

	Houston Independent School District Police Department Directives	DIRECTIVE: 440-002
		EFFECTIVE DATE: March 24, 2021
	SUBJECT: Limits of Authority	REVISED DATE: January 28, 2022

PURPOSE

This directive aims to describe the limits of authority of the Houston Independent School District Police. This directive applies to all Houston Independent School District Police Department personnel.

STATUTORY AND CONSTITUTIONAL OBLIGATIONS

HISD police officers possess the authority to arrest and apprehend suspects consistent with state and federal statutory and constitutional standards governing arrests without warrants for felonies and misdemeanor offenses that occur within the jurisdiction of the Houston Independent School District Police Department and the State of Texas. HISD police officers are commissioned as peace officers pursuant to Article 2.12 of the Texas Code of Criminal Procedure and Section 37.081 of the Texas Education Code.

JURISDICTION

The jurisdiction of the HISD Police Department includes all territory in the boundaries of the district and all property, real and personal, outside the boundaries of the district that is owned, leased, or rented by or otherwise under the district's control. HISD police officers will exercise police authority and powers in accordance with Article 2.13 of the Texas Code of Criminal Procedures (duties and powers of peace officers) and Texas Education Code Section 37.081, a-h. Officers of the HISD Police Department are required to limit their actions to school-related incidents; however, as Texas peace officers, they have a statutory requirement to involve themselves in non- HISD incidents that are life-threatening, considered felony offenses, or are listed in Chapter 14 of the Texas Code of Criminal Procedures (Arrest Without Warrant).

POLICE AUTHORITY AND POWERS

HISD police officers are employees of the district and shall comply with all district policies, procedures, and regulations. HISD police officers have the following powers, privileges, and immunities of peace officers under the jurisdiction provided by these procedures. HISD police officers possess the authority to:

- a. Enforce Sections 37.081 and 37.101 - 37.157 of the Texas Education Code.
- b. Prevent and investigate violations of law, ordinances, or District policy adopted by the Board that:
 1. Occur within the jurisdiction of the district or at district functions.
 2. Involve district vehicles or buses; or
 3. Involved offenses against the district or district employees or

board members in their capacity as district employees or board members.

- c. Participate in serving search warrants and arrest warrants in district-related investigations.
- d. Take juveniles into custody if there is probable cause to believe that the child has engaged in conduct that violates a penal law of this state or a penal ordinance of a subdivision of this state, delinquent conduct, or conduct indicating a need for supervision.
- e. Patrol areas within the district's jurisdiction in connection with the performance of duties provided by this policy.
- f. Engage in activities and programs approved by the Board of Trustees or supervisors designed to prevent or deter crimes against district employees, students, visitors, and property.
- g. Assist in providing traffic control at athletic events, at school closings or openings, or at times deemed necessary by the Board of Trustees or supervisors to ensure the safety and welfare of students, staff, and district patrons.
- h. Enforce criminal violations for incidents occurring on district school buses.
- i. Where appropriate, coordinate and cooperate with commissioned officers of other law enforcement agencies to enforce these procedures.
- j. Investigate district rules and regulations violations as requested by the district administration and participate in administrative hearings concerning the alleged violations, including suspension, expulsion, and employee disciplinary hearings.
- k. Participate in judicial proceedings.
- l. Participate in functions as approved by the Board of Trustees or supervisors; and
- m. Aid other law enforcement agencies. Routine assistance may be provided on an as-needed basis. To develop and maintain mutual working relationships, the HISD Police may respond to requests for assistance from other agencies that fall outside the normal scope of operations.

COMMISSIONED OFFICERS

Any person whose Texas Commission on Law Enforcement Officer Standards and Education Peace Officer Commission is held by the HISD Police Department is subject to the policies and procedures of this department and shall be answerable to the Chief of Police for the proper use of or the lack of use of police powers.

LOSS OF TEXAS COMMISSION OF LAW ENFORCEMENT EDUCATION (TCOLE)

All police officers and dispatchers are required to have a TCOLE license and must ensure that every mandated requirement for the respective license is kept up to date.

Failure to complete mandated license requirements may result in a suspension or revocation of their TCOLE license resulting in forfeiture of their status as a peace officer or dispatcher.

Any police officer or dispatcher who has been notified that their TCOLE license has been suspended or revoked shall:

- a) Report to their captain immediately and provide information regarding their TCOLE status.
- b) Officers shall be required to turn in their HISD Police Department badge and identification at that time. Dispatchers will be required to turn in their department identification.
- c) Officers shall be notified that they shall not perform law enforcement functions or carry a firearm until TCOLE has certified that mandated requirements have been met and their license has been restored; and

The following actions shall be taken:

- a) The captain shall confer with the Assistant Chief of Police or designee to determine the civilian work assignment of the employee if any,
- b) The officer or dispatcher shall be immediately reassigned to a civilian/clerical position, if available, that does not require a TCOLE license for the performance of the position.
- c) Officers and dispatchers shall not be permitted to return to law enforcement duties until they have completed all TCOLE mandated requirements and their license has been reactivated.
- d) Officers and dispatchers shall be denied permission to work overtime or extra employment until they have successfully met TCOLE requirements.

INTERAGENCY AGREEMENTS

"Memorandums of Understanding" shall be initiated with other local law enforcement agencies delineating areas of reasonable cooperation between the agencies.

MUTUAL AID

Mutual Aid is specifically restricted to municipal, county, and state law enforcement agencies. The HISD Department is considered a special purpose agency; however,

consistent with Section 37.081 of the Texas Education Code and school district policy, cooperation is extended to other law enforcement agencies.

FEDERAL LAW ENFORCEMENT ASSISTANCE IN EMERGENCY SITUATIONS

The Chief of Police, or designee, of the Houston Independent School District Police department, shall request emergency assistance from federal law enforcement agencies when necessary.

NATIONAL GUARD ASSISTANCE IN EMERGENCY SITUATIONS

The Chief of Police, or designee, of the Houston Independent School District, forwards requests for such assistance through the City of Houston.

Approved By


Pedro Lopez Jr., Chief of Police