

b. A supervisor shall be contacted, and all appropriate duty injury and medical forms shall be completed by the supervisor and the officer Immediately *after* exposure, the officer shall be transported to an appropriate health care facility for clinical and serological testing for evidence of infection.

- 1) The department shall ensure continued testing of the officer for evidence of infection.
- 2) Except for disclosure to an appropriate departmental official, the officers test results shall remain confidential.

Any person responsible for potentially exposing the officer to a communicable disease shall be encouraged to undergo testing to determine if the person has a communicable disease.

- 1) The person shall be provided a copy of the test results and guaranteed its confidentiality.
- 2) Criminal charges shall be sought against any person who intentionally acts to expose an officer to a communicable disease.

Officers who test positive for a communicable disease may continue working as long as they maintain acceptable performance and do not pose a safety and health threat to themselves, the public or members of the department

- 1) The department shall make all decisions concerning the employee's work status solely on the medical opinions and advise of health care officials.
- 2) The department may require an employee to be examined by health care officials to determine if he/she is able to perform his duties without hazard to himself/herself or others.

All personnel shall treat employees who have contracted a communicable disease *fairly*, courteously and with dignity.

6. Record Keeping

a The department shall maintain written records of all incidents involving employees who have potentially been exposed to a communicable disease while acting in the line of duty. The records shall be stored in a secured area with limited access, and maintained in conformance with applicable privacy laws.

600.14 RACIAL PROFILING POLICY A.

PURPOSE

I The purpose of this policy is to reaffirm the Meadows Place Police Department's commitment to unbiased policing in all encounters between officers of this department 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 manner; and to protect the officers of this department from

baseless accusations of misconduct when they act within the dictates of departmental policy and the law.

B. POLICY

1. It is the policy of the Meadows Place Police Department to police in a proactive manner and, to aggressively investigate suspected or reported violations of law. Officers shall actively enforce state and federal laws in a responsible and professional fashion, without regard to race, ethnicity or national origin. Officers are strictly forbidden from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.
2. Officers shall conduct themselves with a dignified and respectful demeanor at all times when dealing with the public. Two of the fundamental rights guaranteed to all persons by both the United States and the Texas Constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. These rights must be respected and upheld. Racial profiling is an unacceptable patrol tactic and will not be tolerated by this agency.
3. This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

C. DEFINITIONS

1. *Racial Profiling - 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.*
 - a. Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts.
 - b. The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin is racial profiling. Examples of racial profiling include but are not limited to:
 - 1) Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver's race, ethnicity or national origin.
 - 2) Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity or national origin is unlikely to own or possess that specific make or model of vehicle.
 - 3) Detaining an individual based upon the determination that a person of that race, ethnicity or national origin does not belong in a specific part of town or a specific place.
 - c. Two principles can be derived from the adoption of this definition of racial profiling:

- 1) Police may not use racial or ethnic stereotypes as factors in selecting whom to stop and search, while police may use race in conjunction with other known factors of the suspect.
 - 2) Law enforcement officers may not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling is no relevant as it pertains to witnesses, etc..
2. Race or ethnicity- *-Of particular decent, including Caucasian, African, Hispanic, Asian, or Native American.*
 3. Pedestrian Stop - *An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.* Traffic Stop - *A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.*

D. TRAINING

Officers are responsible to adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

2. All effects shall complete a TCLEOSE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer who on September 1, 2001, held a TCLEOSE intermediate proficiency certificate, or who held a peace officer license issued by TCLEOSE for at least two years, shall complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.
3. The Chief of Police, as part of the initial training and continued education for such appointment, will be required to attend the LEMIT program on racial profiling not later than September 1, 2001.

E. COMPLAINT INVESTIGATION

- I The Meadows Place Police Department shall accept complaints from any person who believes he or she has 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.
2. Any employee who receives an allegation of racial profiling, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel and/or direct the individual(s) to the appropriate supervisor to handle the complaint according to department policy. Any employee contacted shall provide to the complainant a copy of a complaint form or the department process for filing a complaint. All employees shall report any allegation of racial profiling to their supervisor before the end of their shift.
Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will additionally receive a disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the Chief of Police. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the Chief of Police.

- If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
5. 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 by this department into the complaint and the written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.

F. PUBLIC EDUCATION

1. The Meadows Place Police Department will inform the public of its policy against racial profiling and the complaint process. Methods that may be utilized to inform the public are the news media, radio, service or civic presentations, the Internet, posting in the City Hall Lobby as well as presentation at City Council meetings. Additionally, information will be made available as appropriate in languages other than English.

G. CITATION DATA COLLECTION & REPORTING

Officers are required to collect information relating to traffic stops in which a citation is issued. On the citation officers must include:

The violator's race or ethnicity
Whether a search was conducted
Whether the search was consensual; and
Whether an arrest was made for this cited violation or any other violation.

2. By March 1st of each year, the department shall submit a report to the City Council that includes the information gathered by the citations from the previous calendar *year*. The report will include:

A breakdown of citations by race or ethnicity;
The number of citations that resulted in a search; The number of searches that were consensual; and
The number of citations that resulted in custodial arrest for this cited violation or any other violation.

COLLECTION AND REPORTING INFORMATION GATHERED FROM TRAFFIC AND PEDESTRIAN STOPS

- I. Any officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense, shall record and report the following information:

A physical description of each person detained as a result of the stop, including:

- I.) The person's gender;
- 2.) The person's race or ethnicity, as stated by the person or as determined by the officer to the best of his/her ability.

- b. The street address or approximate location of the stop. The suspected offense or the traffic law or ordinance alleged to have been violated.
Whether a search was conducted as a result of the stop and, if so, whether the person detained consented to the search.