



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Procedure 706 – Assaults on Peace Officers

Office with Primary Responsibility:	IDC	Effective Date: Prior Revision Date:	July 31, 2010 October 01, 2009
Office(s) with Secondary Responsibilities:	PSC, PNC, TSC, FTC, SSO	Number of Pages:	1
Forms Referenced in Procedure:	SAPD Form #69	Related Procedures:	916

.01 INTRODUCTION

The purpose of this procedure is to establish a process for officers to follow when handling Assaults/Aggravated Assaults on peace officers. This procedure assists the officer in gathering evidence necessary for the successful prosecution of the suspect(s).

.02 PROCEDURE

- A. When an officer has established an assault on a peace officer has occurred and the actor(s) are going to be arrested or filed on for Aggravated Assault on a Peace Officer, the following guidelines are followed.
- B. An attempt should be made to contact a follow-up Homicide or Night CID Unit Investigator when available. If available, the investigator may request all witnesses, suspects, and complainant(s) be transported to Headquarters for statements and photos. Should follow-up investigators not be available, copies of all reports are routed to the Homicide Unit.
- C. Officers' injuries are photographed as soon as possible. Should an officer be transported to a hospital for medical treatment and a photograph cannot be taken, the officer is advised to contact the Homicide Unit to make arrangements for photographs.
- D. Officers, who are complainants, do not write their own offense report. Another officer is assigned the reporting responsibilities. Officers who are complainants write supplementary reports on an incident report form.
- E. Other officers who are witnesses, or who were involved in any part of the incident, write a supplementary report.
- F. The offense report documents the following information:
 1. Names of complainants, witnesses, and suspects;
 2. Details of the incident;
 3. Injuries sustained to the complainant or suspect;
 4. Medical treatment received by complainant or suspect; and
 5. Photographs of the complainant's or suspect's injuries.
- G. In the event the officer receives medical treatment, the officer signs SAPD Form #69, *Medical Release*, for the District Attorney's Office. The medical release can be signed at the Night CID Unit or the Homicide Unit office.
- H. A uniformed supervisory officer is dispatched on all assaults on a peace officer where an arrest is made.
 1. The supervisor writes the proper injured officer reports and initiates the Workers' Compensation documentation in accordance with GM Procedure 916, *Worker's Compensation*.
 2. A copy of the Workers' Compensation documentation is forwarded to Homicide Unit to be included with the case for filing in the District Attorney's Office.



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Procedure 707 – Crash Investigation

Office with Primary Responsibility:	TSC	Effective Date: Prior Revision Date:	July 31, 2010 October 01, 2009
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Forms Referenced in Procedure:	TxDOT Form #CR-2 TxDOT Form #CR-3 TxDOT Form #CR-3C SAPD Form #2-2 SAPD Form #3-CSS SAPD Form #12-A SAPD Form #12-C SAPD Form #12-D SAPD Form #12-DAR SAPD Form #602-6	Related Procedures:	402, 507, 606, 607, 704, 802, 916

.01 INTRODUCTION

This procedure establishes guidelines for handling, investigating and reporting motor vehicle crashes.

.02 POLICY

Officers respond to, provide for the documentation of, and report motor vehicle crashes occurring on property within the corporate limits of the City of San Antonio. When addressing crashes, officers will adhere to the guidelines established in this procedure.

.03 DISCUSSION

- A. Officers address most motor vehicle crashes by completing the TxDot Form #CR-3, *Texas Peace Officer's Crash Report*. This procedure also establishes a process for documenting crashes where there are no injuries, no complaint of injuries and no exigent circumstances necessitating a police investigation. Drivers involved in these types of crashes will be asked to complete a TxDot Form #CR-2, *Driver's Crash Report*.
- B. Crash Documentation/Investigation serves three (3) main purposes:
 1. To gather evidence to support prosecution of criminal violations;
 2. To properly obtain and document facts so those individuals involved can properly exercise their rights under civil law; and
 3. To provide statistical information necessary for the development of crash prevention programs.

.04 RESPONDING TO CRASHES

- A. Responsibilities of first officer arriving at a crash scene:
 1. Park the police vehicle in a manner utilizing emergency lights and flashers to provide warning of the crash to approaching vehicles, to protect persons from injury, and to provide other emergency vehicles access to the scene.
 2. Request EMS for persons requiring medical treatment. Request fire department units if persons need to be extracted from vehicles or if fuel is leaking from vehicles.
 3. Take steps necessary to protect the scene to ensure proper collection of evidence and to gather information or facts needed to accurately investigate if necessary and report the crash.



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4. Take necessary actions to allow for the safe flow of traffic around the crash scene and rapid restoration of traffic flow on the roadway. This includes the use of flares, moving vehicles from the roadway at the earliest opportunity allowable by the investigation, requesting additional officers for traffic or crowd control, wreckers, sand trucks, public works, and fire units.
5. Identify all drivers or pedestrians involved in the crash and check for valid driver's license and proof of insurance. This includes checking each person for active warrants and taking appropriate action if warrants are found.
6. Determine if the crash requires a police investigation or if it meets the criteria for the drivers to report it using TxDOT Form #CR-2,
 - a. The following types of crashes occurring on any street or highway require a police investigation and the responding officer shall report the crash on TxDOT Form #CR-3:
 - (1) Crashes resulting in any injury, complaint of any injury, or death to any person;
 - (2) Crashes resulting in damage to any vehicle to the extent the vehicle cannot be "normally and safely" driven from the scene. (Does not require towing and the vehicle can be operated under its own power and in its usual manner, without additional damage or hazard to the vehicle, other traffic, or the roadway.);
 - (3) Crashes involving Federal, State, or City property and/or vehicles;
 - (4) Crashes involving hazardous materials;
 - (5) Crashes involving commercial vehicles;
 - (6) Hit and run crashes;
 - (7) Crashes where any driver is arrested or cited for any criminal or traffic offense, or found to have active warrants of any kind;
 - (8) Crashes with any suspicion that alcohol or any drug may have been involved.
 - b. The following types of crashes occurring on any street or highway do not require a police investigation. In these situations, the responding officer will provide the drivers with TxDOT Form #CR-2 and advise them they are responsible for filling out the report and submitting it to TxDOT within ten (10) days of the crash:
 - (1) Crashes with no injuries, complaints of injury, or deaths;
 - (2) Crashes where vehicles can be "normally and safely" driven from the scene;
 - (3) Crashes where drivers have valid driver's licenses and proof of insurance for the vehicles;
 - (4) Crashes with no other exigent or unusual circumstances which would require a police investigation (if there is any question, the responding officer shall report the crash on TxDOT Form #CR-3).
7. Request a member from the Homicide Unit's Traffic Investigation Detail (TID) or a member from the Night Detectives Unit and a Crime Scene Unit Investigator to respond to the scene if a crash involves a death, the probability of a death, or any serious bodily injury where intoxicants or other criminal elements may have contributed to the crash (i.e. Racing, Aggravated Assault, Failure to Stop and Render Aid – FSRA).



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8. If the crash results in a death or the probability of a death, the first officer arriving on the scene and/or the officer handling the crash will request a supervisor to make the scene of the crash.
 9. The officer assigned by the dispatcher to handle a crash has report responsibility and is in charge of the crash scene. Upon arrival of a supervisory officer, the supervisor is in charge of the crash scene.
 10. Officers gather and record sufficient information, facts, or evidence to be able to determine if traffic or criminal violations have occurred and to be able to answer any reasonable questions concerning the crash.
 11. An officer will remain at the scene of any crash until the vehicles can be towed from the location or safely moved off the roadway.
- B. Officers handling crashes which are required to be handled on the TxDOT Form #CR-3 as outlined in Section .04A of this procedure will:
1. Locate and identify all drivers, passengers, and witnesses. Interview each separately to determine their involvement in or knowledge of the crash.
 2. Distribute SAPD Form #12-DAR, *Crash Information Sheet*, to each driver with instructions to complete the form by exchanging the required information and witness identification with other drivers involved.
 3. Verify valid driver's license, current liability insurance, and check for active warrants on all drivers involved.
 4. Process non-drivable vehicles in accordance with GM Procedure 607, *Impounding Vehicles*.
 5. Collect any property belonging to drivers and/or passengers who are injured and not able to take custody of their own property. Place the property in the Property Room in accordance with GM Procedure 606, *Impounding Property*.
 6. Authorize the use of special equipment needed in the case of emergency or disaster (e.g., use of inflatable air bags by the contract wrecker).
 7. Clear the street of all debris, if no contract wrecker is called to the scene. Request assistance from Public Works if needed.
 8. At large truck crash scenes, if time and conditions permit, authorize the owner of the vehicle to provide the necessary equipment and personnel to clear any spilled cargo or materials from the scene, provided such personnel and equipment are employed and owned in the regular course of the owner's business and are not hired for the special purpose of clearing the crash scene.
 9. On all crashes involving a death or the probability of a death, submit all reports to the handling Traffic Investigation Detail detective or supervisor in the Homicide Unit for review and approval.
- C. Officers handling crashes which are not required to be investigated and reported on the TxDOT Form #CR-3 as outlined in Section .04(A) of this procedure will:
1. Distribute SAPD Form #12-DAR, to each driver with instructions to complete the form by exchanging the required information. The officer shall assist the drivers with obtaining this information, if requested. The officer shall also verify the information on each SAPD Form #12-DAR prior to leaving the scene.
 2. Provide the involved parties with TxDOT Form #CR-2.
 3. Keep a record of the driver's names, driver's license numbers, and vehicle license numbers of all individuals and vehicles involved. This information will be kept in the officer's notes in accordance with Section 4.11 of the Rules and Regulations.



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4. Document their response to the crash on an SAPD Form #2-2, *Offense/Incident Report*, or document the crash using an N-Code 30 in accordance with GM Procedure 402, *Differential Police Response*.

D. Supervisor Responsibilities:

1. Make the scene of all crashes involving a death or the probability of a death and ensure all investigative procedures are thoroughly followed.

.05 CRASH REPORT FORMS

- A. The guide used in completing TxDot Form #CR-3 and TxDot Form #CR-3C, *Commercial Motor Vehicle Supplement*, is the CR-100 booklet titled *INSTRUCTIONS to POLICE for REPORTING ACCIDENTS*. (**The CR-100 booklet is available on the SAPDWEB and at the TxDOT website.**) In addition to the information required by the CR-100 booklet, a written explanation for any contributing factors listed is to be included in the Investigator's Narrative Section of the Texas Peace Officer's Crash Report.
- B. Crashes occurring on any street or highway which require a police investigation are thoroughly investigated and reported using TxDOT Form #CR-3.
- C. SAPD Form 12-A, *Crash Report Continuation Sheet*, is used to supplement the Texas Peace Officer's Crash Report when any of the following conditions occur or information is obtained:
 1. When additional space is required to complete the Investigator's Narrative Opinion Section or when the crash is of such a nature that the diagram space on the Texas Peace Officer's Crash Report is insufficient;
 2. If an injury code of "B" or higher is listed on the Texas Peace Officer's Crash Report;
 3. When witnesses' names, addresses, and telephone numbers are obtained, if the crash does not involve criminal offenses. If the crash involves criminal offenses, the witness information is recorded on the applicable offense report form, or SAPD Form #12-C, *Crash Casualty Supplement*, or SAPD Form #12-D, *Hit-and-Run/FSR Supplement*;
 4. When points of impact are obtained;
 5. To list skid mark information; and
 6. For any police/city vehicle crash (diagram should be included on SAPD Form #12-A).
- D. SAPD Form #12-A, when used to supplement the *Texas Peace Officer's Crash Report*, is a public form and should only contain information considered "public information".
- E. SAPD Form #12-C, *Crash Casualty Supplement*, is used to supplement the *Texas Peace Officer's Crash Report* when any of the following conditions occur:
 1. A death;
 2. A motorcycle, motor-scooter, or moped is involved in an crash involving injury or death;
 3. A pedestrian is involved in a crash which involves injury or death.
- F. When SAPD Form #12-C is required, all witness information is listed on SAPD Form #12-C if the crash involves criminal offenses, and not on SAPD Form #12-A, *Crash Report Continuation Sheet*.
- G. SAPD Form #12-C, when used to supplement the *Texas Peace Officer's Crash Report*, is a non-public form and will only be released by the Traffic Investigation Detail.



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- H. When more than one (1) *Texas Peace Officer's Crash Report* Form and/or SAPD forms are required to document a crash, only pages of the *Texas Peace Officer's Crash Report* Form will be numbered at the top (i.e., page 1 of 2, page 2 of 2, etc.).

.06 HIT-AND-RUN CRASH INVESTIGATIONS

- A. Hit-and-run crashes occurring on any street or highway are identified on the *Texas Peace Officer's Crash Report* by the officer checking the Hit-and-Run block.
- B. Hit-and-Run Crashes - Personal Injury or Death
1. In addition to the *Texas Peace Officer's Crash Report*, SAPD Forms #12-A, *Crash Report Continuation Sheet*, and #12-D, *Hit-and-Run/FSRA Supplement*, are completed. When applicable the SAPD Form #12-C is completed and submitted with the *Texas Peace Officer's Crash Report*.
 2. A member from the Traffic Investigation Detail or a member from the Night CID Unit and Crime Scene Unit investigator are requested to make the scene of the crash if serious bodily injury or death occurred.
 3. Any charges to be filed against the hit-and-run driver, if located, will be determined by the Traffic Investigation Detail or the Night CID Unit.
 4. The complainant or a relative is advised to contact the Traffic Investigation Detail for inquiries relating to the follow-up investigation
- C. Hit-and-Run Crashes - Property Damage Only (\$200.00 or more):
1. In addition to the *Texas Peace Officer's Crash Report*, SAPD Forms #12-A, *Crash Report Continuation Sheet*, and #12-D, *Hit-and-Run/FSRA Supplement*, are completed and submitted with the *Texas Peace Officer's Crash Report* (#CR-3).
 2. The actor, if located, is identified or arrested; and
 3. The complainant is advised to contact the Traffic Investigation Detail to provide a damage repair estimate and give a written statement for the purpose of filing criminal charges.
- D. Hit-and-Run Crashes - Property Damage Only (Less than \$200.00):
1. In addition to the *Texas Peace Officer's Crash Report*, SAPD Forms #12-A, *Crash Report Continuation Sheet*, and #12-D, *Hit-and-Run/FSRA Supplement*, are completed and submitted with the *Texas Peace Officer's Crash Report* (#CR-3).
 2. The actor, if located, is identified; and
 3. The complainant is advised to contact Municipal Court to file charges and to provide a damage repair estimate.
 - a. When the complainant obtains a damage repair estimate and the estimate is two hundred (\$200.00) or more, he should be advised to contact the Traffic Investigation Detail instead of Municipal Court.
- E. Additional Responsibilities at Hit-and-Run Crash Scenes:
1. A description of the vehicle and driver, the direction of travel, and time lapse are obtained and broadcast as soon as possible;
 2. When leaving the scene, officer(s) drive around the area in an attempt to locate the hit-and-run vehicle; and



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3. Impound hit-and-run vehicles found abandoned in a public place or on private property as evidence in accordance with GM Procedure 607, *Impounding Vehicles*.

F. Form #CR-2 cannot be used in a hit-and-run crash.

.07 DEATH/INJURY NOTIFICATION & FOLLOW-UP AT HOSPITALS

A. In traffic crashes resulting in fatalities, the legal next of kin notification will be made in accordance with GM Procedure 704, *Apparent Sudden Deaths*.

B. When information or identification is needed from a victim taken to a hospital, the officer assigned the report responsibility shall:

1. Contact hospital personnel for the identity of the victim;
2. Request to speak with the victim if additional information is needed for the report; and
3. Notify the military police prior to contacting the victim at a military hospital.

.08 CRASHES INVOLVING CITY VEHICLES

A. All City vehicle crashes will be investigated and reported on the #CR-3 form.

1. City vehicles do not include vehicles belonging to CPS Energy, San Antonio Water Systems (SAWS), San Antonio Housing Authority (SAHA), and VIA Metropolitan Transit.

B. City vehicle crashes are identified on the Texas Peace Officer's Crash Report by writing the words "CITY VEHICLE" in block form across the top of the report.

C. City vehicle accidents require a Crime Scene Unit Investigator to photograph the scene and complete SAPD Form #3-CSS, *Crime Scene Search Report*, with a copy routed to the Traffic Investigation Detail.

D. Police vehicles that are not drivable are towed to the Central Vehicle Repair Shop at 329 S. Frio St. for inspection of any mechanical defects which the driver claims may have contributed to the crash.

E. Fire Department vehicles are towed to their vehicle repair shop for inspection of mechanical defects which the driver claims may have contributed to the crash.

F. Drivers of vehicles involved in crashes with city vehicles are advised the City is self-insured. If they wish to file a claim against the City, they must contact the City Clerk's Office.

.09 CRASHES INVOLVING POLICE VEHICLES

A. All members involved in a police vehicle accident/crash (on or off-duty) will be required to consent to post accident drug/alcohol testing if the accident results in fatality, injury requiring medical treatment (by a physician or hospitalization), significant property damage (as determined by the members supervisor), or vehicle damage with a severity rating of three (3) or more, in accordance with COSA Directive 4.79A, dated 8 April 2010.

1. All members (on or off-duty) involved in a police vehicle accident/crash must notify a supervisor of the accident and remain at the scene of the accident until the supervisor arrives or provides other instructions.

2. Supervisors will assess vehicle damage by referring to the Texas Department of Transportation Vehicle Damage Guide for Traffic Crash Investigators.



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3. Supervisors developing probable cause for DWI will proceed in accordance with GM Procedure 507, *DWI Arrests*.
 - a. The handling of any incident along criminal investigation guidelines does not exempt a member from mandatory compliance with the administrative post-accident mandates, in accordance with COSA Directive 4.79A.
 - b. Test results stemming from compliance with administrative mandates will not be used for criminal investigations. Test results will be provided only to the Office of the Chief.
 - c. DWI Test results will be annotated on the TxDOT Form #CR-3

4. Acting pursuant to administrative guidelines, supervisors will contact A and D Testing, at 210-977-9595 (24 hours). If after business hours, provide answering service with a call-back number, call-back name, and specify “San Antonio Police Department.” Supervisors will arrange for testing to be conducted by the testing agency, typically this will be accomplished at the member’s duty station.

Note: The Department of Public Safety (DPS) has informed that administrative testing requirements will not be annotated on the TxDOT Form #CR-3, due to them being non-investigatory in nature.

5. Members will be placed on administrative duty for the remainder of their tour of duty/workday.
 6. Results of the tests are only released to the Office of the Chief. Any positive test result for a controlled substance, illegal drug, or any alcohol concentration will result in a formal investigation by Internal Affairs.
 7. Declining a test results in the same consequences as a positive drug test result.
- B. Police vehicle crashes are identified on the *Texas Peace Officer’s Crash Report* by the words “POLICE VEHICLE” written in block form across the top of the report.
- C. Sergeants are assigned to investigate police vehicle crashes and will complete the Texas Peace Officer’s Crash Report. This report responsibility will not be delegated to a non-supervisory officer. The diagram will be completed only on Tex Dot Form CR-3, *Crash Report*. SAPD Form 12-A will also be completed to include skid mark information, if available.
 1. Police vehicle accidents require a Crime Scene Unit investigator to photograph the scene and complete SAPD Form #3-CSS, *Crime Scene Search Report*, with a copy to the Traffic Investigation Detail.
 2. The processing of other reports or charges filed in conjunction with a police vehicle crash (i.e., D.W.I., active warrants, traffic violations, etc.) may be delegated to non-supervisory officers.
 3. If members of the Department are injured in the crash, sergeants will also complete forms in accordance with GM Procedure 916, *Worker’s Compensation*.

D. Sergeants investigating police vehicle crashes shall forward all original reports, including the Texas Peace Officer’s Crash Report, to the Traffic Investigation Detail.

E. A member of the Traffic Investigation Detail will be requested to respond to the scene if the crash resulted in serious bodily injury or death to anyone.

F. The driver of a police vehicle involved in the crash will complete SAPD Form #602-6, *Vehicle Crash Report or Loss Notice*.

G. Police vehicles (except motorcycles) involved in crashes are removed directly from the crash scene to the Central Vehicle Repair Shop at 329 S. Frio St., regardless of the amount of damage:



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1. The police vehicle may be driven or towed by wrecker, depending on the condition of the police vehicle.
 2. If the driver of the police vehicle claims possible mechanical defects may have contributed to the crash, the police vehicle will be towed by wrecker to the Central Vehicle Repair Shop for inspection.
 3. Police motorcycles are towed to the company having the motorcycle lease agreement with the City.
 4. The sergeant will ensure any portable equipment is removed from inoperable police vehicles, including motorcycles, prior to the vehicles being placed in the repair shop.
- H. A work order will be filled out on the wrecked police vehicle listing the reason for placing the police vehicle in the repair shop, the case number of the crash, and the area of damage.
- I. Fleet Services Office personnel will have a damage appraisal performed on the police vehicle and forward a copy of the damage appraisal to the Traffic Investigation Detail.
- J. When repairs are completed on the police vehicle, the Fleet Services Office will place the repaired police vehicle back into service.

.10 DAMAGE CAUSED BY POLICE VEHICLE PUSH BUMPERS

- A. Damage caused to a police vehicle or another vehicle when a police vehicle equipped with push bumpers is pushing the other vehicle is reported using the incident portion of SAPD Form #2-2, *Offense / Incident Report*. The report classification is “Damage to Property”.
- B. Sergeants are assigned to investigate the damage to property incident and will complete the incident portion of SAPD Form #2-2, *Offense/Incident Report*. Copies of the incident report are routed to the Traffic Investigation Detail and the Risk Management Office.
- C. Damage to property incidents involving police vehicle push bumpers requires a Crime Scene Unit Investigator to photograph the damage and complete SAPD Form #3-CSS, *Crime Scene Search Report*, with a copy routed to the Traffic Investigation Detail.
- D. The driver of the police vehicle involved in the damage to property incident will complete SAPD Form #602-6, *Vehicle Crash Report or Loss Notice*.

.11 CITATIONS AND ARRESTS

Traffic citations issued or custodial arrests made during the investigation of traffic crashes are governed by applicable arrest procedures.

.12 HAZARDOUS MATERIALS

- A. Officers encountering a motor vehicle crash involving a vehicle transporting hazardous materials shall:
 1. Secure an area around the scene to prevent injury to anyone.
 2. Request a supervisor from the Fire Department to respond to the scene.
 3. Try to identify the hazardous materials by referring to the Department of Transportation *Emergency Response Guidebook*.
 4. TxDOT Form #CR-2 cannot be used in a hazardous materials crash.
- B. The Fire Department, upon arrival, assumes incident command.
- C. A police supervisor is assigned and provides any assistance requested by the Fire Department and refers to GM Procedure 802, *Unusual Occurrences and Critical Incidents*, for guidance.



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Procedure 708 – Follow-Up Units

Office with Primary Responsibility:	COP	Effective Date:	July 31, 2010
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Forms Referenced in Procedure:	None	Related Procedures:	None

.01 INTRODUCTION

This procedure provides officers with a guideline for knowing which investigative unit has follow-up responsibility for criminal offenses that are reportable to the San Antonio Police Department and provides for the immediate notification of follow-up investigators for major offenses reported to the San Antonio Police Department.

.02 CODE SOURCE, OFFENSE, and FOLLOW-UP UNIT

- A. The following are lists of criminal offenses from various state and City codes that are investigated by the SAPD. The lists include the code source, name of the offense, and the SAPD investigative follow-up unit that has case responsibility. For certain offenses, an outside agency will be listed as the follow-up agency instead of the SAPD.

*NOTE: Asterisks (***) indicate that the follow-up unit assigned to investigate the case is the unit assigned the primary offense or offense that initiated the case.*

- B. Penal Code:

Penal Code	Offense	Follow-Up Unit
22.02	Aggravated Assault (Family)	Sex Crimes
22.021	Aggravated Sexual Assault	Sex Crimes
22.04	Injury to a Child (only)	Sex Crimes
22.04	Injury to an Elderly Individual, or Disabled Individual (Non-Family)	Homicide
	Injury to an Elderly Individual, or Disabled Individual (Family)	Sex Crimes
22.041	Abandoning or Endangering Child	Sex Crimes
22.05	Deadly Conduct	Homicide
22.07	Terroristic Threat	Homicide
22.08	Aiding Suicide	Homicide
22.09	Tampering with Consumer Product	Homicide
22.10	Leaving a Child in a Vehicle	Sex Crimes
22.11	Harassment by Persons in Certain Correctional Facilities	Homicide
25.01	Bigamy	Sex Crimes
25.02	Prohibited Sexual Conduct	Sex Crimes
25.03	Interference with Child Custody	Sex Crimes
25.031	Agreement to Abduct from Custody	Sex Crimes
25.04	Enticing a Child	Sex Crimes
25.05	Criminal Non-support	Sex Crimes
25.06	Harboring Runaway Child	Homicide
25.07	Violation of a Protective Order or Magistrate's Order	Sex Crimes
25.071	Violation of Protective Order Preventing Offense Caused by Bias or Prejudice	Sex Crimes
25.08	Sale or Purchase of Child	Sex Crimes



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Procedure 708 – Follow-Up Units

Penal Code	Offense (cont'd)	Follow-Up Unit
25.09	<i>Advertising for Placement of a Child</i>	Sex Crimes
25.10	<i>Interference with Rights of Guardian of the Person</i>	Sex Crimes
25.11	<i>Continuous Violence Against Family</i>	Sex Crimes
28.02	<i>Arson</i>	Arson
28.03	<i>Criminal Mischief</i>	Property Crimes
28.04	<i>Reckless Damage or Destruction</i>	Property Crimes
28.07	<i>Interference with Railroad Property</i>	Property Crimes
28.08	<i>Graffiti</i>	Property Crimes
29.02	<i>Robbery</i>	Robbery
29.03	<i>Aggravated Robbery</i>	Robbery
30.02	<i>Burglary</i>	Property Crimes
	<i>Burglary – Sexual Assault</i>	Sex Crimes
	<i>Burglary – Assault (Non-Family)</i>	Homicide
	<i>Burglary – Assault (Family)</i>	Sex Crimes
30.03	<i>Burglary of Coin-Operated or Coin Collection Machines</i>	Property Crimes
30.04	<i>Burglary of Vehicles</i>	Property Crimes
30.05	<i>Criminal Trespass</i>	Property Crimes
30.06	<i>Trespass by Holder of License to Carry Concealed Handgun</i>	Homicide
31.03	<i>Theft</i>	Property Crimes
	<i>Theft of Vehicle</i>	Vehicle Crimes
31.04	<i>Theft of Service</i>	Property Crimes
31.05	<i>Theft of Trade Secrets</i>	White Collar Crimes
31.06	<i>Presumption for Theft by Check</i>	Property Crimes
31.07	<i>Unauthorized Use of a Vehicle</i>	Vehicle Crimes
31.11	<i>Tampering with Identification Numbers</i>	Vehicle Crimes
31.12	<i>Theft or Tampering with Multi-channel Video or Information Svcs</i>	White Collar Crimes
31.13	<i>Manufacture, Distribution, or Advertisement of Multi-channel Video or Information Services Device</i>	White Collar Crimes
31.14	<i>Sale or Lease of Multi-channel Video or Information Services Device</i>	White Collar Crimes
31.15	<i>Possession, Manufacture, or Distribution of Instruments Used to Commit Retail Theft</i>	Property Crimes
32.21	<i>Forgery</i>	Forgery
32.22	<i>Criminal Simulation</i>	Property Crimes
32.23	<i>Trademark Counterfeiting</i>	Forgery
32.24	<i>Stealing or Receiving Stolen Check or Similar Sight Order</i>	Forgery
32.31	<i>Credit Card or Debit Card Abuse</i>	Forgery
32.32	<i>False Statement to Obtain Property or Credit</i>	Property Crimes
32.33	<i>Hindering Secured Creditors</i>	Property Crimes
32.34	<i>Fraudulent Transfer of a Motor Vehicle</i>	Vehicle Crimes
32.35	<i>Credit Card Transaction Record Laundering</i>	Forgery
32.41	<i>Issuance of Bad Check</i>	Forgery
32.42	<i>Deceptive Business Practices</i>	Property Crimes
32.43	<i>Commercial Bribery</i>	White Collar Crimes



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Procedure 708 – Follow-Up Units

Penal Code	Offense (cont'd)	Follow-Up Unit
32.44	<i>Rigging Publicly Exhibited Contest</i>	Vice
32.441	<i>Illegal Recruitment of an Athlete</i>	Property Crimes
32.45	<i>Misapplication of Fiduciary Property or Property of Financial Institution</i>	White Collar Crimes
32.46	<i>Securing Execution of Document By Deception</i>	White Collar Crimes
32.47	<i>Fraudulent Destruction, Removal, or Concealment of Writing</i>	Property Crimes
32.48	<i>Simulating Legal Process</i>	White Collar Crimes
32.49	<i>Refusal to Execute Release of Fraudulent Lien or Claim</i>	White Collar Crimes
32.50	<i>Deceptive Preparation and Marketing of Academic Product</i>	Property Crimes
32.51	<i>Fraudulent Use or Possession of Identifying Information</i>	Forgery
33.02	<i>Breach of Computer Security</i>	Technical Investigations Detail
33A.02	<i>Unauthorized Use of Telecommunications Service</i>	White Collar Crimes
33A.03	<i>Manufacture, Possession, or Delivery of Unlawful Telecommunications Device</i>	White Collar Crimes
33A.04	<i>Theft of Telecommunications Service</i>	White Collar Crimes
33A.05	<i>Publication of Telecommunications Access Device</i>	White Collar Crimes
34.02	<i>Money Laundering</i>	
	<i>Narcotics Related</i>	Narcotics
	<i>Theft Related</i>	White Collar Crimes
35.02	<i>Insurance Fraud</i>	White Collar Crimes
36.02	<i>Bribery</i>	Intelligence
36.03	<i>Coercion of Public Servant or Voter</i>	Intelligence
36.04	<i>Improper Influence</i>	***
36.05	<i>Tampering with Witness</i>	***
36.06	<i>Obstruction or Retaliation</i>	***
36.07	<i>Acceptance of Honorarium</i>	Intelligence
36.08	<i>Gift to Public Servant by Person Subject to His Jurisdiction</i>	Intelligence
36.09	<i>Offering Gift to Public Servant</i>	Intelligence
37.02	<i>Perjury</i>	***
37.03	<i>Aggravated Perjury</i>	***
37.08	<i>False Report to Peace Officer or Law Enforcement Employee</i>	***
37.081	<i>False Report Regarding Missing Child or Missing Person</i>	Property Crimes
37.09	<i>Tampering with or Fabricating Physical Evidence</i>	***
37.10	<i>Tampering with Governmental Record</i>	Forgery
37.101	<i>Fraudulent Filing of Financing Statement</i>	White Collar Crimes
37.11	<i>Impersonating Public Servant</i>	Homicide
37.12	<i>False Identification as Peace Officer; Misrepresentation of Property</i>	Homicide
37.13	<i>Record of a Fraudulent Court</i>	White Collar Crimes
38.02	<i>Failure to Identify</i>	***
38.03	<i>Resisting Arrest, Search, or Transportation</i>	***
38.04	<i>Evading Arrest or Detention</i>	***
38.05	<i>Hindering Apprehension or Prosecution</i>	***
38.06	<i>Escape</i>	***



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Procedure 708 – Follow-Up Units

Penal Code	Offense (cont'd)	Follow-Up Unit
38.07	Permitting or Facilitating Escape	***
38.09	Implements for Escape	***
38.10	Bail Jumping and Failure To Appear	***
38.11	Prohibited Substances in Correctional Facility or on Property of Texas Department of Criminal Justice	Narcotics
38.111	Improper Contact With Victim	Sex Crimes
38.112	Violation of Protective Order Issued on Basis of Sexual Assault	Sex Crimes
38.113	Unauthorized Absence from Community Corrections Facility, County Correctional Center, or Assignment Site	Robbery
38.12	Barratry and Solicitation of Professional Employment	White Collar Crimes
38.122	Falsely Holding Oneself Out as a Lawyer	White Collar Crimes
38.123	Unauthorized Practice of Law	White Collar Crimes
38.13	Hindering Proceedings by Disorderly Conduct	Intelligence
38.14	Taking or Attempting to Take Weapon From Peace Officer, Parole Officer, or Community Supervision and Corrections Department Officer	Homicide
38.15	Interference with Public Duties	Homicide
38.151	Interference with Police Service Animals	Homicide
38.16	Preventing Execution of Civil Process	Homicide
38.17	Failure to Stop or Report Aggravated Sexual Assault of Child	Sex Crimes
38.171	Failure to Report a Felony	***
38.18	Use of Accident Report Information and Other Information for Pecuniary Gain	White Collar Crimes
38.19	Failure to Provide Notice and Report of Death Of Resident of Institution	Homicide
39.02	Abuse of Official Capacity	Intelligence
39.03	Official Oppression	Intelligence
39.04	Violations of the Civil Rights of Person in Custody; Improper Sexual Activity with Person in Custody	Sex Crimes
39.05	Failure to Report Death of Prisoner	Homicide
39.06	Misuse of Official Information	Intelligence
42.01 (#1-#11)	Disorderly Conduct	Homicide
42.01 (#12)	Disorderly Conduct	Sex Crimes
42.02	Riot	Intelligence
42.03	Obstructing Highway or Other Passageway	Intelligence
42.05	Disrupting Meeting or Procession	Intelligence
42.06	False Alarm or Report	Property Crimes
42.061	Silent or Abusive Calls to 9-1-1 Service	Homicide
42.062	Interference with Emergency Telephone Call	Homicide
42.07	Harassment	Homicide
42.072	Stalking	Homicide
42.08	Abuse of Corpse	Intelligence
42.09	Cruelty to Animals	Property Crimes
42.091	Attack on Assistance Animal	Property Crimes
42.10	Dog Fighting	Vice
42.11	Destruction of Flag	Property Crimes
42.12	Discharge of Firearm in Certain Municipalities	Homicide



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Procedure 708 – Follow-Up Units

Penal Code	Offense (cont'd)	Follow-Up Unit
42.13	Use of Laser Pointers	Homicide
43.02	Prostitution	Vice
43.03	Promotion of Prostitution	Vice
43.04	Aggravated Promotion of Prostitution	Vice
43.05	Compelling Prostitution	Vice
43.22	Obscene Display or Distribution	Vice
43.23	Obscenity	Vice
43.24	Sale, Distribution, or Display of Harmful Material to Minor	Vice
43.25	Sexual Performance by a Child	Vice
43.251	Employment Harmful to Children	Vice
43.26	Possession or Promotion of Child Pornography	Vice
46.02	Unlawful Carrying Weapon	Homicide
46.03	Places Weapons Prohibited	Homicide
46.035	Unlawful Carrying of Handgun by License Holder	Homicide
46.04	Unlawful Possession of Firearm	Homicide
46.041	Unlawful Possession of Metal or Body Armor by Felon	Homicide
46.05	Prohibited Weapons	Homicide
46.06	Unlawful Transfer of Certain Weapons	Homicide
46.08	Hoax Bombs	Arson
46.09	Components of Explosives	Arson
46.10	Deadly Weapon in a Penal Institution	Homicide
46.13	Making a Firearm Accessible to a Child	Homicide
47.02	Gambling	Vice
47.03	Gambling Promotion	Vice
47.04	Keeping a Gambling Place	Vice
47.05	Communication Gambling Information	Vice
47.06	Possession of Gambling Device, Equipment, or Paraphernalia	Vice
48.01	Smoking Tobacco	Vice
48.015	Prohibitions Relating to Certain Cigarettes	Vice
48.02	Prohibition of the Purchase and Sale of Human Organs	Vice
49.02	Public Intoxication	Vice
49.031	Consumption or Possession of Alcoholic Beverages in a Motor Vehicle	Vice
49.04	Driving While Intoxicated	Traffic Investigation
49.045	Driving While Intoxicated with Child Passenger	Traffic Investigation
49.05	Flying While Intoxicated	Traffic Investigation
49.06	Boating While Intoxicated	Traffic Investigation
49.065	Assembling or Operating an Amusement Ride While Intoxicated	Traffic Investigation
49.07	Intoxication Assault	Traffic Investigation
49.08	Intoxication Manslaughter	Traffic Investigation
71.02	Engaging in Organized Criminal Activity	***
71.021	Violation of Court Order Enjoining Organized Criminal Activity	***
71.022	Soliciting Membership in a Criminal Street Gang	Fusion Gang Unit



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Procedure 708 – Follow-Up Units

C. Health and Safety Code:

Health and Safety Code	Offense	Follow-Up Unit
Chapter 481	<i>Texas Controlled Substances Act</i>	Narcotics
Chapter 482	<i>Simulated Controlled Substances</i>	Narcotics
Chapter 483	<i>Dangerous Drugs</i>	Narcotics
Chapter 485	<i>Abusable Volatile Chemicals</i>	Narcotics

D. Transportation Code:

Transportation Code	Offense	Follow-Up Unit
Chapter 521.457	<i>Driving While License Invalid</i>	Traffic Investigation
Chapter 545.420	<i>Racing on Highway</i>	Traffic Investigation
Chapter 550.021	<i>Accident Involving Personal Injury or Death (FSRA)</i>	Traffic Investigation
Chapter 550.022	<i>Accident Involving Damage to Vehicle</i>	Traffic Investigation
Chapter 550.023	<i>Duty to Give Information and Render Aid</i>	Traffic Investigation
Chapter 550.024	<i>Duty on Striking Unattended Vehicle</i>	Traffic Investigation
Chapter 550.025	<i>Duty on Striking Fixture or Highway Landscaping</i>	Traffic Investigation
Chapter 521.457	<i>Driving While License Invalid</i>	Traffic Investigation

E. Alcoholic Beverage Code:

Alcoholic Beverage Code	Offense	Follow-Up Unit
Title 4	<i>Regulatory and Penal Provisions</i>	Vice

F. Education Code:

Education Code	Offense	Follow-Up Unit
25.094	<i>Failure to Attend School</i>	School District Attendance Office

G. City Ordinance:

City Ordinance	Offense	Follow-Up Unit
#74025	<i>Curfew Violation</i>	Youth Crimes/Homicide

H. Miscellaneous Incidents:

Miscellaneous Incidents	Offense	Follow-Up Unit
	<i>Accidental Shooting</i>	Homicide
	<i>Found Property</i>	Property Room
	<i>Lost Property</i>	Property Room
	<i>Missing Persons</i>	Homicide



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Procedure 708 – Follow-Up Units

.03 IMMEDIATE NOTIFICATION OF CERTAIN OFFENSES

- A. Officers shall immediately notify the proper follow-up investigative unit when any of the following offenses occur:
1. Murder or Criminal Attempt to Commit Murder;
 2. Robbery;
 3. Aggravated Assault;
 4. Injury to Child, Elderly Individual, or Disabled Individual;
 5. Sexual Assault;
 6. Sex offenses involving juvenile victims;
 7. Thefts or burglaries over \$20,000;
 8. Safe burglaries;
 9. Arson;
 10. Any felony offense in which an arrest has been made; or
 11. Accidents involving a fatality or the failure to stop and render aid.
- B. Any officer receiving information from a suspect, witness, or informant regarding any of the above listed offenses shall notify the proper follow-up investigative unit.
- C. Notification of an offense is made through the dispatcher, by telephone, or in person with the proper follow-up investigative unit for the following reasons:
1. To relay essential information regarding the offense; and
 2. To get direction on how the follow-up investigative unit would like the offense handled.
- D. If an offense occurs and the follow-up investigative unit is no longer on duty, the Night CID Unit shall become the interim follow-up investigative unit and proper notification will be made to the Night CID Unit in accordance with all procedures listed in this General Manual.
- E. After the Night CID Unit Detectives have gathered all reports and statements, they will forward them to the proper follow-up investigative unit no later than their end of tour of duty.
- F. If there is a disagreement between the officer with report responsibility and the detective from the follow-up investigative unit about the handling of an offense or the disposition of an arrested person, the following shall occur:
1. A supervisor from the follow-up investigative unit will make a ruling on the case because of the follow-up investigative unit's responsibility for filing criminal cases; or
 2. If the supervisor from the follow-up investigative unit is not available to make the decision on the handling of an offense or the disposition of an arrested person, a supervisor from the Night CID Unit shall make the ruling on the case; or
 3. If a supervisor from the follow-up investigative unit or the Night CID Unit is not available, the reporting officer's supervisor will make the ruling on the case.



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Procedure 708 – Follow-Up Units

.04 FOLLOW-UP UNIT FOR ASSISTING OUTSIDE LAW ENFORCEMENT AGENCIES

- A. The Repeat Offenders Program Unit (ROP) is responsible for assisting outside law enforcement agencies regarding fugitives from their jurisdictions. The assistance could range from helping the outside agency locate and arrest a fugitive to locating suspects or witnesses the outside agencies needs to question. The ROP Unit shall either handle the request or forward the request to the proper follow-up investigative unit.
- B. Any Department member, sworn or civilian, receiving information or requests from an outside law enforcement agency regarding a fugitive shall immediately relay the information to the ROP Unit Office.
- C. The duty hours of the ROP Unit vary. During non-duty hours of the ROP Unit, the Communications Unit Supervisor will take and relay any information regarding fugitives from other jurisdictions to an appropriate unit.



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Procedure 709 – Misdemeanor Citation Dismissal

Office with Primary Responsibility:	TSC	Effective Date:	July 31, 2010
		Prior Revision Date:	October 01, 2009
Office(s) with Secondary Responsibilities:	PSC, PNC	Number of Pages:	2
Forms Referenced in Procedure:	None	Related Procedures:	None

.01 INTRODUCTION

This procedure provides guidelines for the proper method of requesting the dismissal of certain Class C misdemeanor citations when the dismissal is for the purpose of furthering a law enforcement mission or is in the best interest of the Department.

.02 DISCUSSION

The San Antonio Police Department and its members must constantly remain at the forefront of integrity and trust. A perception of "ticket fixing" by members can greatly harm the public's view of the Department. Members are reminded of Rules and Regulations 3.24 which states, in part, "nor shall any member seek the continuance or dismissal of any case on behalf of the defendant in court for any reason."

.03 POLICY

The practice of members requesting misdemeanor citation dismissals is prohibited, unless the requests for dismissals fall within one (1) of the following categories:

- A. The furthering of a law enforcement mission (i.e., confidential informants); or
- B. In the best interest of the Department (i.e., persons receiving parking meter violation notices while providing information or statements on criminal cases to an investigative unit).

.04 TERMINOLOGY *(For specific use within this procedure, see Glossary)*

Misdemeanor Citation

.05 PROCEDURE FOR REQUESTING DISMISSAL

A. Members

1. Submit a written report, stating reasons for requesting the misdemeanor citation dismissal. List all current and past case numbers, when applicable.
2. Hand carry the original report and citation to the Unit Director for approval or disapproval.
3. Any request for misdemeanor citation dismissal that is disapproved may not be appealed to a higher authority.

B. Unit/Shift Directors

1. Review reports for value and approve or disapprove the request;
2. If approved, indicate approval on the report. Approved requests shall be signed, dated, attached to the original citation and hand carried to the Section Commander.



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Procedure 709 – Misdemeanor Citation Dismissal

3. If disapproved, state the reason for disapproval on the report and return the report and citation to the member requesting dismissal.

C. Section Commanders

1. Review reports for value and approve or disapprove the request;
2. If approved, indicate approval on the report. Approved requests shall be signed, dated, and hand carried to the Division Commander.
3. If disapproved, state the reason for disapproval on the report and return the report and citation to the member requesting dismissal.

D. Division Commanders

1. Maintain a log, including copy of request and citation, of all requests for misdemeanor citation dismissals received by their office;
2. Approve or disapprove all requests for misdemeanor citation dismissals;
3. If approved, indicate approval on the report and cause the original report and misdemeanor citation to be hand carried to the Chief Prosecutor of Municipal Court for final disposition. Members presenting dismissal paperwork to the Municipal Court Chief Prosecutor shall request absolute confidentiality in order to protect the identity and personal safety of the defendant in situations where the request furthers a law enforcement mission (i.e., confidential informants).
4. If disapproved, state the reason for disapproval on the report and return the report and citation to the member requesting dismissal.

E. Routing

1. In order to protect the identity and personal safety of the defendant (i.e. confidential informant), members shall route requests for dismissals only to persons directly involved in the process.
2. Members shall refrain from discussing, or in any way revealing, the identity of the defendant with anyone outside of the dismissal process.
3. Paperwork shall be hand carried through each step of the dismissal process.

.06 LIMITATIONS ON MISDEMEANOR CITATION DISMISSALS

- A. Dismissal of a misdemeanor citation for any person that is related to a member (spouse, or related by the whole or half blood) is prohibited.
- B. Dismissal of a parking meter violation notice received by a person being interviewed as part of an investigation is permissible provided;
 1. The person was detained longer than expected by the investigative follow-up unit; and
 2. The person's vehicle was otherwise legally parked.
- C. Members requesting dismissal of misdemeanor citations other than as prescribed by this procedure are subject to disciplinary action.



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Procedure 710 – Preliminary Drug Identification

Office with Primary Responsibility:	IDC	Effective Date: Prior Revision Date:	July 31, 2010 October 01, 2009
Office(s) with Secondary Responsibilities:	PSC, PNC, TSC, FTC	Number of Pages:	2
Forms Referenced in Procedure:	None	Related Procedures:	None

.01 INTRODUCTION

This procedure establishes a process for the preliminary identification of suspected dangerous drugs and controlled substances in both felony and misdemeanor criminal offenses.

.02 TERMINOLOGY *(For specific use within this procedure, see Glossary)*

Controlled Substance Dangerous Drug Probable Cause Identification Trained Member

.03 PROBABLE CAUSE IDENTIFICATION - SUSPECTED FELONY DRUG OFFENSES

- A. Officers who suspect a substance contains or consists of a controlled substance or a dangerous drug and probable cause identification of the substance is required to establish probable cause for a felony offense under the Texas Controlled Substances Act or the Dangerous Drug Act of the Texas Health and Safety Code shall conduct a reagent test or visual/physical comparison of the substance if they are a trained member. However, if they are not trained they shall request a trained member of the Narcotics Unit, Repeat Offenders Program, or Crime Scene Unit to conduct a reagent test or visual/physical comparison of the substance.
- B. The probable cause identification of suspected controlled substances or dangerous drugs shall take place at the location where the suspect was stopped, unless the suspect is under arrest for another offense, in which case the probable cause identification may take place at the location of the stop, a department facility, or a detention facility.
- C. The probable cause identification of the substance and any subsequent criminal charge shall be based on the determination of the trained member's findings.
- D. In the event the probable cause identification is inconclusive or there is no trained member available to perform the probable cause identification:
 1. The individual is not booked for the suspected offense;
 2. The substance is placed in the Property Room for laboratory testing by the Bexar County Medical Examiner's Office;
 3. The officer prepares an offense report, with the offense classification listed as "Found Property," with the details of the stop, a description of the suspected substance, his disposition of the substance, the identification and disposition of the person, and the findings of any probable cause identification. The officer makes a copy of the offense report and routes the copy to the Narcotics Unit; and
 4. In the event the substance is later identified as a controlled substance or a dangerous drug, a criminal charge is filed against the individual by the Narcotics Unit.
- E. Trained members who perform a probable cause identification of a suspected controlled substance or a dangerous drug prepare and submit a supplemental report detailing their findings and determination. A copy of the supplemental report is routed to the Narcotics Unit.



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Procedure 710 – Preliminary Drug Identification

.04 PROBABLE CAUSE IDENTIFICATION - SUSPECTED MISDEMEANOR DRUG OFFENSES

- A. Officers who suspect a substance contains or consists of a controlled substance or a dangerous drug and probable cause identification of the substance is required to establish probable cause for a misdemeanor offense under the Texas Controlled Substances Act or the Dangerous Drug Act of the Texas Health and Safety Code do not have to be trained members to establish probable cause identification for misdemeanor drug offenses.
- B. Officers shall conduct a visual/physical comparison of the controlled substances or dangerous drug using their training and experience. Reagent tests are not conducted on misdemeanor drug offenses.
- C. If the controlled substance or dangerous drug consists of capsules or tablets (pills), officers may use a Physician's Desk Reference (PDR), contact a pharmacist, or call the Poison Center at 1-800-764-7661 to establish probable cause identification.
- D. In the event the visual / physical comparison is inconclusive, officers handle the suspect and substance in accordance with Subsection .03D.

.05 AVAILABILITY OF TRAINED MEMBERS

- A. Unit directors assigned to the Crime Scene, Narcotics and ROP Units are responsible for ensuring members assigned to their respective units successfully complete a course of instruction in the preliminary identification of controlled substances and dangerous drugs and necessary supplies and documents are available in sufficient quantity to trained members for the accomplishment of their task.
- B. The Crime Scene Unit Director shall ensure a sufficient number of trained members are assigned and deployed to each shift to allow for the availability of a trained member on a twenty-four (24) hour basis.



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Procedure 711 – Hate Crimes

Office with Primary Responsibility:	IDC	Effective Date: Prior Revision Date:	July 31, 2010 October 01, 2009
Office(s) with Secondary Responsibilities:	PSC, PNC, TSC, FTC, SSO	Number of Pages:	3
Forms Referenced in Procedure:	SAPD Form #2-2	Related Procedures:	None

.01 INTRODUCTION

This procedure establishes a process that guides officers in identifying and investigating hate crimes and ensuring the accurate reporting of hate crimes to the UCR program.

.02 POLICY

- A. It is the policy of the San Antonio Police Department to ensure the rights guaranteed by state law and the U. S. Constitution is protected for all persons, regardless of race, religion, ethnicity/national origin, or sexual orientation.
- B. Officer’s authority for identifying and reporting hate crimes can be found in the Penal Code, Article 12.47 and the Code of Criminal Procedure, Article 42.014.

.03 TERMINOLOGY *(For specific use within this procedure, see Glossary)*

BiasHate Crime

.04 IDENTIFYING HATE CRIMES

- A. Officers assigned to calls involving criminal offenses shall determine if bias motivated the crime.
- B. Some of the major criminal offenses which may be motivated by bias or hate include, but are not limited to the following offenses:
 - 1. Murder;
 - 2. Kidnapping;
 - 3. Sexual Assault;
 - 4. Robbery;
 - 5. Burglary;
 - 6. Theft;
 - 7. Arson;
 - 8. Assault; and
 - 9. Criminal Mischief
- C. In determining if bias was a motivating factor in a criminal offense, officers shall use the following criteria to identify hate crimes.
 - 1. Motive; or lack of an apparent motive;
 - 2. Display of any offensive symbols, words, or acts;



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Procedure 711 – Hate Crimes

3. Prior history of similar offenses in the same area or against the same victim group;
4. Victim(s) and offenders(s) are members of different racial, religious, ethnic or national groups and have a history of antagonism and that antagonism appears to be based for the offender(s) actions against the victims(s);
5. Statements made by suspects, victims, or witnesses;
6. Date and time of occurrence corresponding to a particular holiday or other significant event;
7. A common sense review by the officer of all circumstances and elements involved in the offense.
8. Victim is a member of a group which is often a target of bias. They include but are not limited to:
 - a. Blacks;
 - b. Jews;
 - c. Homosexuals;
 - d. Muslims; and
 - e. Asian Americans.
9. Identifiable bias related objects were used by the perpetrator (i.e., KKK hoods, etc.);
10. Victim has received bias related threats or harassment prior to the crime's occurrence;
11. Perpetrator has a history of bias related offenses; and
12. Perpetrator has made oral or written statements against the victim(s) or victim's group that express bias.

.05 INITIAL REPORTING OF HATE CRIMES

- A. Officers assigned to calls involving criminal offenses which have been identified as hate crimes by the criteria listed in Section .04 shall report the offense as a hate crime by checking the box titled "Suspected Hate Crime" on SAPD Form #2-2, *Offense/Incident Report*.
- B. All elements of the offense or criteria used by the officer to identify the offense as a hate crime will be listed in the "Details" section of the offense report.
- C. Officers receiving any information on any criminal offense identified as a hate crime shall report the information to the applicable follow-up investigative unit on SAPD Form #2-2, *Offense/Incident Report*. The information shall be titled "Information on Hate Crime" on the incident report.

.06 INVESTIGATING HATE CRIMES

- A. The preliminary investigation of criminal offenses involving bias or hate is conducted by the officer with primary report responsibility.
- B. The follow-up investigation of criminal offenses involving bias or hate is conducted by the follow-up unit with initial case responsibility.
 1. This follow-up unit shall make the final determination as to the crime being a hate crime; and



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Procedure 711 – Hate Crimes

2. Shall forward a copy of the offense or incident report to the San Antonio Regional Intelligence Center (SARIC) for tracking purposes.

.07 STATISTICAL REPORTING OF HATE CRIMES

- A. The follow-up investigative unit has responsibility for reporting all hate crimes in the UCR statistics provided to the Records Office.
- B. The Records Office has responsibility for forwarding UCR statistics on hate crimes to the Department of Public Safety.

.08 VICTIMS ASSISTANCE

- A. Officers assigned to calls involving hate crimes or where a hate crime is suspected shall notify the victim of the availability of assistance from the Victims Advocacy Office.
- B. Officer shall forward a copy of all reports involving hate crimes to the Crisis Response Team at the appropriate Service Area substation for crisis intervention and/or social services follow-up.



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Procedure 712 – Interview, Interrogation and Processing Rooms

Office with Primary Responsibility:	COB	Effective Date:	July 31, 2010
		Prior Revision Date:	October 01, 2009
Office(s) with Secondary Responsibilities:	PSC, PNC, TSC, FTC, IDC, SSO	Number of Pages:	2
Forms Referenced in Procedure:	None	Related Procedures:	601, 602

.01 INTRODUCTION

The purpose of this procedure is to establish safe conditions for rooms in police facilities that are used to interview witnesses, interrogate suspects and process detainees involved in various crimes.

.02 TERMINOLOGY *(For specific use within this procedure, see Glossary)*

Interrogation Interview Interview/Interrogation Room Pre-Booking Activities Processing Room

.03 PROCEDURES FOR USE OF INTERVIEW/INTERROGATION ROOMS

- A. Officers, both uniformed and non-uniformed, whose jobs require interviewing witnesses or interrogating suspects involved in criminal activities are authorized to use rooms in police facilities to conduct the interviews or interrogations.
- B. The only equipment or items kept in interview/interrogation rooms are computers and a minimal amount of furniture. There should be nothing in the rooms that suspects or detainees might use as a weapon.
- C. Officers utilizing interview/interrogation rooms must be familiar with emergency evacuation routes. Fire evacuation routes are posted outside each interview/interrogation room.
- D. Officers are responsible for the continuous supervision of witnesses or suspects being interviewed or interrogated.
- E. Normally, a maximum of two (2) officers are allowed in an interview or interrogation room while a witness is being interviewed or a suspect is being interrogated. Additional officers might be needed if suspects are combative.
- F. If only one (1) officer is conducting an interview or interrogation, a second officer shall be immediately available to address any security concerns or to provide immediate assistance, if needed.
- G. Officers may carry their authorized weapons while in interview/interrogation rooms, but only in approved holsters.
- H. Officers conducting interviews or interrogations shall have their Department-issued radio for summoning assistance, if needed.
- I. Arrested persons will not be handcuffed or restrained to fixed objects.
- J. Persons being interviewed or interrogated will be provided access to restrooms, water or comfort breaks.
- K. Juveniles shall only be interrogated in the interview/interrogation room in the Juvenile Processing Office.

.04 PROCEDURES FOR USE OF PROCESSING ROOMS

- A. Officers are authorized to take prisoners to processing rooms to conduct pre-booking activities prior to being taken to a detention facility to be booked.
- B. Officers utilizing processing rooms shall maintain constant supervision over their prisoners.
- C. Officers may carry their authorized weapons while in processing rooms, but only in approved holsters.



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Procedure 712 – Interview, Interrogation and Processing Rooms

- D. Officers conducting pre-booking activities in processing rooms shall have their Department-issued radio on their person and should activate the emergency button as a panic or duress alarm, if necessary.
- E. Prisoners shall not be handcuffed or restrained to fixed objects while in a processing room.
- F. To prevent an escape attempt by an uncooperative or combative prisoner, more than one (1) officer should be in the processing room during the pre-booking process.
- G. Juvenile prisoners shall only be taken to the processing room in the Juvenile Processing Office.