



TARRANT COUNTY REGIONAL ADVISORY BOARD - POLICE

Thursday, May 15, 2025 at 11:00 AM
213 North Race Street Everman, TX 76140

AGENDA

1. MEETING CALLED TO ORDER

2. CITIZEN'S COMMENTS

3. DISCUSSION ITEMS

- A.** Monthly Activity Report - Chief of Communications
- B.** Discussion related to the FY2026 Budget for TCRC and related fees
- C.** TCRC Complaint Procedures and Disciplinary Process Review
- D.** Motorola AWARE Software Integration

4. CONSIDERATION AND POSSIBLE ACTION

5. EXECUTIVE SESSION

6. ADJOURN

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 11:00 a.m. on Monday May 12, 2025.

/s/ Mindi Parks
City Secretary

Citizens may watch meetings live on YouTube. A link to the City of Everman YouTube channel is provided on the city website at: www.evermantx.us/government/citycouncil/

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members, including the presiding officer, will be physically present at the location noted above on this Agenda.

Pursuant to Section 551.071, Chapter 551 of the Texas Government Code, Boards & Commissions reserve the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting, to receive advice from its attorney on any posted agenda item, as permitted by Law. Additionally, Boards & Commissions may convene into Executive Session to discuss the following:

- A. Section 551.071 - Pending or Contemplated Litigation or to Seek Advice of the City Attorney.
- B. Section 551.072 - Purchase, Sale, Exchange, Lease, or Value of Real Property.
- C. Section 551.073 - Deliberation Regarding Prospective Gift.
- D. Section 551.074 - Personnel Matters.
- E. Section 551.087- Deliberation Regarding Economic Development Negotiations.
- F. Section 551.089 - Deliberations Regarding Security Devices or Security Audits.

According to the City of Everman Policy on Governance Process, individual citizen comments will be restricted to three (3) minutes unless otherwise determined by a majority vote of the Council. The Presiding Officer of the Board or Commission is responsible to enforce the time limit. Citizens may address the Board or Commission either during the Citizen Comments portion of the meeting or during deliberation of a listed agenda item. Members of the Board or Commission are only permitted by Law to discuss items that are listed on the agenda. Citizens wishing to make comments should notify the City Secretary as soon as possible.

City Hall is wheelchair accessible. Parking spaces for disabled citizens are available. Requests for sign interpretative services must be made 48 hours prior to the meeting. To make arrangements, call 817.293.0525 or TDD 1.800.RELAY TX, 1.800.735.2989.



TARRANT COUNTY REGIONAL COMMUNICATIONS

Section 3, Item A.

City of Everman
404 W. Enon Avenue
Everman, Texas 76140

Monthly Report

April 2025

ALL OPERATIONS

Total incoming 9-1-1 Calls:	2323
Total incoming Administrative Calls:	4956
Average 9-1-1 ring time:	99.01% under 10 seconds

FIRE DISPATCH

EMS Calls:	1202
Motor Vehicle Accidents:	131
Structure Fires:	45
Other Call Types:	337
Total All Calls Dispatched:	1715

POLICE DISPATCH

Robberies:	0
Burglaries:	35
All Assaults:	14
All Disturbances:	165
Other Call Types:	3489
Total All Calls Dispatched:	3703



TARRANT COUNTY REGIONAL COMMUNICATIONS

Section 3, Item A.

City of Everman
404 W. Enon Avenue
Everman, Texas 76140

NOTEWORTHY INCIDENTS:


UPDATE FROM THE DIRECTOR:

The City of Fort Worth and Motorola will be working to complete updates on the NTIRN Radio System. On May 15th, these updates **may temporarily impact** any third party connections to the radio system, which includes Fire Station Alerting systems. We have been advised that they are only expecting this interruption to affect a 3-hour window and will have more specific details as we get closer. We will also send out several reminders between now and then. This update will have **no impact** on the Alpine Software Responder App and alerting.

The next Fire Chiefs' meeting will be held on May 15, 2025 at 1000. The Police Chiefs' meeting will be the same date at 1100. Invites will be sent out soon.

EMPLOYEE HIGHLIGHT:

This month we celebrated National Public Safety Telecommunicators Week. We honored our emergency Telecommunicators with appreciation IN the vital role they play in public safety. Also worth noting that we have two team members who both brought in beautiful healthy baby girls into the world this past month. Congratulations to both of them!

	TARRANT COUNTY REGIONAL COMMUNICATIONS	
	Policy 2.4 Employee Disciplinary Process	
	Effective Date: 12/28/2022	Replaces:
	Approved: Beverly Patton; Director of Communications	
	Reference:	

I. POLICY

It is the department's policy to impose any necessary disciplinary action fairly and impartially and to offer adequate appeal procedures to ensure that the rights of employees are protected.

Discipline is the process of taking specific actions that will help train, develop, or modify the inappropriate actions of an employee, preferably through positive rather than negative measures.

Discipline in the department takes two approaches: (1) rewarding employees for excellence and positive actions and (2) training, counseling, and in some cases sanctioning for inappropriate actions or behavior.

II. PURPOSE

The purpose of this policy is to establish procedures concerning informal and formal disciplinary practices within the department.

III. DEFINITIONS

- A. Days: The term "days," as used herein, means "work days provided"; however, if the last day of any time period mentioned is a Saturday, Sunday, or holiday, the time period shall be extended to the next day.
- B. Moral turpitude: An intentional act or behavior displayed in words or actions that violates public morals or the common sense of the community involving but not limited to intent to defraud, intentional dishonesty for personal gain, lying, perjury, subornation of perjury, cheating, bribery, unlawful possession of controlled substances, sexual harassment, unlawful sexual conduct, or excessive use of force.
- C. Relief from duty: An administrative action by a superior whereby a subordinate employee is temporarily relieved from performing his or her duties.

- D. Discipline: The taking of specific actions intended to help train, develop, or modify the actions of an employee. Discipline may be positive (awards and training) or negative (punishment).

IV. PROCEDURES

A. Positive discipline

1. Positive discipline seeks voluntary compliance with established policies, procedures, and orders. Methods of positive discipline include:
 - a. Recognition of excellent job performance through rewards or awards.
 - b. When people outside the department compliment an employee's performance, the person who receives the information shall make a record of the comments and pass them to the employee's supervisor. A Director who receives compliments about an employee should write a thank-you note to the individual. Copies of the person's statement and the Directors response shall be sent to the employee involved and the supervisor. A copy of all correspondence shall be placed in the employee's personnel file.
 - c. Truly exceptional acts shall be clearly and promptly identified to the Director of Communications. These acts may be the basis for special awards or for special recognition by community groups or media coverage.
2. Discussion and counseling
3. Training

B. Consistency in discipline

1. The department abides by the philosophy that discipline must be applied consistently and uniformly.
2. The department provides employees with descriptions of prohibited behavior in the "Rules of Conduct Policy" and elsewhere in these orders. No list, however, can be all-inclusive. Employees are expected to have a reasonable perception of what constitutes proper behavior, based on training and experience.

C. Relief from duty

1. An employee may be relieved from duty whenever a supervisor, whether the Director of Communications, or other supervisor questions an employee's physical or psychological fitness for duty. An internal investigation may follow.
2. A supervisor, or acting supervisor, has authority to relieve an employee from duty, but must promptly report this action to the Director of Communications, accompanied by a written report setting forth details and circumstances.

3. If the necessity to relieve from duty is not immediate, the behavior or actions of the employee shall be deemed a matter for internal investigation. In an internal investigation, only the Director of Communications may relieve an employee from duty. Only the Director of Communications, may suspend an employee without pay.
4. An employee who refuses to obey a direct order in conformance with the department's orders may be relieved from duty by a supervisor, who may recommend suspension to the Director of Communications. The Director, may then suspend without pay.

D. Penalties: Documented oral reprimand, counseling, and/or training.

1. Oral reprimands resulting from improper actions, while informal, require documentation with an employee's acknowledgment of such record. The following steps shall be observed:
 - a. At the time of an oral reprimand, the employee receiving it shall be counseled as to correct behavior, and further advised that a written record shall be maintained concerning the reprimand/counseling, and that the employee may read the record.
 - b. The employee shall be further advised that he or she has the right to file a statement in his or her personnel file setting forth his or her position, in case of disagreement.
2. The reprimanding supervisor shall prepare a memorandum for the personnel record that contains the following information:
 - a. Employee's name
 - b. Date of reprimand/counseling
 - c. Summary of reasons for reprimand/counseling
 - d. Summary of employee's response
 - e. Suggestions for improvement or specific actions suggested
 - f. Name and signature of counselor
 - g. The following statement must appear:

"I acknowledge that I have today received counseling and I have been advised of the following rights: (1) that a written record of reprimand/counseling shall be maintained; (2) that the employee has a right to review the record and respond in writing; (3) that the form shall become part of the personnel file; and (4) that the employee is required to acknowledge the reprimand/counseling by signing the record."

- h. The employee shall sign and date the form on which the statement appears.
3. Oral reprimand/counseling may involve remedial training. This training may be deemed necessary to rectify the improper behavior. Remedial training may include attendance at in-service or other training specially created to help the employee correct or modify his or her behavior. Remedial training is reasonably offered until the employee can

demonstrate proficiency in the correct behavior. All training shall be documented.

4. If the employee's actions did not result in a formal internal investigation and employee has not behaved improperly following counseling for two years, the record of counseling shall be expunged from the employee's personnel file.
5. Accumulation of three oral reprimands in a twelve-month period may result in a written reprimand or suspension, depending on circumstances.
6. Supervisors are expected to informally counsel employees regularly without waiting on instances of poor performance. Most counseling is informal, positive, supportive, and often undocumented.
7. Supervisors are responsible for counseling employees concerning job-related matters within their capabilities. Since many things can affect the job and an employee's performance, job-related counseling may involve family and other individual, personal subjects. Counseling may include identification of unacceptable behaviors or actions, specifically what was done wrong and the desired or acceptable performance. Counseling can attempt to determine the reason for the particular behavior, determine and recommend how to correct or improve performance or to solve the problem.

E. Written reprimand. A written reprimand becomes a permanent part of the employee's file. A written reprimand, issued by the Director of Communications:

- a. cautions an employee about poor behavior,
- b. sets forth the corrected or modified behavior mandated by the department,
- c. specifies the penalty in case of recurrent poor behavior.
- d. An employee may appeal a written reprimand in writing within ten days of its receipt. The employee may appeal the reprimand to the city manager, who shall be the final arbiter.

F. Demotion or suspension without pay

1. If the situation warrants, the Director of Communications, with consultation of the City Attorney, may demote an employee or suspend him without pay.
2. Suspensions without pay will normally apply to a period of up to 15 days, as determined by the Director of Communications and city manager.
3. If an employee becomes a candidate for suspension a second time within one year after the first suspension, the employee may be dismissed.
4. Suspensions resulting from the arrest or criminal investigation of an employee may be indefinite or result in termination.
 - a. Should an employee be arrested or identified as a suspect in any felony, a misdemeanor involving violence or moral turpitude, family

violence or DWI, he/she shall immediately be placed on administrative leave with pay and an internal investigation shall commence. At the conclusion of the internal investigation the Director of Communications may take appropriate disciplinary action based on the results of the internal investigation, including indefinite suspension or termination.

- b. Terminations may result from other criminal infractions.
 - c. An employee who is acquitted of criminal charges may yet be disciplined at the discretion of the Director of Communications or reinstated with full or partial back pay.
5. Any employee suspended for a period five days or longer shall return all department-owned property. On any suspension, the employee must return to department custody his or her badge, identification card, and any issued firearm.
 6. During a suspension, the employee shall not undertake any official duties.
 7. Demotion shall be to the next lowest rank.
 8. An employee may appeal a suspension or demotion within three working days of notice. An employee may appeal a suspension through the Director of Communications to the city manager, whose decision is final.

G. Termination

1. Terminations are made in cases of extreme misfeasance, malfeasance, or nonfeasance of duty. A complete record of the circumstances of the misbehavior shall be made by all persons having knowledge of the misbehavior.
2. Employees may appeal a dismissal within three working days of receipt of notice, and may appeal in accordance with the procedure outlined under Policy 4.7

H. Reporting arrests


Any employee arrested for, charged with, or convicted of any crime, or required to appear as a defendant in any criminal or civil proceedings must so inform the Director of Communications in writing as soon as possible. Employees do not have to report parking tickets. Employees must report summonses or arrests for reckless driving, DWI, or any other hazardous or moving- traffic offenses. Failure to notify the department of the foregoing shall be cause for dismissal.

V. PROGRESSIVE DISCIPLINE

- A. Except for gross breaches of discipline, moral turpitude, or serious violations of law or conduct, the department generally follows the principles of progressive discipline.
- B. Probationary employees shall be dismissed, suspended, or otherwise disciplined according to the foregoing.

VI. ADMINISTRATION OF SUSPENSIONS, DEMOTIONS, OR DISMISSALS

- A. After an appropriate investigation, should the Director of Communications sustain the allegation and determine that the discipline may be a suspension, demotion, or termination the Director may request review of the investigation by the employee's chain of command to obtain their recommendations for disciplinary action.
- B. Upon receipt of the recommendations, if the Director of Communications believes the discipline should be greater than a written reprimand, the Director shall request that the employee read the written investigation summary and initial each page. The review will take place in the presence of the investigating employee or other staff member. The employee will be allowed to add a written statement to the investigative package stating any arguments with the evidence or investigation process. This statement will be prepared and added to the investigation summary before the employee and the investigating employee leave the review site.
- C. The Director of Communications will meet with the employee and allow the employee to make any statement regarding the evidence or investigation, and review any written statement provided by the employee. The Director of Communications will then have the employee report back after a period of time determined by the Director.
- D. The Director of Communications will again review the investigation, considering the employee's input and may then decide on the discipline or send the investigation back for further investigation.
- E. The Director will meet with the employee to inform him or her of his/her decision. The Director will present the employee with a letter outlining the discipline, the effective date of the discipline, the reason for the discipline, and the employee's appeal rights.
- F. Copies of all investigation reports that indicate disciplinary action and all other disciplinary paperwork will be filed in the employee's personnel file. A copy of the investigation report will be maintained in the internal investigations files.

	TARRANT COUNTY REGIONAL COMMUNICATIONS	
	Policy 2.3 Internal Investigation Process	
	Effective Date: 12/28/2022	Replaces:
	Approved: Beverly Patton; Director of Communications	
	Reference: TBP 2.04, 2.05, 2.06, 2.07, 2.08, 2.09, and 2.10.	

I. POLICY

The department's image and reputation depend on the personal integrity and discipline of all departmental employees. To a large degree, the public image of the department is determined by what kind of response the department gives to allegations of misconduct against its employees. The department must competently and impartially investigate all allegations of misconduct by employees and complaints bearing on the department's response to community needs. The employee must remain neutral under circumstances that are likely to generate tension, excitement, and emotion. In these situations, actions and events frequently result in misunderstanding and confusion. It is to the advantage of all employees to have a procedure for the investigation of the more serious allegations and underlying circumstances so that complaints can be resolved in light of the complicated pressures of public safety work.

II. PURPOSE

The purpose of this policy is to describe the procedure that a citizen must follow in making a complaint against department personnel, to outline the procedure for investigating complaints, and to list and define the dispositions of complaints.

III. PROCEDURES — GENERAL (TBP: 2.04)

A. Receipt of complaints

The department encourages any person to bring forward grievances regarding misconduct by employees. Department members shall receive all complaints courteously and shall handle them efficiently. All employees are obligated to explain complaint procedures to anyone who inquires.

B. Responsibilities of supervisors

1. First-line supervisors are primarily responsible for enforcing conformance with departmental standards and orders.
2. First-line supervisors shall know the employees in their charge by closely observing their conduct and appearance.

3. First-line supervisors shall be alert to behavioral changes or problems in their subordinates and, if necessary, document these changes and confer with higher authorities. The first-line supervisor shall assess the behavior, and take or recommend appropriate action.
4. The supervisor shall recommend and, if appropriate, help conduct extra training for employees not performing according to established standards.
5. The supervisor shall recommend and, if appropriate, help conduct extra training for employees not performing according to established standards. The first-line supervisor shall employ counseling techniques sanctioned by the department. Counseling is used to adjust and correct minor, infrequent errors or instances of poor performance and to ascertain the nature of any professional or personal problems that bear on performance.
6. The supervisor shall document all instances of counseling.

C. How to make a complaint

A copy of "Citizen Complaint Procedures" will be posted in the public area of the department, provided to media representatives, and given to any person requesting information on how to make a complaint.

D. Responsibility for handling complaints

1. All complaints alleging a violation of the law or policy will be investigated.
2. Complaints regarding operations will usually be handled through the chain of command, beginning with the first-line supervisor.
3. Complaints involving how service is provided or a failure to provide service or improper attitudes or behavior may be investigated by an assigned supervisor or by the Director of Communications.
4. Depending on the nature of the complaint, the Director of Communications may request another agency to undertake the investigation. (TBP: 2.06)

E. Complaint-handling procedures. NOTE: This same procedure can also be used by agency employees who wish to file a complaint against another employee.

1. All complaints, regardless of nature, can be filed in person, by mail, or by phone at any time. As part of the follow-up investigation, persons making complaints by mail or phone normally shall be interviewed and a written, signed complaint prepared.
2. A signed letter of complaint will be accepted as a signed complaint without requiring any specific form.
3. Anonymous complaints shall be followed up to the extent possible. In case of an anonymous complaint, the employee or other person who receives the anonymous complaint shall reduce the complaint to writing in a memorandum with as much information as possible and forward the report to the Director of Communications.

4. Every effort shall be made to facilitate the convenient, courteous, and prompt receipt and processing of any person's complaint. An employee of the department who interferes with, discourages, or delays the making of complaints shall be subject to disciplinary action.
5. Normally, a person with a complaint shall be referred to a supervisor or the Director of Communications, who shall assist the individual in recording pertinent information. If initially reported to a supervisor, the first-line supervisor shall conduct a preliminary investigation. The Director of Communications may, if appropriate, conduct a preliminary investigation. The preliminary investigation consists of questioning the employee, complainants, or witnesses, and securing evidence. Upon completion of the preliminary investigation, the following documents shall be prepared and forwarded through the chain of command:
 - a. a report of the alleged violation
 - b. any documents and evidence pertinent to the investigation
 - c. recommendations for further investigation or other disposition.
6. If the first-line supervisor or other investigators determine that the complainant is apparently under the influence of an intoxicant or drug, or appears to have a mental disorder, or displays any other trait or condition bearing on his or her credibility, the supervisor or investigator shall note these conditions.
7. Any visible marks or injuries relative to the allegation shall be noted and photographed.
8. An employee who receives a complaint through U.S. mail shall place the correspondence and envelope in a sealed envelope and forward it to the Director of Communications, who shall determine investigative responsibility.
9. Complaints received by telephone by dispatchers or other employees shall be courteously and promptly referred to a supervisor or the Director of Communications. The dispatcher or employee shall record the name and telephone number of the complainant and state that the Director of Communications or, if unavailable, the supervisor will call back as soon as practical.
10. In every case, the Director of Communications will be notified of any complaint as soon as possible by the supervisor receiving the complaint. Complaints received overnight will be brought to the Director's attention the next workday. Complaints alleging a violation of the law or any other serious violation should be reported immediately regardless of the time of day. (TBP: 2.07)

F. Disposition of complaints generally

The Director of Communications or his/her designee shall:

1. Notify the complainant, in writing, as soon as practical, that the department acknowledges receipt of the complaint, that it is under investigation and that the complainant will be advised of the outcome.
2. Enter the complaint into the complaint log, assign a complaint number, and have the complaint investigated. Minor complaints alleging rudeness, minor policy violations, and general performance issues may be assigned to a supervisor for investigation and resolution. Allegations of a violation of the law or serious policy violations will be investigated by the Director of Communications, an investigator assigned by the Director of Communications, or an outside agency as determined by the Director.
3. Maintain complaint files separate from personnel files.
4. Take disciplinary action following the investigation, if appropriate.

G. Disposition of a serious complaint

1. Allegations of misconduct that might result in discharge, suspension, or demotion, or allegations of criminal charges are serious complaints. The term "serious complaint," in this manual, means that there will be an "internal investigation." Internal investigations examine alleged brutality, gross excesses of legal authority, or allegations involving supervisory or multiple personnel.
2. If a criminal offense is alleged, two separate investigations shall be conducted: a criminal investigation and an administrative or internal investigation. The criminal investigation examines compliance with criminal law while the internal investigation determines compliance with policy and procedure. The Director of Communications will assign these investigations as required.
3. Concurrent Investigations
 - A. concurrent investigation" occurs when an Administrative Investigation and Criminal Investigation related to the same allegation are conducted at or about the same time.
 - B. Procedures for Handling
 - i. Generally, the Administrative Investigation will take place after the Criminal Investigation has concluded or is nearing conclusion.
 - ii. In accordance with *Garrity v. New Jersey*, administrative investigators will have access to any and all evidence and statements obtained in a criminal investigation against accused employee; however, criminal investigators will not have access to evidence or statements obtained during an Administrative Investigation.
 - iii. No criminal investigation may be conducted by a department employee against another department employee without first notifying the Director of Communications.
 - iv. The Director of Communications has the authority to order a criminal investigation into any allegation of wrongdoing in lieu of, or in addition to, an Administrative Investigation.
 - v. The Director of Communications may request an outside agency to conduct the investigation when it would not be in the

- department's best interest for the Everman Police Department's Internal Affairs Unit to conduct the investigation.
- vi. Any employee who is a suspect in a criminal investigation:
 - a.) must be given the Miranda warnings prior to being interviewed;
 - b.) shall be given all the constitutional rights as any other accused person.
3. In cases of a serious complaint the Director of Communications shall:
 - a. Determine if the employee complained of should remain on-duty, be relegated to non-contact assignments, or put on administrative leave until the investigation is complete.
 - b. Determine and assign responsibility for the investigation.
 - c. Cause the complaint to be registered and assigned an investigation number in the complaint log.
 - d. Maintain close liaison with the district attorney in investigating alleged criminal conduct. Where liability is at issue, the Director shall similarly maintain contact with the city attorney or legal counsel.
 4. All investigations will be completed within 45 days to include the taking of disciplinary action when necessary. If additional time is necessary to conclude the investigation, a request for extension will be presented to the Director in writing providing justification for the extension. If the Director agrees to an extension a specific number of days will be approved. A copy of the request for extension will be provided to the involved employee and the original placed in the case file. (TBP: 2.05)
 5. Upon completion of any investigation, the Director of Communications, or designee, will notify the complainant in writing of the results of the investigation and any action taken. (TBP: 2.10)

IV. INVESTIGATIVE PROCEDURES

- A. Two types of investigations may take place: administrative or criminal. Different rules govern interviews of employees in each case.
- B. Assistance of legal counsel
 1. Employees are permitted to have an attorney, supervisor, or other representative with them in the room during any interview regarding allegations of misconduct.
 2. The employee's representative is limited to acting as an observer at the interview, except that where the interview focuses on, or leads to, evidence of criminality, the attorney may advise and confer with the employee during the interview.

C. All Interviews

1. Prior to being interviewed, the subject employee shall be advised of the nature of the complaint and provided a copy of the complaint.
2. All interviews will be conducted while the employee is on duty, unless the seriousness of the investigation is such that an immediate interview is required.
3. During interviews conducted by the department, one employee will be designated as the primary interviewer.
4. The complete interview shall be recorded. The recording will note the date and time of the interview, who is present at the interview, the time at which breaks are taken in the interview process, who requested the break, the time the interview resumed, and the time the interview was ended.
5. The employee shall be provided with the name, rank, and command of all persons present during the questioning.

D. Interviews for criminal investigative purposes

1. If the Director of Communications believes that criminal prosecutions are possible and wishes to use statements against the employee in a criminal proceeding, or at least wishes to maintain the option of their use, he/she or another interviewer shall:
 - a. Give the employee the rights as specified in the Texas Code of Criminal Procedure, Article 38.22.
 - b. In addition to the rights set forth in state law, the Director or designee shall advise the employee that if he/she asserts the right not to answer questions no adverse administrative action will be taken based upon the refusal.
 - c. If the employee decides to answer questions at this point, the responses may be used in both criminal and disciplinary proceedings.

E. Interview for administrative purposes

1. If the Director of Communications wishes to compel an employee to answer questions directly related to his or her official duties, the Director of Communications or another interviewer shall advise the employee of the following:
 - a. You are advised that this is an internal administrative investigation only.
 - b. You will be asked and are required to answer all questions specifically related to the performance of your duties and your fitness for office.
 - c. All questions specifically related to employment must be fully and truthfully answered.
 - d. If you refuse to answer these questions, you can be subject to discipline that can be as much as discharge or removal from office.
 - e. Any answers given are to be used solely for internal administrative purposes and may not be used in any subsequent criminal prosecution should such occur.
 - f. The purpose of the interview is to obtain information to determine whether disciplinary action is warranted. The answers obtained may be used in

disciplinary proceedings resulting in reprimand, demotion, suspension, or dismissal.

2. In an interview for administrative purposes, no Miranda rights are required.

V. INVESTIGATIVE TOOLS AND RESOURCES

- A. In addition to interviews of the employee and witnesses, other activities in support of a complaint investigation or internal investigation may be required, including:

1. The Director of Communications may order medical and laboratory examinations.
2. The Director of Communications or employee in authority may, based on reasonable suspicion or his/her observation, require a department employee to submit to a test for alcohol or drug use while on duty. The results may be used in a disciplinary hearing. Refusal to submit to the examination will be grounds for disciplinary action and may result in the employee's dismissal.
3. If the employee is believed to be under the influence of alcohol, a licensed breathalyzer operator shall administer the test. The Director of Communications or employee in authority shall witness the test and sign the report.
4. If the employee has a reading of .02 or higher, or there is other competent evidence of impaired abilities to perform duties, the employee shall be relieved of duty by the Director of Communications or employees in authority.
5. If the employee is believed to be under the influence of self-administered drugs, he/she may be compelled to submit to a blood or urine test. The test shall be administered under medical supervision where hygienic safeguards are met. The sample shall be handled using the same safeguards as evidence in a criminal process.
6. If the test shows positive results, or there is other competent evidence of impaired abilities to perform duties, the employee shall be relieved of duty as soon as possible by the Director of Communications or other employees in authority.
7. If an employee refuses to submit to a test, (alcohol or drugs) the Director of Communications or other employee in authority shall immediately relieve the employee from duty for failure to cooperate in an administrative investigation.
8. Property assigned to the employee but belonging to the department is subject to inspection if the department has a reasonable suspicion that evidence of work-related misconduct may be found therein. Department property includes files, storage lockers, desks, and vehicles.

- B. Photograph and lineup identification procedures

1. Employees may be required to stand in a lineup for viewing for the purpose of identifying an employee accused of misconduct. Refusal to stand in a properly conducted lineup is grounds for disciplinary action and may result in dismissal if criminal prosecution is not anticipated.

2. A book of photos of department employees may be maintained for the purpose of identification of an employee accused of misconduct.

C. Financial disclosure statements

An employee may be compelled to make financial disclosure statements when directly and narrowly related to allegations of misconduct involving any unlawful financial gain.

D. Polygraph

1. All personnel shall be required to submit to a polygraph if ordered to do so by the Director of Communications.
2. The Police Director may order employees to take a polygraph under the following circumstances:
 - a. The complainant has taken and passed a polygraph concerning the incident, unless the complainant is willing to submit to testing but the polygraph operator determines the complainant is not a fit subject due to mental condition, age, or medication.
 - b. Regardless of whether or not the complainant takes a polygraph (or is positively identified), and the complaint is of such a nature as to bring severe discredit and suspicion on the department and cannot be satisfactorily resolved in any other manner.
3. The results of the polygraph examination shall not be used as the sole basis for disciplinary action against any employee.
4. Any polygraph examination given under the provisions of this order shall be administered by a private contractor licensed to administer polygraph examinations in the State of Texas or must be a licensed examiner from another law-enforcement agency. No employee shall administer an examination to another employee.
5. Refusal to submit to a polygraph examination or to answer all questions pertaining to the charges in the polygraph examination, or deliberately impeding the administration of the polygraph shall be grounds for disciplinary action and may result in dismissal from the department.

VI. ADJUDICATION OF COMPLAINTS

- A. The Director of Communications will classify completed internal affairs investigations under the following headings:
 1. Unfounded - no truth to allegations.
 2. Exonerated - allegations true, but are the result of adherence to departmental policy or procedure. Exonerated complaints will be reviewed by the Director of Communications for consideration of policy revision.
 3. Not sustained - unable to verify the truth of the matter under investigation.

4. Sustained - allegations are true. Complaints will not be classified as sustained unless the finding is based on facts determined during the investigation. (TBP: 2.04)
- B. Completed investigations classified as unfounded, exonerated, or not sustained will be maintained in internal affairs files in the Directors office. Sustained complaints shall be filed in the individual employee's department personnel file with a copy in the internal affairs files.
- C. Disciplinary action taken shall be determined by the seriousness of the violation or the extent of injury to the victim, and the employee's prior disciplinary history. It shall be commensurate with the circumstances surrounding the incident, and the employee's service record, including prior sustained complaints, will be considered.
- D. Disciplinary records (TBP: 2.09)
 1. The department shall maintain a log of all complaints.
 2. The complaints and internal investigative files shall be kept in a secure area and shall be maintained in accordance with state law and city policy.
 3. The Director shall direct a periodic audit of complaints to ascertain a need for training or a revision of policy.
 4. The Director shall publish an annual or other periodic summary of complaints that shall be made available to the public.