy submitted to the Quartermaster Unit Manager within 30 days of the change-of-command.
  4. Per Administrative Directive 6.1.4 – 6.1.8, organizations disposing of or transferring any fixed assets, equipment, personal property must:
    - a. Complete a *Property Disposal/Transfer Report* available online at [www.cod/Purchasing/Excel/OPS-FRM-503.xlsx](http://www.cod/Purchasing/Excel/OPS-FRM-503.xlsx) with a memo, explaining the reason for the transfer or disposal of the property. If the property is being *transferred*, the form must be prepared by the Org's OFAC and signed by the receiving ORG Commander, Department Manager, or person responsible for the property under their command from both orgs involved. If the property is being *disposed*, the assigned Org's OFAC and Commander will follow the same procedure as detailed for a transfer. No receiving Org signatures required.
    - b. For property to be disposed, the Org's OFAC must arrange for the property's disposition per the manufacturer's requirements or per the department's Environmental Management recommendation.
    - c. The assigned Org's OFAC must retain a copy of the *Property Disposal/Transfer Report* and memo for each property transferred and/or disposed, submit said copies to the Quartermaster Unit, and to the receiving ORG's OFAC or City Store (pending the recipient of the property).
    - d. For all property valued at \$5,000 or greater, ORGs are to follow the same steps as detailed in (a) – (c). In addition, the Quartermaster Unit must coordinate with Controller's Office for the disposal of any surplus personal property not needed by the department.
    - e. If any property is lost or stolen or is damaged due to neglect or vandalism, the assigned Org or employee responsible, must provide a police report with the *Property Disposal/Transfer Report* and memo from the ORGs (or employee's) chain of command, to state their disposition on whether negligence is the reason. For property valued at \$5,000 or more, follow steps (c) – (e).
    - f. No employee will move or transfer any technology asset (phone, computer, printer, projector, etc.) without the express written approval from the commander of the Police Technology Unit.
- B. Retirement of Law Enforcement Animals
  1. The Texas Constitution, Article III Sec. 52I – *Donation of Law Enforcement Animal*, states the legislature may authorize a state agency or county, a municipality, or other political subdivision to transfer a law enforcement dog, horse, or other animal to the animal's handler or another qualified caretaker for no consideration on the animal's retirement or at another time if the transfer is in the animal's best interest.
  2. In the event DPD needs to retire a law enforcement animal due to medical or performance issues, the ORG's Commander must submit a memo to the Quartermaster Unit identifying the animal to be retired (including its Fixed Asset property tag ID), reason for retiring the animal, handler who will take possession and care for the animal, and location where the animal will reside once retired. This information will be retained with the ORG's inventory records by its OFAC, and the Quartermaster Unit's inventory records.



## Dallas Police Department General Order

### 809.00 Fixed Assets, Equipment, Personal Property, and Donations/Gifts

Date last Revised 03/23/2023

3. The Quartermaster Unit will submit a memo to the City's Controller's Office requesting to remove the animal from the Fixed Assets in the city's financial system. The animal will also be removed from the Quartermaster Inventory System.

C. Outside Funds (Grants, Donations) that were used to get items now considered to be DPD inventory need to follow the process outlined by the contract for that property.

#### 809.05 ACCEPTANCE, ACCOUNTING, MANAGING, AND ACQUIRING FIXED ASSETS, EQUIPMENT, AND PERSONAL PROPERTY VIA DONATIONS / GIFTS

##### A. MONETARY GIFTS, EQUIPMENT, OR OTHER TANGIBLE ASSETS

1. Approval of and Conditions for Acceptance of Monetary Gifts – Less than \$1,000
  - a. Any member of the department may accept, without prior approval, a monetary gift for the department or auxiliary function or activity of the department in the amount at or below the petty cash limit (\$100.00). The money and a memorandum from the employee's Unit Commander explaining the intent of the donor will be forwarded to the Financial and Contract Management - Budget and Grants Management Section.
  - b. Unit Commanders and above may accept a monetary gift to the department or auxiliary function or activity of the department not to exceed \$1000 without prior approval. The money and a memorandum from the employee's Unit Commander explaining the intent of the donor will be forwarded to the Financial and Contract Management -Budget and Grants Management Section.
2. Approval of and Conditions for Acceptance of Monetary Gifts – \$1,000 or Greater
  - a. Donations of monetary gifts greater than \$1000 will not be accepted without prior permission of the Chief of Police.
  - b. Per City of Dallas Administrative Directive 2-13, monetary gifts may be placed in the Gifts and Donation account if no departmental need exists to separately manage such gifts. Only when necessary will a separate fund be established for large gifts. ORG number may be established if needed, to budget and account for separate activities.
  - c. The receiving Bureau will need to submit the monetary gift and cover memo to Financial and Contract Management / Budget Office to deposit the funds into the appropriate fund/org. The expenditure of appropriated gift revenues must comply with regular City procurement and contracting procedures.
  - d. No member of the department may purchase fixed assets, equipment, personal properties or services with a monetary gift, regardless of the amount. If the donor indicates that the money should be used to purchase any of these items, the Financial and Contract Management - Budget and Grants Section must be contacted for instructions. Purchase of any item outside the City purchasing procedures by departmental employees is not allowed.

##### B. SERVICE DONATIONS

Gifts of services only, which do not result in financial or fixed asset transactions with the City, need not be accounted for under AD 2-13. If the value of the services being donated exceed \$1,000, the receiving Division will complete the *Report of Donations over \$1000* as required by Section 12A-5.1 of the Dallas City Code.

##### C. EQUIPMENT OR OTHER TANGIBLE ASSETS

1. Approval of and Conditions for Acceptance of Donated Items – Less than \$1,000
  - a. Any member of the department may accept a donation to the department or auxiliary function or activity of the department for items without higher approval if the total value is at or below the current petty cash limit (\$100).
  - b. Unit Commanders and above may accept a donation to the department or auxiliary function or activity of the department for items without higher approval if the total value is \$1000 or less.
2. Approval of and Conditions for Acceptance of Donated Items – Greater than \$1,000
  - a. Donated items with a value greater than \$1000 will not be accepted without prior permission of the Chief of Police.
  - b. The receiving department or official will complete the Report of Donations over \$1000 form and contact the Finance and Contract Management Division, which will place the item on the fed asset inventory and will assign departmental responsibility for custody and maintenance of the item.
3. No member of the department may accept donated items of any value that will result in the need for expenditure of other City funds or require a contractual obligation by the City without approval of the City Council.

##### D. REAL ESTATE OR PROPERTY

All gifts of real estate, without exception, will be processed through Real Estate and Development so that accurate records are kept of the ownership.

##### E. DONATED EQUIPMENT, SERVICE OR PROPERTY ASSET VALUE



## Dallas Police Department General Order

### 809.00 Fixed Assets, Equipment, Personal Property, and Donations/Gifts

Date last Revised 03/23/2023

As required by Section 12A-5.1 of the Dallas City Code, a *Report of Donations Over \$1,000* form must be filed within 30 days after receipt of the donation. The completed form must be submitted to the following email address: [DallasEthics@dallas.gov](mailto:DallasEthics@dallas.gov)

Valued Below \$1,000 – No form required

Valued Above \$1,000 – *Report of Donations over \$1000* is required

Valued Above \$5,000 – *Report of Donations over \$1000* is required. The value of the Item requires a City Property ID Tag (available through the Quartermaster Unit). It must also be entered in AMS Financial System and Quartermaster's Inventory System for tracking purposes.

#### F. COUNCIL ACTION REQUIREMENTS

Council action is required to accept a gift or donation for the following:

1. When contractual or large purchase obligations are required.
2. When a donation results in the need for expenditure of other City funds.
3. At the Chief's discretion and for purposes of public recognition, the City Council may be asked to accept any gift.

There is no requirement that Council approve acceptance of gifts and donations, so long as a contractual relationship is not created.

#### G. ANONYMOUS DONATIONS

For any gift or donation where donor anonymity is necessary, an appropriate method for acceptance of the gift is through a nonprofit organization. The nonprofit organization can then donate the funds to the City, thus protecting the donor's anonymity.



## Dallas Police Department General Order

### 810.00 Procedures for Requesting Vehicle, Uniform and Equipment Changes

Revised 01/30/07

#### 810.00 PROCEDURES FOR REQUESTING VEHICLE, UNIFORM AND EQUIPMENT CHANGES

- A. All proposals and/or suggestions for vehicle, uniform or equipment changes will be made in writing to the Equipment Services Section Manager. A copy will be forwarded to the Executive Assistant Director of the Administrative Services Bureau.
- B. The Equipment Services Section Manager will ensure that all proposals and/or suggestions are brought to the attention of the Uniform and Equipment Subcommittee of the Police Officers Advisory Committee.
- C. When applicable, the Uniform and Equipment Subcommittee may solicit suggestions or advice from appropriate sources within the Department, such as the Safety Team, Training Section, Fleet Management Team, etc.
- D. The Uniform and Equipment Subcommittee Chairperson will forward a written report to the Police Officers Advisory Committee Chairperson for review.
- E. The Police Officers Advisory Committee Chairperson may approve the request as is or request that the Subcommittee make changes.
- F. Once approved by the Police Officers Advisory Committee Chairperson, the written report will be sent to the Chief of Police for final disposition pending funding availability.



## Dallas Police Department General Order

### 811.00 Towing of Police Vehicles

Revised 01/30/07

#### 811.00 TOWING OF POLICE VEHICLES

- A. The Communications Section will be notified via radio or telephone any time a police vehicle is inoperable due to mechanical failure or involvement in an accident. The nature of the problem, equipment number, type of vehicle, and the vehicle's location will be provided.
- B. Communications Section personnel will then arrange for the appropriate wrecker to respond to the scene. Under no circumstances will employees contact a non-City vendor.
- C. If a police vehicle becomes inoperable on City property adjacent to a City garage or in close proximity to the City garage, a supervisor may coordinate a City wrecker with a service writer at that location.



## Dallas Police Department General Order

### 812.00 Dallas Police Department LOGO

Revised 01/30/07

#### 812.00 DALLAS POLICE DEPARTMENT LOGO

- A. The Dallas Police Department establishes the following policy to limit the use of the designs of the badge and shoulder patch and use of the words *Dallas Police Department*. The Dallas Police Department badge and shoulder patch are service marked, and by law the Department can control use of their design.
- B. None of the items listed will be used in the manufacture of clothing items or souvenir goods without the written permission of the City Manager through the Chief of Police.
  1. Permission will not be granted for personal or business profit.
  2. Permission to use the Dallas Police Department badge, shoulder patch, logo, the City of Dallas Seal or the words "Dallas Police Department" may be granted by the City Manager on an individual basis.
- C. Unauthorized use of the *Dallas Police Department* patch or badge by anyone may result in legal action being brought against that person by the City of Dallas.
- D. Unauthorized use of the patch or badge may also constitute *Impersonation of a Police Officer*, a violation of the Texas Penal Code.
- E. The Dallas City Code, Section 31-23, Unauthorized Use of City Seal or Other Insignia states: "A person commits an offense if he uses the official flag, seal, shield, service mark, badge, or other insignia of the city or a department of the city or a facsimile of the flag, seal, shield, service mark, badge or other insignia of the city or a department of the city: (1) for a commercial purpose; or (2) to signify sponsorship or approval by an agency or department of the city; without first obtaining express written authorization from the city manager."
- F. A person commits a Class C Misdemeanor if found to be in violation of this ordinance. This includes the use of the Dallas Police Department badge, shoulder patch, or the City of Dallas Seal for commercial purposes.



## Dallas Police Department General Order

# 900.00 Response Continuum Table of Contents

Revised 06/04/2020

### **900.00 RESPONSE CONTINUUM**

### **901.00 RESPONSE CONTINUUM**

- 901.01 Response Continuum Philosophy
- 901.02 Duty to Intervene
- 901.03 Use of Physical Control Techniques
- 901.04 Levels of Subject Resistance
- 901.05 Levels of Control
- 901.06 Variables that Impact the Response Continuum

### **902.00 CHEMICAL SPRAY AND PEPPERBALL LAUNCHER SYSTEM**

- 902.01 Oleoresin Capsicum Chemical Spray (OC Spray)
- 902.02 Pepperball Launcher System – Usage and Procedures

### **903.00 USE OF RESTRAINING HOLDS**

- 903.01 Team Take-Down Contact Control
- 903.02 LVNR (Lateral Vascular Neck Restraint)

### **904.00 IMPACT WEAPONS**

### **905.00 HANDLING SUSPECTS EXHIBITING SYMPTOMS OF DRUG-INDUCED PSYCHOSIS/ EXCITED DELIRIUM**

### **906.00 USE OF DEADLY FORCE**

- 906.01 Philosophy
- 906.02 Use of Deadly Force Policy

### **907.00 ELECTRONIC CONTROL WEAPON (ECW)**

- 907.01 Definitions
- 907.02 General Deployment Policy
- 907.03 Authorization and Training
- 907.04 Use and Deployment
- 907.05 Tactical Considerations
- 907.06 Follow-Up Care
- 907.07 Reporting and Administrative Requirements Regarding the Use of a ECW
- 907.08 Accidental Discharges
- 907.09 Storage and Precautions

### **908.00 40 MM “STINGER” LESS LETHAL LAUNCHER SYSTEM**

- 908.01 Definitions
- 908.02 General Departmental Policy
- 908.03 Authorization and Training
- 908.04 Use and Deployment
- 908.05 Tactical Considerations
- 908.06 Follow-up Care
- 908.07 Reporting and Administrative Requirements Regarding the Use of the 40MM “Stinger” Less Lethal Launcher System
- 908.08 Accidental Discharges
- 908.09 Storage and Other Precautions



## Dallas Police Department General Order

### 900.00 Response Continuum Table of Contents

Revised 06/04/2020

#### **909.00 RESPONSE TO RESISTANCE REPORTING**

909.01 Philosophy

909.02 General Departmental Policy

909.03 Response to Resistance Entry (BlueTeam)

909.04 Response to Resistance Statistical Review and Reports

Use of Force Response Continuum Chart



## Dallas Police Department General Order

### 901.00 Response Continuum

Revised 06/05/2023

#### 901.00 RESPONSE CONTINUUM

##### 901.01 Response Continuum – Philosophy

- A. The Response Continuum:
  - 1. Is a concept used in incident handling that simultaneously recognizes the level of subject resistance encountered and the level of control required for the situation.
  - 2. Is an overview that does not direct a particular officer on how much control to use in a particular situation.
  - 3. Gives direction in the escalation and de-escalation of resistance and the escalation and de-escalation of control necessary in police incidents.
  - 4. Explains that many variables are involved in situations where an officer must control a subject.
  - 5. The Dallas Police Department uses the Linear Response-to-Resistance Continuum as its training model. (see attached)
- B. Skillful use of the options identified in the Response Continuum decreases the necessity to respond with physical control techniques and increases the probability of bringing the incident to a successful conclusion. The physical control techniques used may range from the use of handcuffs in an arrest, strikes with an impact weapon, or the use of a firearm.
- C. In all cases the Dallas Police Department dictates that only reasonably *necessary* control techniques are justified. Any use of control techniques above that would be unjustified and the goal of control violated.
- D. Where there is no apparent need to take a suspect into immediate physical custody, officers should utilize tactics designed to de-escalate the situation and facilitate a safer resolution whenever reasonably possible. The use of delaying tactics in order to obtain more favorable physical cover and additional officer presence is encouraged, as long as the safety of the officer, citizens, and subject is not compromised in doing so.
- E. Officers will be in situations where the use of physical control techniques is necessary and justified. In all cases of physical control, the potential exists for injury to officers and subjects. Officers will ensure that as soon as subjects are brought under control, they are placed in an upright position (if possible) or on their side. Officers are responsible for rendering first aid to injured subjects. First aid will include:
  - 1. Monitoring the subject.
  - 2. Calming the subject through reassurance.
  - 3. Checking pulse and skin color.
  - 4. Checking for consciousness through the use of interviews.
  - 5. Applying direct pressure, if necessary.

##### 901.02 Duty to Intervene

- A. Members of the Dallas Police Department (both sworn and non-sworn) have an obligation to protect the public and other employees. It shall be the duty of every employee present at any scene where physical force is being applied to either stop, or attempt to stop, based upon their knowledge and ability, another employee when force is being inappropriately applied or is no longer required. Once the situation is stable, report any use of excessive force in writing through their chain of command.

##### 901.03 Use of Physical Control Techniques

- A. The use of physical control techniques must be examined from two perspectives: resistance (Subject) and control (Officer). Both control and resistance can be in the form of verbal directives or physical action.
  - 1. Resistance - a subject's non-compliance to the officer. The amount and type of resistance varies based on a number of factors.
  - 2. Control - the force an officer uses to influence or neutralize a non-compliant subject. Officers are justified in using physical control techniques in the following situations:
    - a. To protect the officer or another from injury or death.
    - b. To effect the lawful detention or arrest of a non-compliant subject.
    - c. To stop potentially dangerous and unlawful behavior.
    - d. To protect a subject from self-injury.
- B. The Dallas Police Department uses broad standards to measure the justification of an officer's use of physical control techniques.
  - 1. The control techniques used were initiated by a subject's resistance.
  - 2. The level of control used was necessary and reasonable considering the subject's resistance.
- C. A *Show of Control* (displaying tactical advantage to persuade the suspect to comply with verbal commands) is implemented to influence a subject to make positive decisions. A *Show of Control*:
  - 1. Reduces reaction time.
  - 2. Serves as a visual warning of potential use and imparts to a subject that resistance is futile.
  - 3. Adds intermediate steps to the DPD Response Continuum.
  - 4. Can be recalled or de-escalated to lower forms of control.
- D. *Use of Control* is an action that can result in tissue damage to a subject and when employed cannot be recalled, this is to include OC Spray.

##### 901.04 Levels of Subject Resistance

# Dallas Police Department General Order

## 901.00 Response Continuum

Revised 06/05/2023

- A. Psychological Intimidation: Non-verbal clues indicating the subject's attitude, appearance, and physical readiness.
- B. Resistive Dialogue: Verbal responses indicating unwillingness or threats.
- C. Passive Resistance: Physical actions that do not attempt to defeat the officer's attempt to control. The subject will not voluntarily comply with verbal and physical attempts of control.
- D. Defensive Resistance: Physical actions to impede arrest by attempting to prevent officer's control but does not involve attempts to harm the officer. This means there has been physical contact between the officer(s) and the suspect.
  - 1. Fleeing on foot from an officer, who is in full Dallas Police uniform, when the officer has reasonable suspicion and/or probable cause to detain or arrest a subject shall be considered defensive resistance. If the situation allows, the officer will identify themselves as a Dallas Police Officer and command the suspect to "stop".
- E. Active Aggression: Physical actions of assault toward officer. This includes a suspect who attempts to attack, grabs, punches, kicks, and/or wrestles with the officer, or a suspect that displays an obvious imminent intent to attack, grab, punch kick, and/or wrestle with the officer.
- F. Aggravated Aggression: Force which in the manner of its use or attempted use reasonably creates a substantial risk of death or serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

### 901.05 Levels of Control

- A. Officer Presence: Bearing, confidence, poise, and perceivable effectiveness assisting the officer in incident interaction. Officer presence includes two essential elements that are implemented to control the situation from the onset:
  - 1. Cognitive Skills: Information, such as law and procedures, which gives the officer a foundation of preparation for incident interaction.
  - 2. Tactical Control: Use of skills and techniques, such as tactical approach, to avoid confrontation and minimize risk; use of cover support; tactical disengagement, and tactical withdrawal.
- B. Verbal Control: Communication skills used by an officer to enhance escalation prevention during incident interaction. (Commands of direction, control, or arrest.)
- C. Empty Hand Control: Empty hand control techniques depend upon the level of subject resistance. The four categories of empty hand control are:
  - 1. Soft Empty Hand Control (Techniques with a low probability of injury): Joint Locks, Pressure Points, Handcuffing. Note: If handcuffing is used as a control technique and the subject is subsequently not taken into custody, a handwritten or MDT generated MIR must be completed.
  - 2. Oleoresin Capsicum (OC) Spray (Technique that can result in tissue damage, allergic reaction, or respiratory distress).
    - a. Hand held aerosols
    - b. PepperBall area saturation
  - 3. Electronic Control Weapon.
  - 4. Hard Empty Hand Control (Techniques with a probability of injury): Defensive Counterstrikes, Iron Wrist Take-down, and Brachial Stuns (use of personal weapons, i.e.: hands, feet, etc.)
- D. Intermediate Weapons: Use of intermediate weapons is justified for situations when the officer believes empty hand control will be ineffective, inappropriate, or when empty hand control has already failed.
  - 1. The use of intermediate weapons is categorized as follows:
    - a. Soft Intermediate Weapon Control: Impact weapon, joint locks, come-a-longs and blocks.
    - b. PepperBall system-direct contact
    - c. Hard Intermediate Weapon Control: Impact weapon strikes, jabs, and chops.
  - 2. Departmentally authorized batons (refer to General Order 802.23).
- E. Deadly Force: The use of physical control that will cause death or serious bodily injury. Deadly Force will only be employed in accordance with the Department's Deadly Force Policy (refer to Section 906.00).

### 901.06 Variables that Impact the Response Continuum

- A. The Response Continuum emphasizes various levels of control exercised by an officer in response to the levels of resistance exhibited by a subject. The appropriate level of control response will be determined by the facts that are reasonably apparent to the officer at the time of an incident and at the moment that a level of control is initiated.
- B. Officers must take into consideration four variables that impact Response Continuum use. These variable include, but are not limited to, the following:
  - 1. Officer(s)/Subject(s) size, obvious infirmities or disabilities, and age.
  - 2. Environmental conditions.
  - 3. Reaction time.
  - 4. Totality of circumstances.
- C. In all situations, officers will use only those physical control techniques reasonably necessary to control the situation. The Response Continuum provides a probability and not a guarantee that the level of subject resistance will not escalate.



## Dallas Police Department General Order

### 902.00 Chemical Spray and Pepperball Launcher System

Revised 07/22/2020

#### 902.0 CHEMICAL SPRAY AND PEPPERBALL LAUNCHER SYSTEM

##### 902.01 OLEORESIN CAPSICUM CHEMICAL SPRAY (OC SPRAY)

- A. Oleoresin Capsicum Chemical Spray (OC Spray) is classified as hard empty hand control on the DPD Response Continuum. Only OC Sprays authorized by the Dallas Police Department will be used.
- B. Policy: While control of a suspect through advice, warning, or persuasion is preferable, the use of OC Spray is sometimes necessary.
  - 1. Use of OC Spray is justified:
    - a. To control a physically resisting suspect.
    - b. To defend an officer or another person.
    - c. To protect a person from injuring themselves.
    - d. When lesser levels of control are ineffective.
    - e. On physically resisting handcuffed prisoners when a lesser attempt of control is ineffective.
  - 2. OC Spray will not be used on subjects who are using techniques of passive resistance or subjects who are not posing a physical threat to persons or property.
  - 3. Under no circumstances will OC Spray be applied after resistance has ceased.
- C. Tactical Considerations
  - 1. Officers should be aware that the reaction to OC Spray varies from subject to subject and may not establish control.
  - 2. Caution should be used when using OC Spray against a subject in a building or vehicle. Officers must consider cross-contamination of other officers and subjects balanced with the need to control.
  - 3. Caution should be used before OC Spray is used in a health care facility.
  - 4. OC Spray is highly flammable and should not be sprayed into or near an open flame. Use caution after spraying the product. Do not allow sprayed subjects to be exposed to an open flame.
- D. Follow-up Care - Any time resisting or combative subjects are brought under control and handcuffed, place them in an upright seated position, if possible. Subjects may be placed on their side if it is impossible to keep them in an upright position. Officers will monitor subjects until releasing them to a detention facility or medical personnel.
  - 1. Handcuff the subject when it is tactically safe to do so. As soon as it is reasonably safe to do so, check the subject's vital signs (pulse and breathing) to determine any apparent medical difficulties. Place the subject in a sitting position or roll the subject onto his/her side. Do not place in a prone position as it could result in positional asphyxia. Provide constant monitoring of the subject until after transport to the Lew Sterrett Criminal Justice Center or Parkland Hospital.
  - 2. Officers must provide first aid and decontamination to subjects who are sprayed with OC Spray. First aid and general decontamination includes:
    - a. Remove the subject from the contaminated area.
    - b. Expose the subject to fresh air, face in the wind.
    - c. Flush the subject's eyes with water, if available.
    - d. Reassure and encourage subject to remain calm.
    - e. Monitor the subject and look for positive signs of recovery: eyes opening, controlled breathing, calming of the subject.
    - f. If officers do not observe these signs of recovery and believe they have a medical emergency, or they are provided with additional medical information such as heart or respiratory problems, officers should have an MICU come to the scene.
  - 3. Unless hospitalized or field released, sprayed adult subjects will be transported to the Lew Sterrett Justice Center, unless the only charge is Public Intoxication. They will be examined by medical personnel prior to incarceration at the Lew Sterrett Justice Center or transported to Parkland Memorial Hospital for further treatment. Due to a contractual agreement with the City, the Lew Sterrett Justice Center will not accept prisoners whose only charge is Public Intoxication, nor will the medical staff treat prisoners who will not be booked into the Justice Center. Officers will note on the booking sheet that the prisoner has been sprayed with OC Spray, and will inform personnel at Lew Sterrett Justice Center or any other detention facility.
- E. Juveniles who have been sprayed will be provided medical attention by Dallas Fire Rescue (DFR) *prior* to field release or arrival at the Youth Operations Unit.
- F. Reporting Requirements - Officers will complete an Incident Report and provide a brief account of the OC Spray use. Officers will include the date, time, and location. Also, if DFR ambulance is called to the scene, officers will provide the ambulance number and names of medical personnel examining the individual. Officers must report this information using the following:
  - 1. Prepare an Incident Report - applicable when a *Warrants Only Arrest Report* is used. (Write the incident report number in the *Comments* section of the *WARRANTS ONLY Arrest Report* along with the words: *OC Spray Arrest or PepperBall System Arrest*.)
  - 2. A DEARS Arrest Report Narrative - applicable for all other arrests.
  - 3. Prepare an Incident report whenever a sprayed subject is field released. (MICU ambulance number is required along with supervisor name/badge number authorizing the field release.)
- G. Certain precautions must be taken when handling and transporting prisoners suspected of suffering from drug-induced psychosis/excited delirium, especially if OC Spray has been applied. (refer to G.O. 905.00).
- H. Initial Training

# Dallas Police Department General Order

## 902.00 Chemical Spray and Pepperball Launcher System

Revised 07/22/2020

1. Recruit officers will receive initial training while at the Academy. The initial training class is an eight (8) hour course which includes exposure to the chemical spray. Officers completing this class will be certified to carry and utilize the OC Spray.
2. Patrol officers who have not completed this training and wish to carry the OC Spray, should contact the Divisional Training Coordinator to inquire about the next available training class at the Academy. Officers will not carry or utilize the OC Spray until they have completed an initial training class and are certified.
- I. Update Training - All officers certified to carry OC Spray will receive biennial (every two years) update training. This training may be in the form of a Roll Call Training Bulletin or actual "hands-on" training at the Divisional level.

### 902.02 PEPPERBALL LAUNCHER SYSTEM – USAGE AND PROCEDURES

- A. Purpose - To set forth the guidelines for the training, deployment, maintenance, storage, documentation and decontamination procedures of the PepperBall Launcher System.
- B. General Departmental Policy
  1. The Pepperball System is classified as hard empty hand control when used for area saturation and is an intermediate weapon when used as direct contact.
  2. It is the policy of the Dallas Police Department to resolve incidents requiring law enforcement intervention in as humane and safe a manner as reasonably possible. To that extent, the Dallas Police Department will use non-lethal alternatives (PepperBall system in those circumstances that provide for the safe and efficient deployment of less-lethal alternatives as described in this policy.)
- C. Definitions
  1. PepperBall Launcher - a non-lethal force alternative that utilizes compressed air to deliver a non-pyrotechnic projectile. The device can be considered either a chemical irritant (OC) delivery device or impact (kinetic energy) weapon.
  2. PepperBall Projectiles - are plastic spheres filled with 5% Oleoresin Capsicum (OC) powder (red), inert liquid (clear), scented powder for training (purple) and dye marker (green). In addition, a solid glass breakage round is available.
  3. Air Bottle - (SCUBA) Bottle of compressed air used to charge the PepperBall System.
- D. Initial Training Certification
  1. All users of the PepperBall System will attend and successfully complete an approved course of instruction including, but not limited to; familiarity, application, deployment, use of force, transition to primary weapon, maintenance, etc. approved and sanctioned by the Training Section. A written exam and demonstration of proficiency will be completed.
  2. In addition, all users will complete update training every two years in the use and maintenance of the PepperBall System.
- E. Saturation Deployment-Pepperball System
  1. The departmental issued PepperBall launchers are the only PepperBall delivery system authorized to be used by sworn members of the Dallas Police Department. No other delivery system or personal launchers will be carried or used. PepperBall rounds will only be fired from departmental issued PepperBall launchers and will be used only in the line of duty or in approved training. Whenever possible, patrol officers will notify a supervisor when there is an indication by comments of call or officer's prior knowledge of a location or individual, that there may be a potential for conflict and the use of the PepperBall System may be a needed resource at the location.
  2. The PepperBall System may be utilized for saturation in the following situations:
    - a. When it is unsafe for an officer to approach a subject within contact range, or,
    - b. When higher use of force options may be justified, but an opportunity exists for the use of PepperBall System saturation before other options are employed.
    - c. May be used as saturation to disperse unruly or rioting crowds threatening unlawful property damage or physical force. With Pepperball usage, the primary target area (dealing with large crowds) will be the ground. If ground saturation is determined not to be a viable option, or has proven to be ineffective, the wall, building or other fixed object behind or adjacent to a crowd may be considered as a secondary target area. However, if officers decide to fire projectiles at a wall area or fixed object behind or adjacent to a crowd, the officers must ensure that the projectiles are fired well above the heads of individuals in the crowd. In saturation deployment, officers must ensure that the rounds do not make direct hit contact with any of the persons involved.
    - d. Inside a detention-facility (only if requested by the agency in charge) or building, after ample verbal warning, if an inmate or secreted person refuses to comply with a lawful order, and/or the person takes an aggressive posture (i.e. clenched, fists, fight stance, etc.) or makes aggressive movements toward an officer or other person.
  3. In addition, the PepperBall System may be used for area saturation when:
    - a. Deemed necessary to effect the arrest (officer and/or citizen safety)
    - b. The use will prevent the escalation of violence of one person(s) against another or;
    - c. When its use will avoid escalation of force, or,
    - d. To stop or subdue an animal that is aggressive to any person.
  4. The PepperBall System Area Saturation will not be used on subjects who are passively resisting or who are not posing a physical threat to persons/property to include persons fleeing the scene.
- F. Direct Contact Hits – PepperBall System
  1. Direct Contact Hits will be allowed when a subject exhibits violent behavior that threatens the safety of self and/or others and the use of the overall PepperBall System is justified. (Note: Officers must be able to articulate the violent behavior and the perceived threat to self or others).
  2. The PepperBall System should never be used to intentionally target the head, neck, face, eyes, and spine unless deadly force is justified. Under no circumstances will the PepperBall System be applied after resistance has ceased.

# Dallas Police Department General Order

## 902.00 Chemical Spray and Pepperball Launcher System

Revised 07/22/2020

3. Officers will not utilize Direct Contact Hits unless they are involved in a situation which includes Active Aggression towards the officers or others. (Active Aggression is the physical action of an assault towards the officer. This includes one who attempts to attack, grab, punch, kick and/or wrestles with any officer or citizen.)
  - a. Officers need to be aware of changes in the levels of resistance, and coordinate their level of force accordingly.
4. Officers electing to use the PepperBall System to disable a potentially violent suspect should do so with "hard cover" present, when possible. Hard cover is at least one additional officer at the scene, other than the officer deploying with the PepperBall System, who is safely positioned to monitor the actions of the officer and the suspect, and is immediately prepared to respond with lethal force if necessary.
5. Officers must take into consideration the variables that impact Response Continuum use and document in the report. These variables include, but are not limited to:
  - a. The totality of the circumstances
  - b. Officer(s)/Subject(s) age, gender, size, fitness level, skill level
  - c. Number of officers/Number of subjects present
  - d. Special Circumstances – close proximity to a weapon, special knowledge of the situation, injury or exhaustion, ground position, imminent danger
6. Subjects that receive Direct Contact Hits of PepperBall projectiles will receive medical treatment by medical personnel as outlined in General Order 902.00 (D).
7. The solid glass breakage round will not be used for direct hits unless the officer is confronted with a deadly force situation where no reasonable alternatives exist.
8. Firing or deploying Direct Contact Hits into a crowd is prohibited.
  - a. If a crowd creates an immediate danger of injury to persons or damage to property, the Chief of Police or designee may authorize the deployment of other less lethal tools, such as indirect saturation deployment of PepperBall rounds, OC Spray, CS gas, or other chemical agents.
  - b. Officers may utilize the system in one-to-one situations when sure of their target and background.
9. PepperBall system will not be used for any of the following:
  - a. Coercion of any type.
  - b. Escorting or prodding individuals.
  - c. Waking unconscious or intoxicated individuals.
  - d. Individuals operating a moving motor vehicle.
  - e. Horseplay or practical jokes.
  - f. Subjects on elevated platforms, or where immediate immobilization of the subject will cause death or serious bodily injury.
- G. Follow-up Care And Decontamination - Any time resisting or combative subjects are brought under control and handcuffed, place them in an upright seated position, if possible. Subjects may be placed on their side if it is impossible to keep them in an upright position. Officers will monitor subjects until releasing them to a detention facility or medical personnel.
  1. Handcuff the subject when it is tactically safe to do so. As soon as it is reasonably safe to do so, check the subject's vital signs (pulse and breathing) to determine any apparent medical difficulties. Place the subject in a sitting position or roll the subject onto his/her side. Do not place in a prone position as it could result in positional asphyxia. Provide constant monitoring of the subject until after transport to the Lew Sterrett Criminal Justice Center or Parkland Hospital.
  2. Subjects that receive direct contact of Pepperball projectiles will receive medical treatment by medical personnel. First Aid and General Decontamination will include:
    - a. Remove the subject from the contaminated area.
    - b. Expose the subject to fresh air, face in the wind.
    - c. Flush the subject's eyes with water, if available.
    - d. Reassure and encourage the subject to remain calm.
    - e. Monitor the subject and look for positive signs of recovery: eyes opening controlled breathing, calming of the subject.
    - f. If officers do not observe these signs of recovery and believe they have a medical emergency, or they are provided with additional medical information such as heart or respiratory problems, officers should have an MICU come to the scene.
    - g. If the Pepperball System is utilized, officers should not allow the subject to rub their face. Officers can assist in decontamination by brushing residual OC powder from the subject's clothing. Offices should use gloves and stand upwind from the subject to briefly brush OC powder from the subject's clothing.
  3. Unless hospitalized or field released, adult subjects under arrest and exposed to OC powder will be transported to Lew Sterrett Justice Center, unless the only charge is Public Intoxication. They will be examined by medical personnel prior to incarceration at the Lew Sterrett Justice Center or transported to Parkland Memorial Hospital for further treatment. Due to a contractual agreement with the City, the Lew Sterrett Justice Center will not accept prisoners whose only charge is Public Intoxication, nor will the medical staff treat prisoners who will not be booked into the Justice Center. Officers will note on the booking sheet that the prisoner has been exposed to OC powder and will inform personnel at Lew Sterrett Justice Center or any other detention facility.
  4. Juveniles who have been exposed will be provided medical attention by Dallas Fire Rescue (DFR) prior to field release or arrival at the Youth Operations Unit.
- H. Reporting Requirements – Officers will complete an Incident Report and provide a brief account of the use of the Pepperball System. Officers will include the date, time, and location. Also, if DFR ambulance is called to the scene, officers will provide the ambulance number and names of medical personnel examining the individual. Officers will provide a detailed description of the decontamination process, the number of projectiles deployed, as well as any observed or reported injuries. Officers must report this information by using the following:
  1. Prepare an Incident Report – applicable when a *Warrant's Only Arrest Report* is used. (Write the incident report number in the *Comments* section of the WARRANTS ONLY Arrest Report along with the words: OC Spray Arrest or Pepperball System Arrest.)

# Dallas Police Department General Order

## 902.00 Chemical Spray and Pepperball Launcher System

Revised 07/22/2020

2. A DEARS Arrest Report Narrative – applicable for all other arrests.
  3. Prepare an Incident Report whenever a subject is being field released and the subject has been directly or indirectly exposed to usage of the Pepperball System. Officers must include the supervisor name/badge number that is authorizing the field release.
  4. In addition to the above reporting requirements, officers will complete the Taser/Pepperball Incident Report Form before the end of tour of duty and forward it through the chain of command.
- I. Considerations
1. Certain precautions must be taken when handling and transporting prisoners suspected of suffering from drug-induced psychosis/excited delirium, especially if the Pepperball System was used. (Officers should refer to General Order 905.00.)
  2. Prior to firing the PepperBall launcher, when possible and practical, the officer should give loud verbal commands to the targeted suspect ordering him to comply with the officer's instructions. The officer also announces to other officers present that he will be deploying "PEPPERBALL". This information helps communicate the officer's intentions and minimizes the likelihood of sympathetic fire from the other officers.
  3. Sworn members should remain aware that the effects of the OC powder may vary between individuals; therefore, they must remain alert to the possibility that other means may be necessary to subdue the offender.
  4. When deploying the PepperBall System to saturate an area or when directed at offenders, officers should consider environmental issues such as wind and rain and be aware of accidental contamination of other officers and bystanders.
  5. Deploying officers must always be aware of their target and background and are responsible for every round fired.
- J. Training
1. All sworn personnel who are certified to carry the Pepperball System will receive recertification training and qualify every two years.
  2. This training will be monitored by a certified Pepperball System instructor and documented on the employees training record.
  3. Any employee that fails proficiency training will immediately be remediated. If the employee fails after remediation, he/she will be suspended from carrying the Pepperball System until he/she successfully completes the proficiency training.
  4. It will be the responsibility of the supervisor over the Pepperball System to complete a memo to the employee's chain of command documenting suspension of authorization to carry the Pepperball System.
  5. When the employee successfully passes proficiency training, the Pepperball supervisor will document the fact in a memorandum to the employee's chain of command.
- K. Maintenance
1. Each Division/Unit will designate a coordinator that will be the armorer. Division/Unit coordinators will have the following responsibilities:
    - a. Sworn members shall not alter, adjust, or modify the Pepperball launcher in such a way as to change the pressure, the velocity of the rounds, or the basic design of the launcher. The addition of lights and or sights may be added at the discretion of the designated Departmental Pepperball Training Coordinator. (This individual is designated by the Training Section).
    - b. The Division/Unit Coordinator will conduct semi-annual inspections of the launchers and maintain it in a state of operational readiness. Documentation of the inspections will be forwarded to the Division Commander for review and retention.
    - c. If the PepperBall launcher has any repair problems that cannot be taken care of at the divisional level, the designated Departmental PepperBall Training Coordinator will have the final authority to take the weapon out of service and return it to the appropriate manufacture.
  2. Exterior - To clean the exterior, use a towel dampened with water to wipe off oil or debris. DO NOT use any cleaning solvents.
  3. Internal
    - a. Periodically applying the supplied oil on the exposed O-ring of the air bottle and to the internal O-ring of the bolt will keep the system operating efficiently.
    - b. To lubricate the launcher, use a few drops of lubricating oil on the front bolt, rear bolt O-ring, linkage arm and bottle O-ring.
  4. Air Bottle
    - a. Officers utilizing the Pepperball System will visibly inspect the air bottle pressure at the start of the shift to ensure proper pressure.
    - b. If the air bottle pressure is less than 750 pounds of pressure, the officer who the system is assigned will re-pressurize the air bottle to its maximum pressure immediately.
    - c. As with any high-pressure system, caution must be exercised to prevent a hazardous situation. The High Pressure Air Tanks for refilling bottles to power the SA200 will be kept in a secure location. Everyone who has attended the PepperBall Certification course will be qualified to charge his/her own bottle, but for increased safety, will wear the provided safety glasses when recharging.
    - d. NOTE: Before doing any cleaning or maintenance, remove the air bottle from the launcher system. SCUBA tanks are required to be visually inspected each year, and hydrostatically tested every five (5) years. Each SCUBA tank should have a label that determines the inspection schedule for the tank.
  5. Storage
    - a. PepperBall launchers are issued to qualified officers at the beginning of each duty shift. The launchers and ammunition should be inspected prior to being secured in the police vehicle. PepperBall launchers should be stored in a protective case and secured in a police vehicle when checked out by a qualified officer. PepperBall launchers should be stored in a protective case in a secured area when not checked out for use.

**Dallas Police Department General Order**  
**902.00 Chemical Spray and Pepperball Launcher System**

Revised 07/22/2020

- b. When checked out by an officer for patrol use, the PepperBall launchers should be stored with the bolt forward, magazine tube or hopper empty, and the safety "on". PepperBall launchers should be loaded, used, and rendered safe in accordance with the procedures outlined in the PepperBall training course.



## Dallas Police Department General Order

### 903.00 Use of Restraining Holds

Revised 6/4/2020

#### 903.00 USE OF RESTRAINING HOLDS

##### 903.01 Team Take-Down Contact Control

- A. If there are multiple officers at the scene, the Team Take-Down method is an effective restraining hold for controlling violent subjects.
- B. This restraining hold consists of each officer controlling one limb of the subject with the officer's body weight, until the subject can be handcuffed. A fifth officer can immobilize the subject's head, if necessary, to prevent injury.
- C. Follow-up Care - Officers are responsible for rendering first aid to injured subjects (refer to Section 901.01 E).
- D. In the Arrest Report narrative, the arresting officers will document the use of the Team Take-Down Contact Control.

##### 903.02 LVNR (Lateral Vascular Neck Restraint)

Effective August 4, 2004, the lateral vascular neck restraint, or any other force that is intended to restrict a person's airway or blood flow to the brain, is no longer a part of the department's use of force continuum and is not authorized. An exception to the use of the LVNR or any other means of defense is a deadly force situation.



## Dallas Police Department General Order

### 904.00 Impact Weapons

Revised 11/03/2015

#### 904.00 IMPACT WEAPONS

- A. Impact weapons are categorized as Intermediate Weapons. The use of impact weapons is justified for situations when the officer believes empty hand control is ineffective or inappropriate.
- B. The use of intermediate weapons is categorized as:
  - 1. Soft Intermediate Weapon Control: Impact weapon, joint locks, come-a-longs and blocks.
  - 2. PepperBall System – Direct Contact Procedures for training and deployment are outlined in Patrol SOP 1937.
  - 3. Hard Intermediate Weapon Control: Impact weapon strikes, jabs, and chops.
- C. Officers may carry any Departmentally authorized baton after completing the required training course and maintaining certification. (G.O. 802.23)
- D. Officers will not carry knuckles, slappers, or blackjacks.
- E. Flashlights are not designed as impact weapons and normally will not be used as a self-defense tool.
- F. Officers are responsible for rendering first aid to injured subjects (refer to G.O. 901.01 D).



## Dallas Police Department General Order

### 905.00 Drug Induced Psychosis/Excited Delirium

Revised 03/12/2014

#### 905.00 HANDLING SUSPECTS EXHIBITING SYMPTOMS OF DRUG-INDUCED PSYCHOSIS/EXCITED DELIRIUM, OR A PSYCHOTIC EPISODE

- A. Individuals who are suffering from drug-induced psychosis/excited delirium often exhibit these types of behavior:
  1. Hallucinations
  2. Sensitivity to light
  3. Paranoia
  4. Delusions of persecution
  5. Unusually great strength
  6. Aggression toward objects
  7. Extremely high body temperature (Hyperthermia)
  8. Dilated pupils
  9. Undressing in public
  10. Hiding behind bushes, trees, or cars
  11. High blood pressure
  12. High pulse rate
  13. Seizures
  14. Thrashing after restraint
  15. Jumping into water
  16. Self-inflicted injury
- B. Subjects suffering from this disorder may collapse and die without warning, and are subject to medical distress within an hour after being restrained. Subjects will be placed in an upright position (if possible) or on their side as soon as they are brought under control.
- C. Immediately upon recognition by responding officers that a subject is in a state of excited delirium, officers will advise dispatch of the condition and request Dallas Fire Rescue, a supervisor, and additional cover elements. Officers will treat the arrest of a subject as a medical emergency. Officers will not delay the transport of a subject while waiting for supervisory approval. The subject will be transported to a medical facility by Dallas Fire Rescue ambulance. In all instances, an officer will ride in the rear of the ambulance to the medical facility with the subject. Persons believed to be suffering from drug-induced psychosis/ excited delirium will be continuously monitored by police personnel. Such subjects are not to be left unattended at any time. Supervisors will respond to the call location or will meet the officer and subject at the medical facility where the subject is transported.
- D. All actions taken to subdue a subject believed to be suffering from drug-induced psychosis/excited delirium will be thoroughly documented in all offense/incident and arrest reports. Officers will also document their observations of the subject's condition, which Dallas Fire Rescue ambulance transported the subject, and where medical treatment was received.
- E. If a subject that has been physically restrained, handcuffed or taken into custody and is transported to a medical facility after experiencing a medical emergency, the arresting or transporting officers will notify the on-call Special Investigation Unit (SIU) supervisor.



## Dallas Police Department General Order

### 906.00 Use of Deadly Force

Revised 09/09/2020

#### 906.00 USE OF DEADLY FORCE

##### 906.01 Philosophy

- A. This philosophy is intended as a broad guide to the use of deadly force and as a moral and ethical approach to the use of deadly force policy. Although not intended as a strictly enforced set of rules, the philosophy statement describes the manner in which the procedures will be applied.
- B. Protection of human life is a primary goal of the Police Department; therefore, police officers have a responsibility to use only the degree of force necessary to protect and preserve life.
- C. Deadly force will be used with great restraint and as a last resort only when the level of resistance warrants the use of deadly force. The Dallas Police Department places a greater value on human life than on the protection of property; therefore, the use of deadly force is not allowed to protect property interests.

##### 906.02 Use of Deadly Force Policy

- A. Justification for the Use of Deadly Force -In all situations, justification for the use of deadly force must be limited to the facts reasonably apparent to the officer at the time the officer decides to use the force.
- B. Definitions
  1. Reasonably Perceive - The facts or circumstances the employee knows, or should know, that would cause an ordinary and prudent peace officer to act or think in a similar way under similar circumstances.
  2. Reasonable Alternative - An action that may be taken by the officer that may allow the officer to avoid the use of deadly force.
  3. Reasonable Belief - A belief that would be held by an ordinary and prudent person in the same circumstances as the actor.
  4. Serious Bodily Injury - Bodily injury that creates a substantial risk of death, serious permanent disfigurement, or protracted loss of impairment of the function of any bodily member or organ.
- C. Avoiding the Use of Deadly Force
  1. At the point when an officer should reasonably perceive the potential exists that deadly force may be an outcome of any situation, the officer must use reasonable alternatives if time and opportunities permit. The reasonableness of the action is based upon the time available, the opportunity of performing the action, and the facts apparent to the officer prior to and during the incident.
  2. Planned and supervised hazardous entry situations are recognized as meeting the requirements of reasonable alternatives above.
  3. Officers will not fire their weapons under conditions that would unnecessarily subject bystanders or hostages to death or possible injury except to preserve life or to prevent serious bodily injury.
- D. Authorization to Use Deadly Force -Officers will only use deadly force to protect themselves or another person from imminent death or serious bodily injury.
- E. Verbal Warning – Before using deadly force, if feasible, officers shall identify themselves as peace officers and audibly command the subject to submit to their authority or deadly force may be used.
- F. Drawing or Displaying Firearms - Officers may draw or display firearms when there is a threat or reasonable belief that there is a threat to life or they have a reasonable fear for their own safety and/or the safety of others.
- G. Discharging Firearms at Moving Vehicles -
  1. Discharging firearms at a moving or fleeing vehicle is prohibited unless:
    - a. Deadly force is being used against an officer, or another person, by means other than the vehicle (e.g. an occupant is shooting from the vehicle); or,
    - b. The vehicle is being used as a weapon to inflict mass casualties (e.g. a truck driving through a crowd).
  2. Officers will not voluntarily place themselves in a position in front of an oncoming vehicle where deadly force is a probable outcome.
  3. When confronting an oncoming vehicle, officers will move out of its path, if possible, rather than fire at the vehicle.
- H. Officers will not fire warning shots.
- I. Policy Restrictions - The restrictions of this policy shall not apply if an off-duty officer acts within the provisions of current state statutes to protect the employee's personal property. In this case the officer is acting as a private citizen.



# Dallas Police Department General Order

## 907.00 Electronic Control Weapon

Revised 08/05/2022

### 907.00 ELECTRONIC CONTROL WEAPON

#### 907.01 Definitions

- A. Electronic Control Weapon (ECW) – a less-lethal force alternative designed to use propelled wires or direct contact to conduct energy to affect the sensory and/or motor functions of the nervous system.
- B. Cartridge – uses a non-flammable propellant. The probes and wires are contained within the cartridge and each cartridge is marked with an individual serial number.
- C. Automatic shutdown Performance Power Magazine (APPM) – A power supply that will automatically stop the discharge cycle after 5 seconds even if the trigger is held down past the cycle.
- D. ECW Coordinator – Divisional employee responsible for the upkeep, functionality and auditing of the ECW assigned to their divisional personnel. This employee must be a certified ECW instructor.

#### 907.02 General Departmental Policy

- A. It is the policy of the Dallas Police Department to resolve incidents requiring law enforcement intervention in as humane and safe a manner as reasonably possible.
- B. To that extent, the Dallas Police Department will use less lethal alternatives (ECWs) in those circumstances that provide for the safe and efficient deployment of less-lethal alternatives as described in this policy.
- C. The ECW is a less lethal weapon system that delivers electrical energy and is designed for the purpose of subduing persons who are exhibiting signs of defensive resistance in arrest situations without causing serious injury or death.
- D. The ECW may be used in the following instances:
  - 1. Subjects who display defensive resistance with physical actions to impede arrest by attempting to prevent officer's control, but does not involve attempts to harm the officer. This means there has been physical contact between the officer(s) and the subject (Defensive Resistance);
  - 2. Subjects who aggressively assault the officer in a less than deadly force manner (Active Aggression); and
  - 3. Subjects who threaten or attack an officer (or another) with force, which the officer believes could result in serious injury.
- E. All officers need to be aware of changes in the levels of resistance, and coordinate their level of force accordingly. All uses of force must be justified and all pertinent information should be documented including such possible factors as:
  - 1. The severity of the crime
  - 2. Whether the subject poses an immediate threat to the safety of themselves or others
  - 3. Does the subject have a history of violent behavior?
- F. The deployment of the ECW may be used in arrest situations where the subject's level of force is Defensive Resistance or higher.
- G. Certified ECW users may draw or display their ECW when there is a threat or reasonable belief that there is a threat of Defensive Resistance.

#### 907.03 Authorization and Training

- A. The departmental issued ECW, equipped with Automatic shutdown Performance Power Magazine (APPM), is the only ECW authorized to be used by trained and certified members of the Dallas Police Department. No other ECW will be carried or used. Members certified to use an ECW may purchase the Departmentally approved ECW with Automatic shutdown Performance Power Magazine (APPM) from TASER International to carry during their shift. Certified ECW users are required to use only Departmental issued cartridges and must surrender their ECW upon request for data downloads. Approved ECWs will only be used in the line of duty or in approved training with a certified instructor present.
- B. All users of the ECW will attend an initial course of instruction including, but not limited to, familiarity, application, deployment (physical competency), use of force, transition to primary weapon, and maintenance approved and sanctioned by the Training Section. Initial instruction will also include successful completion of a written examination and demonstration of proficiency with retention skills. Members will not be allowed to carry or use an ECW without successfully completing the initial course of instruction, including the physical competency exam.
- C. To maintain certification, all users will be re-qualified in the use of the ECW every year. Failure to successfully complete re-qualification would require a member to attend another certification course in order to become certified again.
- D. Departmental Personnel who are certified to use and are issued an ECW are required to carry an ECW while in a uniformed police capacity.

#### 907.04 Use and Deployment

- A. A reasonable person standard will be applied when controlling a subject through the use of ECW force. While control of a subject through advice, warning, or persuasion is preferable, the use of an ECW is sometimes necessary.
  - 1. Use of an ECW is justified:
    - a. To control a physically resisting subject displaying Defensive Resistance
    - b. To defend an officer or another person from an Actively Aggressive subject
    - c. To protect a person from seriously injuring themselves
    - d. To stop or subdue an animal that is aggressive to any person

# Dallas Police Department General Order

## 907.00 Electronic Control Weapon

Revised 08/05/2022

2. When deploying an ECW at a Defensive Resistance subject, a certified ECW user should give a warning to the subject, when appropriate, that will include advising the subject that they are under arrest and an ECW may be used if they are non-compliant.
  3. Cautious Subjects: Unless there are compelling reasons that can be clearly articulated, ECWs should not be used on:
    - a. Handcuffed Prisoners
    - b. Pregnant Women
    - c. Elderly
    - d. JuvenilesThe deployment of a ECW on such individuals should only be done in extreme circumstances where based upon the situation that the officer encounters no other less or equal levels of control may be reasonably applied or have proven ineffective, and the continued actions of the subject place the officer, subject, or another person in imminent danger of serious injury or death.
  4. Length and number of exposures: The number of ECW cycles should be based upon the immediate threat of the subject's actions. The officer should only use the minimum number of ECW cycles to affect the arrest of the subject safely.
  5. Under no circumstances will any ECW be deployed after resistance has ceased.
  6. ECWs WILL NOT be used on subjects who are using techniques of passive resistance.
  7. ECWs WILL NOT be used for any of the following:
    - a. Coercion of any type
    - b. Escorting or prodding individuals
    - c. Waking unconscious or intoxicated individuals
    - d. Individuals operating a moving motor vehicle
    - e. Handcuffed prisoners who are not physically resisting
    - f. When the subject has come in contact with flammable liquids or is in a flammable atmosphere
    - g. When the subject is in an elevated position where a fall may cause serious injury or death
    - h. Horseplay or practical jokes
    - i. Subjects in deep water
    - j. In conjunction with alcohol-based OC spray
  8. Anytime an ECW is deployed by an officer, with the exception of a controlled function check, a supervisor will be notified and will respond to the scene.
- B. ECWs should never be used to intentionally target the head, neck, face, eyes, spine, or groin unless deadly force is justified. Certified ECW users should aim at lower center mass if possible.
- C. Certified ECW users should be cognizant that other agencies or citizens may, at any point, introduce the use of an alcohol based OC spray.
- D. Two or more certified ECW users will not intentionally deploy their ECW simultaneously at the same subject at the same time.
- E. Once an ECW has been deployed, the user is required to notify a supervisor. The supervisor will respond to the location and follow General Order 317.00 procedures in any serious injury or death incidental to ECW usage.

### 907.05 Tactical Considerations

- A. Certified ECW users electing to use an ECW to disable a potentially violent subject should do so with "hard cover" present, when possible. "Hard cover" is at least one additional officer at the scene, other than the officer deploying the ECW, who is safely positioned to monitor the actions of the officer and the subject, and is prepared to respond with deadly force if necessary.
- B. Certified ECW users deploying an ECW will announce deployment of the device to prevent contagious fire to other officers. Certified ECW users will also provide loud verbal commands to the subject, when possible and practical, ordering him/her to comply with the ECW user's instructions. As a standard practice prior to deploying the ECW, certified users should announce the words "TASER, TASER" to alert others of the impending use of the weapon.
- C. All ECW users should be aware that the reaction to the electrical impulses varies from subject to subject and may not establish control and should be prepared to use alternative force options.
- D. Certified ECW users should be aware of and assess the background and surroundings of their location, as well as the subjects, before deploying an ECW.
- E. DO NOT fire the ECW near flammable liquids and fumes. An ECW can ignite gasoline or other flammables. Some self-defense OC sprays use flammable carriers like alcohol and could be dangerous to the arrested person and the officers to use in immediate conjunction with an ECW.
- F. The ECW is equipped with a "Drive-Stun" follow up capability. The use of the "Drive-Stun" follow up is authorized only if the overall use of the ECW is justified. If time allows, the ECW operator should attempt to reload and reengage with the provided spare cartridge. The "Drive-Stun" follow up should only be used with the cartridge in place and only in extenuating circumstances, i.e., completing the circuit. Target areas for the use of the "Drive-Stun" follow up will include muscle or nerve points on the front, back, side, legs, and arms.
- G. Employees shall not alter, adjust, or modify the ECW in such a way as to change the pressure, the velocity of the probes, or the basic design of the weapon.
- H. When a subject takes a member's ECW or the subject is armed with their own ECW and attacks or threatens to attack an officer, the officer may defend themselves to avoid becoming incapacitated and risking the possible loss of their firearm. When possible, officers should attempt to move outside the ECW's range and seek cover as well as back away to mitigate the danger.

### 907.06 Follow Up Care

Any time resisting or combative subjects are brought under control and handcuffed, place them in an upright seated position, if possible. Subjects may be placed on their side if it is impossible to keep them in an upright position. Officers will monitor subjects until releasing them to a detention facility or medical personnel.

# Dallas Police Department General Order

## 907.00 Electronic Control Weapon

Revised 08/05/2022

- A. Handcuff the subject when it is tactically safe to do so. As soon as it is reasonably safe to do so, check the subject's vital signs (pulse and breathing) to determine any apparent medical difficulties. Place the subject in a sitting position or roll the subject onto his/her side. Do not place in a prone position as it could result in positional asphyxia. Provide constant monitoring of the subject until released to a detention facility or medical personnel.
- B. Subjects that are subjected to an ECW will receive medical treatment. Treatment includes:
  - 1. Reassure and encourage subject to remain calm.
  - 2. Monitor the subject and look for signs of recovery: controlled breathing, calming of the subject.
  - 3. Certified ECW users will call for an MICU to respond to the scene to provide a medical evaluation and/or treatment.
  - 4. ECW probes should be removed as soon as possible. ECW probes that are imbedded in a subject's skin (as opposed to just clothing), shall only be removed by certified ECW users, Fire Rescue personnel, or other medical personnel. Certified ECW users shall not remove probes that are embedded in a subject's head, throat, groin, female breast area, or any other sensitive area. Fire Rescue or other medical personnel will remove these probes. Probes that have penetrated a person's skin shall be considered a biological hazard and shall be handled with the appropriate care. Certified ECW users should wear latex gloves while removing probes.
- C. Adults exposed to an ECW will be seen by MICU and then transported to a medical facility for further treatment if necessary. Adults charged with Public Intoxication will be seen by an MICU before being taken to City Detention Center. Law Sterrett Justice Center and City Detention Center personnel will be advised that the prisoner being booked has been exposed to an ECW. This information will also be noted in the booking sheet by the transporting officer.
- D. Juveniles who have been exposed to an ECW will be provided medical attention by an MICU prior to arrival at the Youth Services Section.

### 907.07 Reporting and Administrative Requirements Regarding the Use of the ECW

- A. Certified ECW users will articulate an account of all ECW deployments and provide a brief account of the ECW used (including the ECW's serial number and the spent cartridge serial number). The certified ECW user will also include the date, time, location, the name of the medical personnel examining the individual and if applicable, the MICU ambulance number. If an ECW is deployed, a certified ECW user will also give a detailed description of number of cartridges fired; number and length of energy bursts, as well as any observed or reported injuries. In ALL situations where an ECW is deployed and a cartridge is fired or a drive stun was done, a Response to Resistance BlueTeam Form must be completed and forwarded through the certified ECW user's chain of command. Certified ECW users must report this information using one of the following:
  - 1. Arrest Report Narrative
  - 2. A handwritten or MDT generated Injured Person/ECW Offense Report will be prepared when circumstances dictate that an Arrest Report will not be prepared.
  - 3. First-line supervisor shall be notified in all instances wherein the ECW has been utilized. The supervisor shall respond to the scene and conduct an inquiry into the incident. This inquiry shall include, but not be limited to, a review of the evidence, interviews of witnesses, and an interview of the subject. The supervisor shall also notify a watch commander or acting watch commander of the incident and ensure that a Response to Resistance BlueTeam Form is completed.
  - 4. In all situations where a cartridge is deployed or a subject is exposed to a drive stun follow up with the ECW, a Response to Resistance BlueTeam Form will be completed.
  - 5. The supervisor will ensure that all necessary physical evidence is gathered, processed and stored according to Property Unit S.O.P. Evidence will include the spent cartridge, and probes. AFIDS tags may be retrieved at the discretion of a supervisor or the Crime Scene Section. If an arrest report is completed, all of the ECW information should be entered in the arrest report. The arrest report charge should be placed in the "offense" space of the property tag.
  - 6. An ECW deployment involving an animal will require the ECW user to complete a Response to Resistance BlueTeam Form.
- B. Data Downloads
  - 1. Each time an ECW is deployed, an ECW Coordinator will download the data of the ECW used and save a copy of the report. This report should be forwarded with a Response to Resistance BlueTeam Form through the division's chain of command.
  - 2. Semi-Annual audits of each ECW will be conducted by the ECW Coordinator for each Division.
  - 3. The audit will then be forwarded for review to the Bureau Commander.
  - 4. Each Division Commander will designate a certified ECW instructor as the Divisional ECW Coordinator, who is a sworn employee, that will conduct semi-annual inspections of all ECWs assigned to their respective division. If the designee has any repair problems that cannot be taken care of at the divisional level, the Use of Force Less-Lethal Team will have final authority to take the weapon out of service and return it to the Quartermaster Unit.
  - 5. The ECW will remain in service with the issued user after a deployment. Unless it is deemed by an investigative unit that it should be placed in evidence, CSRU will take custody and place the ECW in the property room. The officer should obtain replacement cartridges from the divisional supply before returning to duty.

### 907.08 Accidental Discharges

- A. Certified ECW users will be held accountable for every trigger pull of the ECW.
- B. If an accidental discharge occurs, a supervisor will be called to respond to the scene. A divisional review of the incident will be conducted for all discharges where there was no contact made or if there were no injuries. If the discharge results in serious bodily injury or death to any person or the field supervisor determines there has been a gross violation of policy, Internal Affairs Division will be called to respond to the scene.

**Dallas Police Department General Order**  
**907.00 Electronic Control Weapon**

Revised 08/05/2022

- C. If an accidental discharge occurs and a person is struck, the certified ECW user must prepare an "Injured Person/ECW" offense report, a Lost or Damaged Property BlueTeam report, a Response to Resistance BlueTeam report if the injured person is not a departmental employee, and the property tag will contain this offense title in the appropriate space. A Damaged Property RMS report will also be completed for the loss of the ECW cartridge.
- D. If an accidental discharge occurs and no person is struck, the ECW Coordinator should take a completed copy of the Lost or Damaged BlueTeam report to the Quartermaster for a new cartridge.
- E. In any accidental discharge, a Lost or Damaged Property BlueTeam report must be completed by the officer and sent to the officer's sergeant. The sergeant will do a Division Recommendation for accountability report and send the BlueTeam entry to the Divisional ECW Coordinator. The Divisional ECW Coordinator will conduct or coordinate remedial training on the use of the ECW. After completion of the remedial training, the Divisional ECW Coordinator will document the training in the BlueTeam entry and forward to the respective Watch Commander. After review, the Watch Commander will forward the Lost or Damaged Property BlueTeam report to the employee's Division Commander for review.

**907.09 Storage and Other Precautions**

- A. An ECW and two cartridges are issued to certified ECW user. The ECW should be inspected and a function check should be done weekly. The ECW will be carried on the certified user's duty belt and should never be left unsecured. The ECW will be stored in an approved holster.
- B. ECWs should be loaded, used, and rendered safe in accordance with the procedures outlined in the ECW training course.
- C. Divisional ECW Coordinators will be responsible for ordering extra cartridges and batteries through the Quartermaster.
- D. The Use of Force Less-Lethal Team will maintain a database on each ECW. The database should contain the model and serial number of the ECW, and the certified ECW user's name.



## Dallas Police Department General Order

# 908.00 40MM “Stinger” Less Lethal Launcher System

Revised 07/22/2020

### 908.00 40 MM “STINGER” LESS LETHAL LAUNCHER SYSTEM

#### 908.01 Definitions

- A. 40mm Less Lethal “Stinger” – a less lethal force alternative that discharges a plastic based projectile with the top made of a foam material.
- B. “Stinger” round – A foam topped or tipped projectile discharged by the 40MM Less Lethal System
- C. 40MM Coordinator – Divisional employee responsible for the distribution, upkeep, functionality and auditing of the 40MM “Stinger” Less Lethal System assigned to their Division.
- D. Reasonable Person Standard – Facts or circumstances the employee knows, or should know, are such as to cause an ordinary and prudent peace officer to act or think in a similar way under similar circumstances. “Reasonableness” is subject to review and determination by the chain of command.
- E. “Freelancing”- Undirected and unsupervised individual actions by officers on a scene.
- F. Controlling Supervisor – The supervisor that responds to the scene of the incident.
- G. Defensive Resistance- Physical actions to impede arrest by attempting to prevent officer's control, but does not involve attempts to harm the officer. This means there has been physical contact between the officer(s) and suspect. Simply running from officers who have not made any previous physical contact with the suspect does not constitute defensive resistance.
- H. Active Aggression- Physical actions of assault toward officer. This includes a suspect who attempts to attack, grabs, punches, kicks, and/or wrestles with the officer.

#### 908.02 General Departmental Policy

- A. It is the policy of the Dallas Police Department to resolve incidents requiring law enforcement intervention in as humane and safe a manner as reasonably possible.
- B. To that extent, the Dallas Police Department will use less lethal alternatives, “Stingers”, in those circumstances that provide for the safe and efficient deployment of less lethal alternatives as described in this policy.
- C. The 40MM “Stinger” Less Lethal Launcher System is a less lethal Launcher System that delivers kinetic energy through a foam topped projectile and is designed for the purpose of subduing persons who are actively resisting arrest while minimizing serious injury or death.
- D. Officers need to be aware of changes in the levels of resistance, and coordinate their level of force accordingly. All use of force must be justified, reasonable, and all pertinent information should be documented including such possible factors as:
  - 1. The severity of the crime
  - 2. Whether the suspect poses an immediate threat to the safety of themselves or others.
  - 3. Does the suspect have a history of violent behavior?
- E. Officers may draw or display the 40MM “Stinger” Less Lethal Launcher System when there is a threat or reasonable belief that there is a threat of active aggression or defensive resistance as outlined in 901.03. This means the officer may draw or display the 40MM “Stinger” Less Lethal Launcher System at a lesser level if the suspect's actions, or words, reasonably lead the officer to believe that the situation is likely to escalate to the defensive resistance level.
- F. Multiple launchers may be used at one suspect, if necessary.

#### 908.03 Authorization and Training

- A. The departmental issued LMT 40MM “Stinger” Less Lethal Launcher System is the only less lethal projectile System authorized to be used by trained and certified sworn members of the Dallas Police Department. All 40MM “Stinger” Less Lethal Launcher Systems will only be used in the line of duty or in approved training with a certified instructor present.
- B. All users of the 40MM “Stinger” Less Lethal Launcher System will attend an initial 8 hour course of instruction including, but not limited to familiarity, application, deployment (physical competency), use of force, transition to primary Launcher and maintenance approved and sanctioned by the In-Service Academy Less Lethal Team. Initial instruction will also include successful completion of a written examination and demonstration of proficiency with retention skills. Officers will not be allowed to carry or use a 40MM “Stinger” Less Lethal Launcher System without successfully completing the initial eight hour course of instruction, including the physical competency exam.
- C. To maintain certification, all users will be re-qualified in the use of the 40MM “Stinger” Less Lethal Launcher System every year. Failure to successfully complete re-qualification would require an officer to attend another 8 hour certification course in order to become certified again.
- D. All training will be maintained on the officer's Departmental training record.
- E. Officers who are certified to use the 40MM “Stinger” Less Lethal Launcher System and have been issued an 40MM “Stinger” Less Lethal Launcher System will be required to carry the 40MM “Stinger” Less Lethal Launcher System while on duty. The 40MM “Stinger” Less Lethal Launcher System will also be available for check out to certified users at the divisional level. Sergeants should ensure that only those officers who have successfully completed the 40MM “Stinger” Less Lethal Launcher System certification course are issued a 40MM “Stinger” Less Lethal Launcher System.
- F. Supervisors assigned to a Patrol Division should attend the 40MM “Stinger” Less Lethal Launcher System certification course. Supervisors should not be designated as primary carriers of the 40mm “Stinger” Less Lethal Launcher and will only deploy the “Stinger” in situations where another supervisor is controlling the situation or emergency circumstances require it.

# Dallas Police Department General Order

## 908.00 40MM “Stinger” Less Lethal Launcher System

Revised 07/22/2020

### 908.04 Use and Deployment

- A. Officers will notify a supervisor, if time allows, when there is an indication by comments of the call or officer’s prior knowledge of a location or individual, that there may be a potential for conflict and the use of a 40MM “Stinger” Less Lethal Launcher System may be a needed resource at the location.
- B. A reasonable person standard will be applied when controlling a suspect through the use of 40MM “Stinger” Less Lethal Launcher System. While control of a suspect through advice, warning, or persuasion is preferable, the use of a 40MM “Stinger” Less Lethal Launcher System is sometimes necessary.
  1. Use of a 40MM “Stinger” Less Lethal Launcher System is justified:
    - a. To control a physically resisting suspect displaying Defensive Resistance with a weapon (example – person is non-compliant with a weapon but not actively aggressive).
    - b. To defend an officer or another person from a subject displaying Active Aggression.
    - c. To protect a person from seriously injuring themselves.
    - d. To stop or subdue an animal that is aggressive to any person.
    - e. To deny a violent or dangerous subject from moving to an area that is potentially more dangerous to himself or others (example – a subject moving towards a bridge, freeway, or armed subject moving towards citizens).
  2. Cautious Subjects: Unless there are compelling reasons that can be clearly articulated, 40MM “Stinger” Less Lethal Launcher System should not be used on:
    - a. Handcuffed Prisoners
    - b. Obviously pregnant subjects
    - c. Known Senior Citizens
    - d. Known juveniles- The deployment of a 40MM “Stinger” Less Lethal Launcher System on such individuals should only be done in extreme circumstances where, based upon the situation that the officer encounters, no other less or equal levels of control may be reasonably applied or have proven ineffective, and the continued actions of the suspect place the officer, suspect, or another person in imminent danger of serious injury or death.
  3. Officers must take into consideration four variables that impact Response Continuum use. These variables include, but are not limited to, the following:
    - a. Officer(s)/Subject(s) size, obvious infirmities or disabilities, and age.
    - b. Environmental conditions.
    - c. Reaction time.
    - d. Totality of circumstances.
- C. Under no circumstances will any 40MM “Stinger” Less Lethal Launcher System be deployed after resistance has ceased.
- D. 40MM “Stinger” Less Lethal Launcher System WILL NOT be used on subjects who are using techniques of passive resistance, or subjects who are not posing a physical threat to persons or property.
- E. The “Stinger” will only be used in the “Double-action” mode, and never hand cocked to single action.
- F. 40MM “Stinger” Less Lethal Launcher System WILL NOT be used for any of the following:
  - b. Coercion of any type.
  - c. Escorting or prodding individuals.
  - d. Waking unconscious or intoxicated individuals.
  - e. Individuals operating a moving motor vehicle.
  - f. Horseplay or practical jokes.
  - g. Subjects on elevated platforms, or where immediate immobilization of the subject will cause death or serious bodily injury.
- G. 40MM “Stinger” Less Lethal Launcher System should never be used to intentionally target the head, neck, face, eyes, or spine, unless deadly force is justified. Certified 40MM “Stinger” Less Lethal Launcher System users should aim at lower center mass.
- H. The use of the 40MM “Stinger” does not preclude the use of other less lethal items, such as Tasers.
- I. Once a “Stinger” has been deployed, the user is required to notify a supervisor. The supervisor will respond to the location and follow General Order 317.00 procedures in any serious injury or death incidental to 40MM “Stinger” Less Lethal Launcher System usage.
- J. Firing or deploying the 40mm Less Lethal “Stinger” into a crowd is prohibited.
  1. If a crowd creates an immediate danger of injury to persons or damage to property, the Chief of Police or designee may authorize the deployment of other less lethal tools, such as indirect saturation deployment of PepperBall rounds, OC Spray, CS gas, or other chemical agents.
  2. Officers may utilize the 40mm “Stinger” in one-to-one situations when sure of their target and background.

### 908.05 Tactical Considerations

- A. Certified 40MM “Stinger” Less Lethal Launcher System users electing to use a 40MM “Stinger” Less Lethal Launcher System to disable a potentially violent suspect should do so with “hard cover” present, when possible. “Hard cover” is at least one additional officer at the scene, other than the officer deploying the 40mm, who is safely positioned to monitor the actions of the officer and the suspect, and is immediately prepared to respond with deadly force if necessary.
- B. Certified 40MM “Stinger” Less Lethal Launcher System users deploying a 40MM “Stinger” Less Lethal Launcher System will announce deployment of the device to prevent sympathetic fire from other officers. Certified officers will also provide loud verbal commands to the subject, when possible and practical, ordering him/her to comply with the officer’s instructions. As a standard practice prior to deploying the 40MM “Stinger” Less Lethal Launcher System,

**Dallas Police Department General Order**  
**908.00 40MM “Stinger” Less Lethal Launcher System**

Revised 07/22/2020

certified officers shall announce the words “Stinger, Stinger, Stinger” to alert others of the impending use of the Launcher.

- C. All officers should be aware that the reaction to the impact of the projectile varies from subject to subject and may not establish control.
- D. Certified 40MM “Stinger” Less Lethal Launcher System users should be aware of and assess the background, surroundings and their location, as well as the subjects, before deploying an impact device.
- E. Supervisors should have a plan to use multiple 40MM “Stingers”, and not allow “Freelancing” on scene.
- F. Employees shall not alter, adjust, or modify the 40MM “Stinger” Less Lethal Launcher System Launcher.
- G. When practical, the “Stinger” should be cleaned with a bore brush after every deployment of a projectile by a certified armorer.
- H. Officers should consider having a Dallas Fire Rescue MICU on standby based on information gathered at the scene and from call information.

**908.06 Follow-up Care**

Any time resisting or combative subjects are brought under control and handcuffed, place them in an upright seated position, if possible. Subjects may be placed on their side if it is impossible to keep them in an upright position. Officers will monitor subjects until releasing them to a detention facility or medical personnel.

- A. Handcuff the subject when it is tactically safe to do so. As soon as it is reasonably safe to do so, check the subject's pulse and breathing to determine any apparent medical difficulties. If there is no pulse or breathing, immediately request MICU and start CPR. Otherwise, place the subject in a sitting position or roll the subject onto his/her side. Do not place in a prone position as it could result in positional asphyxia. Provide constant monitoring of the subject until release to a detention facility or medical personnel.
- B. Subjects that are subjected to a 40MM “Stinger” Less Lethal Launcher System will receive medical evaluation. First aid includes:
  - 1. Call for a Dallas Fire Rescue MICU
  - 2. Reassure and encourage subject to remain calm.
  - 3. Monitor the subject and look for signs of recovery: controlled breathing, calming of the subject.
- C. Anyone subjected to a 40MM “Stinger” Less Lethal Launcher System will be evaluated by DFR paramedics who will determine if the subject requires transport to a medical facility. If the subject does not need additional evaluation or treatment, they will be transported to Lew Sterrett Justice Center or Detox where personnel will be advised that the prisoner being booked has been subjected to a 40MM “Stinger” Less Lethal Launcher System. This information will also be noted in the booking sheet by the transporting officer.

**908.07 Reporting and Administrative Requirements Regarding the Use of the 40MM “Stinger” Less Lethal Launcher System**

- A. Certified 40MM “Stinger” Less Lethal Launcher System users will articulate an account of all 40MM “Stinger” Less Lethal Launcher System deployments where a projectile is launched. Officers will give a detailed description of the 40MM “Stinger” Less Lethal Launcher System serial number, number of stingers launched, and any observed or reported injuries. The officer will include the date, time, location, the name of the medical personnel examining the individual, and if applicable, the MICU ambulance number. In ALL situations where a 40MM “Stinger” is launched, a Response to Resistance Report must be completed in BlueTeam and forwarded through the controlling supervisor to the officer's chain of command. Officers must also report this information using one of the following:
  - 1. An Arrest Report narrative
  - 2. A handwritten or MDT generated Injured Person/ 40MM “Stinger” Less Lethal Launcher System Offense Report will be prepared when circumstances dictate that an Arrest Report will not be prepared.
- B. A first-line supervisor shall be notified in all instances wherein the 40MM “Stinger” Less Lethal Launcher System has been utilized. The supervisor shall respond to the scene and conduct an inquiry into the incident. This inquiry shall include, but not be limited to, a review of the evidence, interviews of witnesses, and an interview of the subject. The supervisor shall also notify a watch commander or acting watch commander of the incident and ensure all required reports are completed by the end of the officers' tour of duty.
- C. In all situations where a 40MM “Stinger” Less Lethal Launcher System is utilized, the Response to Resistance Report will be completed before the end of tour of duty in BlueTeam, and forwarded to the controlling supervisor. The controlling supervisor will review; add comments on if use was within policy, and forward through the chain of command to the Bureau Commander.
- D. The audit will end at the Bureau Commander, who determine if use was within policy, and forward to the BlueTeam Program Administrator.
- E. The In-Service Academy Less Lethal Team will designate a 40MM “Stinger” Less Lethal Launcher System Divisional Coordinator who is a sworn employee that will conduct semi-annual inspections of all 40MM “Stinger” Less Lethal Launcher System assigned to their respective division. If the designee has any repair problems that cannot be taken care of at the divisional level, the In-Service Academy Less Lethal Team will have final authority to take the Launcher out of service and return it to the appropriate manufacturer.

**908.08 Accidental Discharges**

- A. Officers will be held accountable for every trigger pull of the 40MM “Stinger” Less Lethal Launcher System.
- B. A supervisor will be called to respond to the scene if an accidental discharge occurs.
- C. If the discharge results in serious bodily injury, death to any person, or the field supervisor determines there has been a gross violation of policy, Internal Affairs Division will be called to respond to the scene.

**Dallas Police Department General Order**  
**908.00 40MM “Stinger” Less Lethal Launcher System**

Revised 07/22/2020

- D. If an accidental discharge occurs and a person is struck, the officer must prepare an “Injured Person/40MM “Stinger” Less Lethal Launcher System” offense report.
- E. If an accidental discharge occurs and no one is struck, the officer must prepare a “Damage to City Property/40MM “Stinger” Less Lethal Launcher System” offense report.
- F. In any accidental discharge, the involved officer must complete a Lost or Damaged Property Report in BlueTeam with the proper offense report attached. It will be forwarded to the responding supervisor before the end of tour of duty. The responding supervisor will make recommendations and forward through the Watch Commander to the Division Commander who will determine administrative accountability and restitution requirements of officer involved.
- G. In all accidental discharges, the officer will attend approved remedial training conducted by a 40MM “Stinger” Less Lethal Launcher System instructor.

**908.09 Storage and Other Precautions**

- A. A 40MM “Stinger” Less Lethal Launcher System and six projectiles are issued to certified 40MM “Stinger” Less Lethal Launcher System users at the beginning of each duty shift. The 40MM “Stinger” Less Lethal Launcher System should be inspected and a function check should be done prior to being secured in the officer's vehicle
- B. 40MM “Stinger” Less Lethal Launcher System should be loaded, used, and rendered safe in accordance with the procedures outlined in the 40MM “Stinger” Less Lethal Launcher System training course.
- C. All 40MM “Stinger” Less Lethal Launcher Systems issued will be turned in at the end of each duty shift.
- D. Divisional 40MM “Stinger” Less Lethal Launcher System Coordinators will be responsible for ordering extra projectiles through the In-Service Academy Less Lethal Team and will also be responsible for replacing 40MM “Stinger” Less Lethal Launcher System that are inoperable or taken due to an internal investigation.
- E. Each Division will maintain a log on each department-issued 40MM “Stinger” Less Lethal Launcher System which will contain the model and serial number of the 40MM “Stinger” Less Lethal Launcher System, the officer' name and serial number to whom the system is issued, and the service number of the incident report if the projectile was fired during an arrest incident.



## Dallas Police Department General Order

### 909.00 Response to Resistance Reporting

Revised 08/05/2022

#### 909.00 RESPONSE TO RESISTANCE REPORTING

##### 909.01 Philosophy

The intent of Response to Resistance reporting is to establish a reporting system within the Department for effective review and analysis. The system will help identify trends, improve training and employee safety, and provide timely information for the Department addressing Response to Resistance issues with the public. Early and accurate reporting helps establish Departmental credibility. Immediate and thorough documentation of any Response to Resistance will possibly protect the officer and Department from future liabilities associated with the Response to Resistance.

##### 909.02 General Departmental Policy

The completion of a Response to Resistance web entry will be required in the following instances:

Any Response to Resistance that is Soft Empty Hand Control or above on the Response Continuum, with the exception of "Compliant Handcuffing" only. This will include, but not be limited to, the following:

- A. All take-downs, pressure points, joint locks
- B. Any use of Oleoresin Capsicum Chemical Spray
- C. Any deployment of the Pepperball System
- D. Personal weapons such as hands and feet
- E. Any use of the baton or any other type of instrument that is used as an impact weapon
- F. Any intentional discharge of an Electronic Control Weapon (Taser) or the 40MM "Stinger" Less Lethal System against a person or animal. Pointing an ECW or 40MM "Stinger" Less Lethal System to gain compliance to verbal commands does NOT require a BlueTeam report. Accidental discharges of the Taser and 40MM "Stinger" Less Lethal System are entered as Lost/Damaged City Property
- G. The deployment of a firearm which is pointed directly at any individual. This will NOT include when any firearm is deployed as part of a warrant process or felony stop

Note: A firearm discharge will not be reported in this system. A firearm discharge will be investigated by CAPERS and Internal Affairs.

##### 909.03 Response to Resistance Entry (BlueTeam)

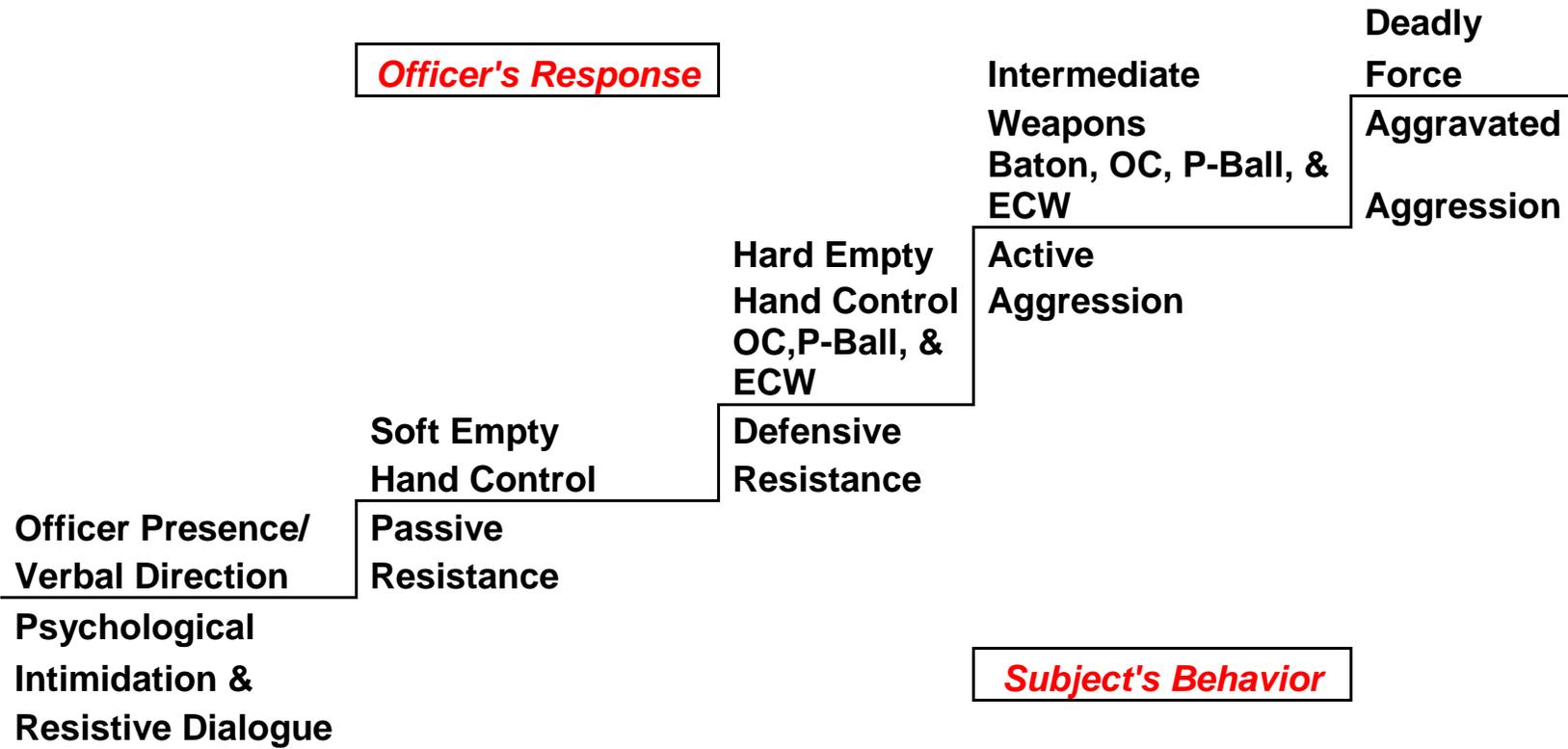
- A. Officers will conduct the initial investigation and make any necessary report immediately after completing the initial investigation.
- B. Officers will enter the BlueTeam reporting system via the Intranet and enter their network user name and password.
- C. Each officer that uses force during an incident will enter the system and document their use of force separately. (The only exception to this will be Firearm Display or Foot Pursuit where one officer may do the report for multiple officers if the only use of force is a Firearm Display or Foot Pursuit.)
- D. Officers will access the Response to Resistance Report (Use of Force) and enter the statistical information completely. If an offense or arrest report has been completed describing an officer's use of force, a narrative in the BlueTeam entry is not required. Officers will only be required to enter the incident # from the RMS report containing the complete use of force narrative into the Summary of Incident field in BlueTeam.
- E. After completion, the officer will attach any additional required documentation, including any related RMS report, and forward the Response to Resistance report via BlueTeam to their immediate supervisor for review.
- F. The immediate supervisor will review the entry for completeness and accuracy when compared to the RMS report(s). If approved, the supervisor will indicate in the comments if they reviewed any related body camera evidence and if the force used appears to be within departmental policy. The reviewing supervisor will forward it to the next level of supervision via BlueTeam. If corrections are required, the supervisor will return the entry to the initiating officer.
- G. The entry and all attachments will be reviewed and approved by a lieutenant. If any injuries are reported, excluding those which are minor in nature requiring no treatment by a medical facility, the report must be reviewed and approved by a Section or Division Commander. If an impact weapon, ECW, or the 40mm "Stinger" Less Lethal System is used, it must be reviewed and approved by the Group Commander or higher if no Group Commander exists. It will then be forwarded to the BlueTeam Program Administrator for release into the database.
- H. Officers who do not have access to a Mobile Data Computer (MDC) or an MDC-enabled desktop workstation will report to an MDC-enabled desktop workstation or call for a patrol element to use an MDC and enter their Response to Resistance report prior to the end of their shift.

##### 909.04 Response to Resistance Statistical Review and Reports

A yearly analysis of all Response to Resistance reports will be conducted and provided for inclusion in an Annual Report to the Chief of Police.

# Linear Use-of-Force Response Continuum

DALLAS POLICE DEPARTMENT





## Dallas Police Department General Order

# Code of Conduct Table of Contents

Revised 01/30/07

Chapter I	– Authority and Purpose
Chapter II	– Scope
Chapter III	– General Requirements
Chapter IV	– Professional Conduct and Personal Bearing
Chapter V	– Responsibilities and General Conduct on Duty
Chapter VI	– Protection of Prisoners, Their Rights and Their Property
Chapter VII	– Public Activities
Chapter VIII	– Civil, Criminal, Judicial and Administrative Investigative Actions
Chapter IX	– Conflict of Interest
Chapter X	– Effective Date
Addendum	Canon of Police Ethics
Addendum	Law Enforcement Code of Ethics



## Dallas Police Department Code of Conduct

### Chapter I

Revised 04/24/2013

#### ***AUTHORITY AND PURPOSE***

- 1.1 The Code of Conduct of the Dallas Police Department is promulgated by the Chief of Police by authority of Chapter XII, Section 2 (1), of the Charter of the City of Dallas, 1907, as amended.

This directive is for departmental use only and does not apply in any criminal or civil proceeding. The Department policy should not be construed as a creation of higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

- 1.2 The Code of Conduct of the Dallas Police Department is designed to promote efficiency, discipline, and good public relations by setting forth policies governing the conduct of every member of the Police Department, both sworn and non-sworn, on and off-duty. The terms *sworn member* and *officer* refer to any person commissioned as a Police Officer under the Charter and Ordinances of the City of Dallas and qualifying as a peace officer under Article 2.12 of the Texas Code of Criminal Procedure. The terms *member* and *employee* refer to any full time or part time permanent employee of the City of Dallas assigned to the Police Department whether sworn or non-sworn (civilian). The use of the terms *he* and *his* to refer to a member of the Department shall indicate either a male or female employee.
- 1.3 The provisions of the City of Dallas Administrative Directives, the City of Dallas Personnel Rules, the City of Dallas Code of Ethics (Chapter 12A, Dallas City Code), the Civil Service Board Code of Rules and Regulations, the Police Department General Orders and Code of Conduct, and departmental procedures and policy shall apply to all members of the Police Department.
- 1.4 The Dallas Police Department Code of Conduct and General Orders are founded on well-recognized standards of behavior and ethics. Police Officers are held to higher standards than others employed in public service because they alone have the power to limit individual freedom. The Law Enforcement Code of Ethics and the Canons of Police Ethics are included as addenda to this Code of Conduct to provide officers with a philosophical basis for our rules and regulations.



## Dallas Police Department Code of Conduct

### Chapter II

Revised 04/24/2013

#### **SCOPE**

- 2.1 The provisions of the Code of Conduct shall be observed by all members of the Department in order to maintain the confidence, respect, and support of the public.
- 2.2 Violations of the Code of Conduct, the City of Dallas Personnel Rules, Administrative Directives, the City of Dallas Code of Ethics (Chapter 12A, Dallas City Code), the Civil Service Board Code of Rules and Regulations, the Charter of the City of Dallas, the Ordinances of the City of Dallas, and/or laws of the State of Texas or the United States, and departmental regulations shall subject the offender to disciplinary action which may take the form of a verbal or written reprimand, reduction in rank, grade, or step, and/or suspension or discharge from employment. Action taken will depend on the degree of severity of the offense, the record of the offender, and the seriousness of the consequences of the violation.
- 2.3 Disciplinary action under the Code of Conduct will be in accordance with the Civil Service Board Code of Rules and Regulations, and such actions against non-sworn employees will also be in accordance with the City of Dallas Personnel Rules. All disciplinary actions will be based on preponderance of the evidence and just cause.
- 2.4 Pursuant to the authority granted by Chapter XII, Section 4, of the Charter of the City of Dallas, the Chief of Police shall have the exclusive right to suspend or discharge any employee who may be under their jurisdiction and control for incompetence, neglect of duty, immorality, drunkenness, the improper use of any substance that modifies behavior, or failure to obey orders given by proper authority or the orders, rules, and regulations promulgated by the Chief of Police.
- 2.5 Employees are required to establish and maintain a working knowledge of this Code of Conduct, of all laws and ordinances in force in the City of Dallas, and the written rules and policies of the Department and divisions thereof. In the event of improper action or breach of discipline, it will be presumed that the employee was familiar with the law, rule, or policy in question.
- 2.6 The failure to comply with the Code of Conduct, the General Orders, and all other orders, policies, and directives issued by proper authority will subject the offender to disciplinary actions as prescribed in Chapter II, Section 2.2, of the Code of Conduct.
- 2.7 Any employee who, by an act or conduct, attempts to violate or conspires with any person to violate the Charter of the City of Dallas, the City of Dallas Administrative Directives, the City of Dallas Code of Ethics (Chapter 12A, Dallas City Code), City of Dallas Personnel Rules, the Civil Service Board Code of Rules and Regulations, Ordinances of the City of Dallas, the Police Department General Orders and Code of Conduct, or departmental procedures or policy shall be subject to the same discipline as though the actual violation had been accomplished.



## Dallas Police Department Code of Conduct

### Chapter III

Revised 12/10/10

#### **GENERAL REQUIREMENTS**

- 3.1 Within the City of Dallas, officers shall at all times take appropriate action to:
- A. Protect life and property.
  - B. Preserve the peace.
  - C. Prevent crime.
  - D. Detect and arrest violators of the law.
  - E. Enforce all federal, state, and local laws and ordinances coming within departmental jurisdiction.
- 3.2 Employees shall observe and give effect to the policies of the Department.
- 3.3 No employee shall procure appointment in the Department by means of willful misrepresentation or omission of any fact concerning their personal history, qualifications for employment, or physical condition.
- 3.4 Officers shall carry their badge, identification card, and warrant of appointment at all times. Officers shall:
- A. Give their name and badge number to any person upon request. It will be given in writing when specifically requested by a citizen.
  - B. Give the name and badge number of any or all officers that have responded to a police incident to any person at the scene upon request. It will be given in writing when specifically requested by a citizen.
  - C. Provide identification when requested.
- 3.5 Employees shall provide the name and business telephone number of the employee's immediate supervisor upon request by any person.
- 3.6 Officers must be armed at all times while on duty in the City of Dallas unless directed not to carry a weapon by the Chief of Police. When an officer is on duty, the weapon shall conform to the standards and required qualifications as set forth in the General Orders.
- 3.7 With the exceptions listed, an officer at their option, when off-duty, may be armed with a departmentally approved make and caliber weapon. If armed, the officer must be currently qualified with that weapon as set forth in the General Orders.
- Exceptions: An officer must be armed with a departmentally approved weapon:
- A. At any time when in a city vehicle.
  - B. At any time when in uniform.
  - C. When performing police related off-duty employment.
- 3.8 No officer, when dressed in civilian clothes, shall wear or carry a weapon in such a manner that it will attract attention or be in open view in public or while performing any court function, with the exception of when in normal investigative work areas and adjacent hallways.
- 3.9 No employee shall wear the uniform, be armed, or carry their badge, warrant, or identification card while under suspension.
- 3.10 An officer shall immediately surrender their badges, warrant of appointment, identification card, and city-issued weapon to the supervisor or commanding officer notifying the offender of his or her suspension.
- 3.11 Employees shall not willfully damage any city property or equipment or property or equipment belonging to any citizen or other entity unless lawfully required to do so in the performance of their duty.
- 3.12 Employees shall not cause damage to city property or equipment or property or equipment belonging to a citizen or other entity by improper handling or negligence.
- 3.13 Sworn employees will maintain minimum departmental standards in addition to the Texas Commission on Law Enforcement (TCOLE) requirements necessary for licensing of a Texas Peace Officer. Without written approval from the Chief of Police, no officer, by direct act or omission, will fail to maintain departmental standards and TCOLE requirements. Failure to maintain standards as specified by the Dallas Police Department will subject the officer to administrative action or termination.



## Dallas Police Department Code of Conduct

### Chapter IV

Revised 10/13/2020

#### **PROFESSIONAL CONDUCT AND PERSONAL BEARING**

- 4.1 Dereliction of duty on the part of any employee, detrimental to the proper performance of the functions of the Department, is cause for corrective action. The following subsections constitute dereliction of duty.
- A. Failure of a supervisor or commander to immediately take action when a violation of rules or regulations comes to their attention, regardless of the supervisor's or violator's assignment or rank within the Department.
  - B. Failure to deliver to the official departmental custodian any property found by, confiscated by, or relinquished to officers of this Department without undue delay and, in any event, before their tour of duty is ended.
  - C. Failure to place evidence in its officially designated place for preservation and storage.
  - D. Failure to take appropriate police action to aid a fellow peace officer exposed to danger or in a situation where danger might be impending.
  - E. Cowardice or failures to perform police duties because of danger.
  - F. Any action that places any person in greater danger than is necessary for the proper performance of the employee's duties.
  - G. To offer, agree to accept/deliver, or solicit a bribe. (A bribe shall be defined as a gift, emolument, money, thing of value, testimonial, appointment or personal advantage, or the promise or solicitation of same for the purpose of obtaining special privileges or personal gain by the donor or other person.)
  - H. For the purpose of protecting life and property, officers will always be considered on duty while in the City of Dallas and shall be prepared to act to the extent possible any time circumstances indicate their services are required.
- The above enforcement action will not include:
- 1. Enforcement of laws of a Class C Misdemeanor nature or traffic enforcement when out of uniform and off-duty unless in an off-duty employment capacity and with prior supervisory permission.
  - 2. Enforcement responsibilities beyond the ability of the officer when he is not armed. (Appropriate action in such cases may include calling 911.)
- 4.2 No employee shall be convicted of, nor commit, any act or omission which is defined as a criminal act.
- 4.3 No employee shall engage in any conduct which adversely affects the morale or efficiency of the Department or which has a tendency to adversely affect, lower or destroy public respect and confidence in the Department or officer.
- 4.4 No employee, when acting outside the course and scope of their duties, shall precipitate, cause, or escalate a disturbance or police incident to their discredit.
- 4.5 No employee shall fail or deliberately refuse to obey a lawful order given by a supervisory member including any order relayed from a superior by an employee of same or lesser rank.
- 4.6 Employees shall treat supervisory members, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationships with one another.
- 4.7 Employees shall not publicly criticize or ridicule the Department, its policies, or other employees by talking, writing, or expressing in a manner which:
- A. Is defamatory.
  - B. Is obscene.
  - C. Is unlawful; or
  - D. Impairs the operation of the Department by interfering with its efficiency, by interfering with the ability of supervisors to maintain discipline, or by exhibiting a reckless disregard for the truth.
- 4.8 No employee shall be under the influence of drugs or be a user of drugs when such drugs are not prescribed by a physician or dentist or to take drugs in a manner not prescribed by a physician or dentist.



## Dallas Police Department Code of Conduct

### Chapter IV

Revised 10/13/2020

- 4.9 Employees will notify a supervisor in their chain of command when they are taking any drug prescribed by a physician or dentist which might impair their ability to operate a motor vehicle or which might affect their judgment. (When notice is provided by prescription label).
- 4.10 Officers shall not use any unnecessary or inappropriate force against any person.
- 4.11 No employee shall at any time ridicule, mock, deride, taunt, or belittle any person.
- 4.12 No employee shall willfully embarrass, humiliate, or shame any person.
- 4.13 No employee shall willfully harass any person nor take any action in a manner that might excite a person to violence.
- 4.14 No employee shall use loud or harsh language in performance of official duties except as necessary to gain control of an escalating situation.
- 4.15 No employee shall use indecent or profane language in the performance of official duties or in the presence of the public.
- 4.16 No employee shall make any comment or expression, either written or oral, which derides, demeans, condemns, or ridicules any person based upon their race, color, age, national origin, ethnicity, sex, religion, marital status, sexual orientation, gender identity and expression, genetic characteristics, disability, or military or veteran status, either on-duty or off-duty.  
  
While on-duty, employees will neither display nor wear items that they know another person could reasonably consider offensive.
- 4.17 Employees will be courteous and civil when dealing with members of the public or other City employees. Employees will not treat members of the public or other employees in a discourteous, irresponsible, or indifferent manner.
- 4.18 No employee shall solicit any funds for the purpose of buying a gift for any member of the Department. However, employees may solicit nominal amounts from members of their section or division for gifts for retiring fellow members or for special circumstances with permission of the Bureau or Division Commander.
- 4.19 No employee shall receive any money or gifts from any type of solicitation except when retiring from the Department or for special circumstances approved by the Bureau or Division Commander.
- 4.20 No employee shall conduct himself in the offices and buildings of the Department in a manner that would discredit the police service.
- 4.21 No employee shall engage in any form of gambling in the police clubrooms, locker rooms, assembly rooms, or any other police facilities.
- 4.22 No employee shall engage in horseplay or the playing of pranks while on duty or in police facilities.
- 4.23 Uniformed employees will render appropriate honors to the United States flag and national anthem during ceremonial functions by assuming the position of attention and placing the right hand over the heart (indoors) or saluting (outdoors). Employees in civilian clothing will render appropriate honors by assuming the position of attention and placing the right hand over the heart (both indoors and outdoors).
- 4.24 The foregoing provisions shall be evaluated on a case-by-case basis and shall not be interpreted or applied so as to infringe upon the right of employees to speak in their capacity as private citizens.



## Dallas Police Department Code of Conduct

### Chapter V

Revised 10/28/11

#### **RESPONSIBILITIES AND GENERAL CONDUCT ON DUTY**

- 5.1 Employees shall, at all times, respond to the lawful orders of supervisory members and other proper authorities as well as requests for police assistance from citizens.
- The administrative delegation of the enforcement of certain laws and ordinances to particular units of the Department does not relieve officers of other units from the responsibility of taking prompt, effective police action within the scope of those laws and ordinances when the occasion so requires. Officers assigned to special duty are not relieved from taking enforcement action outside the scope of their specialized assignment when necessary. All members shall perform their duties as required or directed by law, departmental rule, policy, or by order of a superior member.
- 5.2 Elements shall respond without delay to all calls for police assistance from citizens or other members.
- A. Emergency calls will take precedence. However, all calls shall be answered as soon as possible consistent with normal safety precautions and traffic laws.
- B. Except under the most extraordinary circumstances or when otherwise directed by competent authority, no element shall fail to answer any call for service directed to him.
- 5.3 Elements will investigate those incidents assigned or which come to their attention to the fullest extent within their assigned responsibilities.
- 5.4 No employee shall be absent without leave. Absent without leave shall mean:
- A. A failure to report for duty at the time and place of duty.
- B. Leaving of a place of duty or assignment without proper authorization.
- C. Any time recorded as unapproved leave without pay.
- 5.5 Unless otherwise directed, employees shall report to daily roll call at the time and place specified in proper dress and equipment. They shall give careful attention to orders and instructions.
- 5.6 It shall be the responsibility of employees who cannot report for duty due to illness to notify their supervisor at least one hour prior to their reporting time or at opening of business hours in case of office hour operations. Employees must give a telephone number and address where they can be located during their normal tour of duty.
- 5.7 Employees shall furnish the Department a telephone number and address at which they may be reached in the event of an emergency.
- 5.8 Employees shall report any change in address or telephone number within twenty-four hours of such change in the manner prescribed by current orders.
- 5.9 When employees will not be available for more than forty-eight hours at their listed telephone number and address for an emergency call, they shall notify their supervisor who shall record the time of departure, expected time of return, destination and, as far as practicable, information as to how and where they may be reached in the event of an emergency.
- 5.10 Employees are prohibited from following any other vocation that might conflict or interfere with their responsibility to the Department.
- A. Employees must receive permission from the Chief of Police to engage in off-duty employment or business activities.
- B. Officers are prohibited from holding a deputation or commission from any other law enforcement agency.
- 5.11 Employees shall remain alert, observant, and occupied with police business during their tour of duty. When on duty, employees shall devote their entire time and attention to the business of the Department.
- 5.12 Employees are prohibited from engaging in the following activities while on duty:
- A. Sleeping, loafing, or idling.
- B. Recreational reading.  
The exceptions are as follows:
1. During meals while in plain clothes.



## Dallas Police Department Code of Conduct

### Chapter V

Revised 10/28/11

2. During meals while in uniform and out of public view.
  - C. Conducting private business.
  - D. Carrying any articles which distracts from the proper performance of police duty.
  - E. Drinking intoxicating beverages (except in performance of a police duty, and then only with the specific consent of a commanding officer, and never in uniform).
  - F. Legal or illegal gambling (except in performance of a police duty, and then only with the specific consent of a commanding officer, and never in uniform).
  - G. Any sexual conduct.
- 5.13 Employees shall promptly submit reports that are required by the performance of their duties or by competent authority. Any required report shall be completed before the end of that tour of duty.
- 5.14 Officers shall have prior approval of their supervisor before initiating undercover investigations. In cases where officers are already deployed in an undercover capacity and they begin another assignment unrelated to the existing assignment, they shall notify their superior as soon as practical or within twenty-four hours.
- 5.15
  - A. Employees shall not consume intoxicants while off-duty and operate any city equipment while such consumption is apparent.
  - B. Employees shall not consume intoxicants while off-duty to the extent that evidence of such consumption is apparent when reporting for duty or to the extent their job performance is impaired.
- 5.16 Employees shall not be intoxicated while on duty. They shall not at any time, on or off-duty, be intoxicated in public view.
- 5.17 No employee in uniform shall purchase, possess, be under the influence of, or drink intoxicants while on or off-duty.
- 5.18 Employees shall not bring or keep any intoxicating liquor on departmental premises, except for the following purpose:

Liquor brought on departmental premises in the furtherance of a police task shall be properly identified and stored according to policy.
- 5.19 Employees on-duty or in uniform shall not enter taverns, theaters, or other public places except to perform a police service.
- 5.20 When on-duty in the presence of other members or the public, officers should be referred to by rank.
- 5.21 Employees will present a professional appearance at all times while on-duty or in uniform. Employees are prohibited from:
  - A. Chewing gum while making personal contacts with citizens in the performance of duties.
  - B. Smoking or using tobacco products while in public view or while making personal contacts with citizens in the performance of duties.
  - C. Using any tobacco products, including smokeless products such as chew or dip, while in any departmental vehicle or city facility. This also prohibits using trash receptacles as spittoons.
- 5.22 No expenditure of money shall be made or liability incurred in the name of the City of Dallas or the Department unless authorized by the Chief of Police. (Not including petty cash purchases approved by the Equipment and Procurement Section.)
- 5.23 Employees are prohibited from using City equipment, whether the City equipment is owned or leased, for any purpose other than departmental or City business. This prohibition applies to both on duty and off-duty conduct. Exceptions to this policy will require prior supervisory approval. Appropriate use of home storage vehicles will be governed by the Administrative Directives, General Orders, and Bureau or Division Standard Operational Procedures. This rule does not preclude the limited use of equipment or supplies deemed in the best interest of the Department as determined by the appropriate Bureau or Division Commander.



## Dallas Police Department Code of Conduct

### Chapter VI

Revised 01/30/07

#### ***PROTECTION OF PRISONERS, THEIR RIGHTS, AND THEIR PROPERTY***

- 6.1 No employee shall arrest any person or search any premises or person except with a warrant of arrest, a search warrant, or where such arrest or search is authorized without a warrant under the laws of the State of Texas, the United States, or the ordinances of the City of Dallas.
- 6.2 All employees shall protect the rights of any person held in custody.
- 6.3 All employees shall protect, to the extent possible, any person being taken into custody from physical injury.
- 6.4 No employee shall falsely arrest, imprison, or direct any malicious prosecution against any person.
- 6.5 No employee shall willfully mistreat or give inhumane treatment to any person.
- 6.6 Employees shall use only such force as is necessary in effecting an arrest and maintaining custody of prisoners.
- 6.7 Officers shall use deadly force in effecting an arrest only as authorized in Chapter 9 of the Penal Code of Texas, (current version), and as prescribed by the General Orders and other orders of the Department.
- 6.8 Employees shall take all reasonable steps necessary to prevent loss or damage to property or equipment belonging to a person in custody, or which has come into possession of said employee by reason of their office.

**NOTE: If loss or damage is the result of willful action or negligence on the part of the employee, the employee may be required to make restitution in addition to any corrective action under this code.**



## Dallas Police Department Code of Conduct

### Chapter VII

Revised 04/24/2013

#### **PUBLIC ACTIVITIES**

- 7.1 Employees of the Police Department who wish to engage in partisan political activity will observe the following restrictions:
- A. While in uniform or on-duty, an employee may not engage in a political activity relating to a campaign for an elective office.
  - B. An employee engages in a political activity if he:
    - 1. Makes a public political speech supporting or opposing a candidate.
    - 2. Distributes a card or other political literature relating to a campaign of a candidate.
    - 3. Wears a campaign button.
    - 4. Circulates or signs a petition for a candidate.
    - 5. Solicits votes for a candidate.
    - 6. Solicits campaign contributions for a candidate.
    - 7. Voluntarily appears, either on duty or in uniform, in any type of news-related or advertising photographs with or for a candidate for public office.
  - C. While out of uniform and off-duty, an employee may engage in the political activities as listed in Section B. with the following exception:

An employee may not solicit campaign contributions for a candidate other than from members of an employee organization to which he belongs.
- 7.2 An employee of the Department may not become a candidate for elected office except as allowed by the Dallas City Charter and Section 12A-10 of the City of Dallas Code of Ethics (Chapter 12A, Dallas City Code).
- 7.3 No employee shall seek the influence or intervention of any person outside the Department for purposes of personal preferment, advantage, transfer, or advancement. Should any employee learn of any intervention in his behalf, he shall notify his Bureau or Division Commander.
- 7.4 No employee shall become a member of any organization, association, movement or group which advocates or approves the commission of acts of force or violence to deny others their rights under the Constitution of the United States or which seeks to alter the form of government of the United States by unconstitutional means.



## Dallas Police Department Code of Conduct

### Chapter VIII

Revised 01/30/07

#### **CIVIL, CRIMINAL, JUDICIAL, AND ADMINISTRATIVE INVESTIGATIVE ACTIONS**

- 8.1 The Department has jurisdiction in criminal cases and civil parking cases only. No employee shall render aid or assistance in other civil cases except to prevent an immediate breach of the peace or to quell a disturbance actually existing. This rule is not intended to prevent employees from informing any citizen as to steps necessary to institute a civil lawsuit.
- 8.2 No employee shall investigate any criminal case or personally file any criminal charge in a court of law against any person for a criminal offense committed against them or any member of their family except Class C misdemeanors occurring in the employee's presence while on duty. Other offenses that may be committed against them or members of their family shall be reported to the Bureau or Division of the Department having responsibility for the investigation of such offenses. The personnel of that Bureau or Division shall investigate and file such charges as may be proper.
- 8.3 Employees shall be truthful at all times when conducting any official police related business.
- 8.4 Employees shall answer questions or render material and relevant statements to a competent authority in a departmental personnel investigation when so directed.
- 8.5 Employees will not give verbal or written inconsistent, conflicting, or misleading statements regarding their conduct or performance.
- 8.6 No employee shall willfully misrepresent any matter, sign any false statement or report, commit perjury, or give false testimony before any court, grand jury, board, commission, official hearing, or Department hearing.
- 8.7 No employee shall knowingly falsify any report, document, or record or cause to be entered any inaccurate, false, or improper information on records, documents, or reports of the Department or of any court or alter any record, document, or report except by a supplemental record, document, or report. No employee shall remove or destroy or cause the removal or destruction of any report, document, or record without authorization.
- 8.8 Employees must be present and available to testify in any court or before any grand jury in any county in which the City of Dallas is located when officially notified to appear. In criminal cases outside those counties and in all civil cases employees shall respond to a legal subpoena only.
- 8.9 Employees who, for a valid reason, are unable to answer an official summons must be excused by the court or grand jury prior to the time they are scheduled to appear. The reason for the excused absence shall be reported according to procedures set forth in the General Orders.
- 8.10 Any employee who is subpoenaed or volunteers to testify for the defense in any criminal or civil trial or hearing or against the City or Department in any hearing or trial shall notify their supervisor in writing upon receipt of the subpoena or of their intention to testify prior to their appearance as a witness.
- 8.11 No employee shall accept a fee as a witness in any criminal or civil case if the matter relates to the exercise of the employee's official duties.
- 8.12 Employees shall not engage in any of the following conduct:
  - A. Interfering with the service of lawful process.
  - B. Interfering with the attendance or testimony of witnesses through coercion, bribery, or other means.
  - C. Attempting to have any Notice to Appear or traffic citation reduced, voided, or stricken from the calendar without approval of their Bureau or Division Commander.
  - D. Recommending a dismissal, reduction of charges, or other disposition of a pending criminal case which has been previously filed in any criminal court or before any grand jury except by written approval of their Bureau or Division Commander.
  - E. Taking any other action which interferes with the efficiency or integrity of the administration of criminal justice or departmental discipline.
  - F. Having knowledge of such interference and failing to inform a superior officer in writing.
- 8.13 No employee shall make known any information concerning the progress of an investigation, a known or reported law violation, a condition against which action is to be taken at a future time, or any proposed police operation to any person not authorized to receive it.



## Dallas Police Department Code of Conduct

### Chapter VIII

Revised 01/30/07

- 8.14 Employees shall not communicate in any manner, either directly or indirectly, any information which may assist persons guilty or accused of criminal or quasi-criminal acts to escape arrest or punishment or which may enable them to dispose of or secrete evidence of unlawful activity, money, merchandise, or other property unlawfully obtained.
- 8.15 No employee shall release any police report, police record, arrest report, prosecution report, criminal history file, mug shot picture, or other record or report to any person or agency which does not have a criminal justice function unless ordered by a lawful subpoena or approved by a Bureau or Division Commander.



# Dallas Police Department Code of Conduct

## Chapter IX

Revised 4/19/2024

### **CONFLICT OF INTEREST**

**NOTE:** In addition to complying with the provisions of this chapter of the Dallas Police Department Code of Conduct, employees will be responsible for complying with all provisions of the City of Dallas Code of Ethics (Chapter 12A, Dallas City Code).

9.1 Definition:

A conflict of interest arises whenever an employee intentionally disregards the public interest in favor of other interests, personal or otherwise. Likewise, a conflict exists whenever, because of personal financial interests, an employee is incapable of performing their official duties impartially or chooses not to perform them impartially. A conflict of interest may exist whenever an employee has a substantial personal or private interest in a matter that involves their duties and responsibilities as an employee. The trust of the citizenry demands that an employee takes no action that would constitute the use of City employment to advance personal or private interests.

9.2 An employee will avoid any action, whether or not specifically prohibited by law, which may reasonably tend to affect their job performance creating the effect or appearance of:

- A. Using public office for private gain.
- B. Giving preferential treatment to any person.
- C. Losing independence or impartiality.

9.3 Employees, while in uniform on or off-duty, shall not endorse or participate in any activity that might tend to bring into question the impartiality or a perception of impartiality of the Dallas Police Department toward any group in the performance of the Department's public responsibilities.

9.4 Any employee who becomes aware that he, or any person related to the employee within the second degree of consanguinity or affinity, stands to benefit financially from any action of the City of Dallas (other than through normal personnel benefits programs), shall immediately seek a written opinion of an attorney assigned to the Criminal Law & Police Unit as to any conflict of interest with the City. If a conflict is found to exist, the employee's Bureau Commander will be notified immediately and will take the action necessary to conform to the rules and regulations of the City.

9.5 All employees will avoid situations that give rise to an actual or apparent conflict between their professional responsibilities and their relationships with other employees.

9.6 Members of the Department will not enter into an on-going, lengthy, or continual financially significant off-duty employer/employee or business relationship with members in their chains-of-command. If this arrangement is seen as necessary or should a transfer or promotion create an apparent violation of this rule, members will immediately notify by memorandum the superior in the chain-of-command who is immediately above the involved supervisor. The memorandum should detail the nature and extent of such relationship.

- A. It then becomes the responsibility of that supervisor to take appropriate action to eliminate conflict, keeping the best interests of both the employees and the Department in mind.
- B. The supervisor may determine that no significant conflict exists or if conflict exists, may require:
  - 1. Changes in assigned duties.
  - 2. Changes in assignment.
  - 3. Disqualification from a particular assignment.
  - 4. Divestment by the employee of their conflicting interest.
- C. Such remedial action shall be effected in accordance with all applicable laws for notice, hearing, and review.

9.7 Employees shall not under any circumstances solicit any gift, gratuity, loan, or fee where there is any direct or indirect relation between the solicitation and their departmental membership except as provided by law and approved by the Chief of Police.

9.8 Employees shall not accept, either directly or indirectly, any gift, gratuity, reward, loan, fee discount, rebate, or special consideration arising from or offered because of police employment or any activity connected with such employment that might reasonably tend to influence the employee in the discharge of their official duties.



## Dallas Police Department Code of Conduct

### Chapter IX

Revised 4/19/2024

- 9.9 Employees shall not accept a reward or any gift, favor, privilege or employment from any public utility corporation or licensee, the granting of whose license is subject to regulation or approval by the Chief of Police, except employment as authorized by Ordinance No. 16388.
- 9.10 No employee shall receive any gift or gratuity from members' junior in rank without the express written permission of the Chief of Police.
- 9.11 Employees shall not buy anything from or sell anything to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention through their employment with the Department, nor can they act as an intermediary in the payment of a reward for the return of stolen property without prior written authorization by the Chief of Police. This does not prohibit from dealing with legitimate places of business.
- 9.12 Any reward paid or sent to any employee shall be promptly turned in by that employee to the Office of the Chief of Police, which shall deposit it with the secretary of the Police and Fire Pension Fund or the secretary of such other fund from which departmental employees derive benefits.
- 9.13 Employees shall not suggest, recommend, advise, or otherwise counsel the retention of any attorney or bail bond broker to any person coming to their attention as a result of police business. This does not apply when a relative or personal acquaintance of the officer seeks such service. In no case may such advice be given where a fee, gratuity, or reward is offered by, solicited or accepted from the attorney or bail bondsman.
- 9.14 No employee shall give any lawyer, bondsman, or the agent of either, or any other person unauthorized information regarding prisoners in confinement, property in custody, or records of the Department.
- 9.15 Employees shall not furnish bail or act as a principal or surety on any bail bond or bail bond application for any person charged with any type of criminal offense except members of their immediate family.
- 9.16 Except for official police duties, no employee of this Department shall associate with persons whom the employee could reasonably be expected to know were of immoral character, convicted felons, gamblers, or other persons who habitually commit violations of the law. This does not exclude an employee of this Department from associating with immediate members of their family if they fall within the aforementioned category.
- 9.17 Employees shall not fraternize with a complainant, victim, witness, suspect, arrested person, or traffic contact both during the initial encounter and during any investigation or pending civil or criminal legal action.
- 9.18 Employees are required to protect the rights of all individuals they encounter during their tours of duty. Discrimination, oppression, and favoritism are strictly prohibited.
- 9.19 Employees shall not permit their name or photograph to be used to endorse any product or service that is in any way connected with law enforcement without the permission of the Chief of Police. Employees shall not, without the permission of the Chief of Police, allow their name or photograph to be used in any commercial testimonial that alludes to their position or employment with the Department.
- 9.18 No employee while in uniform, on or off-duty, shall endorse or participate in any activity that would result in the perception of actual or tacit approval of that activity by the Department without the expressed permission of the Chief of Police.
- 9.19 Debts - incurrence and payment.
  - A. Employees shall not solicit subordinate members to co-sign or endorse any promissory note or other loan.
  - B. Employees shall pay all just debts and legal liabilities incurred by them.



## Dallas Police Department Code of Conduct

### Chapter X

Revised 01/30/07

#### ***EFFECTIVE DATE***

10. 1 This Code will become effective April 12, 2000, at which time the previous Code of Conduct and its amendments will be superseded, except as provided in Chapter X, Section 10.2, of this Code.
10. 2 The previous Code of Conduct and its amendments shall remain in full force and effect for any violations which occur prior to the effective date of this Code.
10. 3 If any section, sentence, clause, or phrase of this Code is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Code.

## Canons of Police Ethics

### **Article 1**

#### ***Primary Responsibility of Job***

The primary responsibility of the police service, and of the individual officer, is the protection of the people of the United States through the upholding of their laws; chief among these is the Constitution of the United States and its amendments. The law enforcement officer always represents the whole of the community and its legally expressed will and is never the arm of any political party or clique.

### **Article 2**

#### ***Limitations of Authority***

The first duty of a law enforcement officer, as upholder of the law, is to know its bounds upon him in enforcing it. Because he represents the legal will of the community, be it local, state or federal, he must be aware of the limitations and proscriptions which the people, through law, have placed upon him. He must recognize the genius of the American system of government that gives to no man, groups of men, or institution, absolute power, and he must ensure that he, as a prime defender of that system, does not pervert its character.

### **Article 3**

#### ***Duty to be Familiar with the Law and with Responsibilities of Self and Other Public Officials***

The law enforcement officer shall assiduously apply themselves to the study of the principles of the laws which they are sworn to uphold. They will make certain of their responsibilities in the particulars of their enforcement, seeking aid from their superiors in matters of technicality or principle when these are not clear to them; they will make special effort to fully understand their relationship to other public officials, including other law enforcement agencies, particularly in matters of jurisdiction, both geographically and substantively.

### **Article 4**

#### ***Utilization of Proper Means to Gain Proper Ends***

The law enforcement officer shall be mindful of their responsibility to pay strict heed to the selection of means in discharging the duties of their office. Violations of law or disregard for public safety and property on the part of an officer are intrinsically wrong they are self-defeating in that they instill in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.

### **Article 5**

#### ***Cooperation with Public Officials in the Discharge of Their Authorized Duties***

The law enforcement officer shall cooperate fully with other public officials in the discharge of authorized duties, regardless of party affiliation or personal prejudice. They shall be meticulous, however, in assuring themselves of the propriety, under the law, of such actions and shall guard against the use of their office or person, whether knowingly or unknowingly, in any improper or illegal action. In any situation open to question, they shall seek authority from their superior officer, giving them a full report of the proposed service or action.

### **Article 6**

#### ***Private Conduct***

The law enforcement officer shall be mindful of their special identification by the public as an upholder of the law. Laxity of conduct or manner in private life, expressing either disrespect for the law or seeking to gain special privilege, cannot but reflect upon the police officer and the police service. The community and the service require that the law enforcement officer lead the life of a decent and honorable person.

Following the career of a policeman gives no person special perquisites. It does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American republic. The officer who reflects upon their tradition will not degrade it. Rather, they will so conduct their private life that the public will regard them as an example of stability, fidelity and morality.

#### **Article 7**

##### **Conduct Toward the Public**

The law enforcement officer, mindful of their responsibility to the whole community, shall deal with individuals of the community in a manner calculated to instill respect for its laws and its police service. The law enforcement officer shall conduct their official life in a manner such as will inspire confidence and trust. Thus, they will be neither overbearing nor subservient, as no individual citizen has an obligation to stand in awe of them nor a right to command them. The officer will give service where they can, and require compliance with the law. They will do neither from personal preference or prejudice but rather as a duly appointed officer of the law discharging their sworn obligation.

#### **Article 8**

##### **Conduct in Arresting and Dealing with Law Violators**

The law enforcement officer shall use their powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. Their office gives them no right to prosecute the violator or to mete out punishment for the offense. They shall, at all times, have a clear appreciation of their responsibilities and limitations regarding detention of the violator; they shall conduct themselves in such a manner as will minimize the possibility of having to use force. To this end they shall cultivate a dedication to the service of the people and the equitable upholding of their laws whether in the handling of law violators or in dealing with the law-abiding.

#### **Article 9**

##### **Gifts and Favors**

The law enforcement officer, representing government, bears the heavy responsibility of maintaining, in their own conduct, the honor and integrity of all government institutions. They shall, therefore, guard against placing themselves in a position in which any person can expect special consideration or in which the public can reasonably assume that special consideration is being given. Thus, they should be firm in refusing gifts, favors, or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing their judgment in the discharge of their duties.

#### **Article 10**

##### **Presentation of Evidence**

The law enforcement officer shall be concerned equally in the prosecution of the wrongdoer and the defense of the innocent. They shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In so doing, they will ignore social, political, and all other distinctions among the persons involved, strengthening the tradition of the reliability and integrity of an officer's word.

The law enforcement officer shall take special pains to increase their perception and skill of observation, mindful that in many situations their's is the sole impartial testimony to the facts of a case.

#### **Article 11**

##### **Attitude Toward Profession**

The law enforcement officer shall regard the discharge of their duties as a public trust and recognize their responsibility as a public servant. By diligent study and sincere attention to self-improvement he shall strive to make the best possible application of science to the solution of crime and, in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety. They shall appreciate the importance and responsibility of their office, and hold police work to be an honorable profession rendering valuable service to their community and their country.

## **LAW ENFORCEMENT CODE OF ETHICS**

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

*I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.*

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

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