

## Police Observer Program

### 324.1 PURPOSE AND SCOPE

This order provides guidelines for the Police Observer Program. The Police Observer Program provides an opportunity for eligible citizens to experience how the Department works first hand.

#### 324.1.1 CITIZEN OBSERVERS

The Austin Police Department Police Observation Program is offered to eligible citizens who desire to ride as observers in an APD police vehicle during an officer's patrol shift or duty hours. An applicant may be declined or disqualified from participating for a number of reasons, including but not limited to the following reasons:

- (a) Outstanding warrants of any type.
- (b) Having a conviction for being under indictment for, or currently charged with any felony offense.
- (c) Having a conviction for any sexual related offense.
- (d) Having a history of or conviction for Family Violence.
- (e) Having been convicted for a class A Misdemeanor with the last ten (10) years.
- (f) Having been convicted for a class B Misdemeanor within the last five (5) years.
- (g) Having a driver's license or ID card suspension for any reason that indicates poor driving behavior or responsibility to comply with State laws; up to five (5) years from the time of suspension to application. This does not include suspensions resulting from MIP violations.
- (h) Having a driver's license or ID card that is currently classified as a habitual violator.
- (i) Applicant is a suspect of a crime while such case is being investigated by this Department or prosecuted as a result of such an investigation.
- (j) Applicant is a known associate of a convicted felon.
- (k) Applicant is a known member of or associated with any person or organization which advocates hatred, prejudice, or oppression of any person or group or which disseminates such material.
- (l) Applicant is a known member of or associated with any organization, association, movement, or group which advocates the commission of acts of force or violence to deny others their rights under the Constitution of the United States or which seeks to alter the form of government of the United States by unconstitutional means.
- (m) Any other indications of criminal history or criminal involvement will be evaluated on a case by case basis and must receive approval of an on duty lieutenant or appropriate commander.
- (n) Persons under the age of eighteen (18) shall not be permitted to ride as an observer in a police unit unless prior approval has been granted by the Chief or designee; or

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they are participating in the APD Explorer Program and have met the requirements of the APD Explorer Unit SOPs as outlined in (s) below.

- (o) Citizens may only ride once per calendar quarter unless otherwise approved by the appropriate commander; however, City Council members and personnel from the City Manager's Office may ride more than once per calendar quarter provided they comply with the rest of this order.
- (p) Persons who have a pending lawsuit against the Department shall not be allowed to ride as an observer while the lawsuit is active.
- (q) For staffing and operational issues, supervisors may decline to have an observer ride on a particular shift; if the observer is otherwise approved to participate, supervisors will make every effort to assign the observer to another shift or to reschedule the observer for a future time.
- (r) Participation may be terminated by an officer at any time because of the unacceptable behavior of the observer. In such a case, the officer shall immediately notify a supervisor about the situation.
- (s) Members of the APD Explorer Program may ride at the age of 16 if they meet the requirements of the APD Explorer Unit SOP's.
  - 1. If for any reason the assigned officer feels it is in the best interest of the APD Explorer or the department, they can terminate the observation period at any time. Any early release of an APD Explorer should be reported as soon as practical to the post officer or advisor.

### 324.1.2 DEPARTMENT EMPLOYEE OBSERVERS

- (a) On-duty civilian employees may ride as an observer with the approval of their supervisor and the appropriate lieutenant or designee. The *Police Observer Information Form* is not required.
- (b) Off-duty civilian employees riding as an observer will comply with this order except they are not required to list their address on the *Police Observer Information Form*. Off-duty employees are not allowed to ride more than once per calendar quarter without the approval of the appropriate commander.
- (c) No APD employee shall ride as an observer while on restricted duty, limited duty, injury leave, during a suspension, or while under administrative or criminal investigation.

### 324.1.3 OBSERVERS FROM OTHER LAW ENFORCEMENT AGENCIES

Sworn and civilian employees from other law enforcement agencies may ride with on-duty APD employees only if they are engaged in active operations with our department (e.g., training, familiarization) and the request has been approved by an assistant chief or designee. If such officers desire to ride merely as off-duty police observers, they must comply with regulations set out in this order as a citizen observer.

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### 324.1.4 MEDIA OBSERVERS

- (a) Media observers must be coordinated through the APD Public Information Office (PIO).
- (b) Media observers will abide by all rules and regulations for police observers.
- (c) Media observers encountering crime scenes or police incidents will be considered working members of the media concerning access to restricted areas.

### **324.2 POLICE OBSERVER REQUESTS**

Unless otherwise exempted by this order, all participants of the Police Observer Program shall complete the Request for Approval to Ride in an APD Unit section of the *Police Observer Information Form* [PD0094] in its entirety. This form also includes the guidelines all observers are required to follow.

- (a) Generally, police observer requests shall be scheduled by the administrative staff of the Region in which the person wishes to ride.
- (b) Employees contacted by a member of the public wishing to ride as an observer should provide the person with the administrative phone number of the appropriate Region.
- (c) If the observer request is denied, an administrative staff member will contact the applicant and advise them of the denial.
- (d) Persons participating in this program as the guest of an officer must comply with this order and the guidelines established on the *Police Observer Information Form*.
  - 1. Officers shall have the guest observer complete the *Police Observer Information Form* and forward it to their supervisor for approval.
  - 2. Supervisors shall forward the form to the appropriate administrative staff for filing.

#### 324.2.1 PROCESSING POLICE OBSERVER REQUESTS

##### (a) **Approving Police Observer Request Forms**

- 1. Administrative staff or supervisors receiving a completed *Police Observer Information Form* shall:
  - (a) Review the form for completeness, including signature and date.
  - (b) Conduct all required checks and document the results on the *Police Observer Information Form*:
    - 1. Does not have any active warrants (NCIC, TCIC and local); and
    - 2. Does not have a criminal history, Versadex or CopLink involvement that meets the disqualifying criteria outlined in Section 324.1.1; and
    - 3. Is not banned from being an observer:
      - (a) Banned observers are identified in the Police Explorer database located in SharePoint at APD Main SharePoint/ Patrol Ops/Police Observer Log.

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- (b) Banned observers requesting more information concerning their ban should be referred to the appropriate commander.
    - (c) Sign and date the form, indicating approval.
  - 2. Administrative staff who process the Police Observer Information Forms shall forward the completed packet to the appropriate supervisor after scheduling the observation date and time with the observer.
  - 3. Administrative staff will send the assigned Sergeant and Corporal an email with the name of the observer and the observation date and time to ensure the Supervisor has knowledge of the scheduled rider.
- (b) **Day of Police Observation**
- 1. Supervisors are additionally responsible for:
    - (a) Assigning the observer to an officer if the assignment has not been made; and
    - (b) Ensuring the observer is in compliance with the guidelines outlined in the *Police Observer Information Form*.
    - (c) If an observer is assigned to an officer of the opposite gender, the supervisor must have the Police Observer Information Form signed by an on-duty lieutenant.
  - 2. Upon completion of the observation, the *Police Observer Information Form* shall be forwarded to the appropriate administrative staff for entry into the Rider Database.

**324.2.2 RULES AND REGULATIONS FOR POLICE OBSERVERS**

- (a) If observers violate any of the guidelines outlined in the *Police Observer Information Form*, or their behavior prevents officers with whom they are riding from doing their job effectively, the following will occur:
  - 1. Prior to the riding period - The observer shall be advised by the assigned supervisor or officer that they are not permitted to ride until they are in compliance. Supervisors may require the observer to reschedule if they cannot comply with the guidelines.
  - 2. During the riding period - The observer shall be returned to the APD facility where the supervisor may either immediately terminate the riding session or allow the rider to finish that session if the problem can be readily corrected.
- (b) If the problem cannot be corrected:
  - 1. The officer to whom the observer was assigned shall complete a memorandum detailing the actions of the observer. The memorandum shall be forwarded through the chain-of-command to the appropriate commander.
  - 2. If a supervisor finds cause that an observer should be banned, the supervisor shall complete a memorandum detailing their findings. The memorandum shall be forwarded through the chain-of-command to the appropriate commander.

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3. Commanders or their designee shall make the determination as to whether or not the observer should be banned from further rides with the Department and the duration of the ban, if imposed. If the determination is made that a ban should be imposed, commanders or their designee shall advise the administrative staff to update the Rider Database with the duration of the imposed ban. The memorandum and rider forms shall be maintained for a minimum of three (3) years or the duration of the ban, whichever is longer.

### **324.3 OFFICER RESPONSIBILITIES**

- (a) Officers shall advise the dispatcher that a participant in the Police Observer Program is present in the vehicle before going into service. Officers shall consider the safety of the observer at all times.
- (b) Officers should use sound discretion when encountering a potentially dangerous situation. The dispatcher shall be advised of the situation and, if necessary, may have another police unit respond to pick up the observer. Participation may continue with another officer or the ride may be terminated and the observer returned to the APD facility where the ride initiated.

### **324.4 CONTROL OF POLICE OBSERVER**

Officers shall maintain control over observers and instruct them in the conditions that will limit the observers' activity. This includes, but is not limited to, the following:

- (a) Observers shall follow the officer's directions. Officers may return observers to the original APD facility if observers interfere with the performance of any duties.
- (b) Observers shall not become involved in any investigation, handling of evidence, or discussions with victims or subjects.
- (c) Observers shall not handle any police equipment unless instructed to do so by an officer.
- (d) Observers may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety. Officers and observers shall follow all booking facility (e.g., TCSO, WILCO) guidelines.
- (e) Officers shall not allow any observer into a private residence without consent of the individual in control of the property unless there is an emergency or exigent circumstances exist.
- (f) Officers shall not allow observers to be present in any situation that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.

### **324.5 RESTRICTIONS**

- (a) Department Tactical Alert

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1. The Police Observer Program will be suspended when a Department-wide Tactical Alert has been implemented.
  2. Administrative Staff will notify the scheduled observer of the cancelation as soon as practical. The observer will be rescheduled at the earliest convenience of the Department and the observer.
- (b) Special Event
1. At the discretion of the Region Commander the Police Observer Program may be suspended during Special Events.
  2. Administrative Staff will notify the scheduled observer of the cancelation as soon as practical. The observer will be rescheduled at the earliest convenience of the Department and the observer.
  3. The following events, although not comprehensive, may be considered under this section.
    - (a) New Year's Eve
    - (b) Mardi Gras
    - (c) SXSW
    - (d) Texas Relays
    - (e) X-Games
    - (f) Republic of Texas Motorcycle Rally
    - (g) Independence Day
    - (h) Austin City Limits Music Festival
    - (i) Formula 1
    - (j) Halloween
- (c) DTAC Walking Beat
1. Observers should not be scheduled with a DTAC Officer assigned to walking beat without approval of the DTAC Commander.