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### Authority to Commission and Arm Texas Eastern University Police Officers

University of Texas at Tyler

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# TEXAS EASTERN UNIVERSITY

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OFFICE OF  
PRESIDENT

October 9, 1975

OCT 9 1975

VICE PRESIDENT  
FOR FISCAL AFFAIRS

## MEMORANDUM

TO: Dr. James H. Stewart, Jr., President

FROM: John R. Sawyer, Vice President for Fiscal Affairs *JRS*

SUBJECT: AUTHORITY TO COMMISSION AND ARM TEXAS EASTERN UNIVERSITY  
POLICE OFFICERS

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The enclosed statement concerning authority to arm University police officers was promulgated by Mr. Wyman Seay and was transmitted to me with a request that authority be granted to commission and arm Texas Eastern University police officers. After you have had an opportunity to review the enclosed statement, I would like to discuss the matter with you looking forward to preparing an agenda item for the next Board of Regents meeting for authority to commission and arm Texas Eastern University police officers.

JRS:eh  
Enclosure

*Discussed with V. P. Sawyer*

## TEXAS EASTERN UNIVERSITY

### Authority to Arm University Police

In accordance with Title 3 - Subchapter E of the Texas Education Code enacted by the Legislature of the State of Texas April 27, 1967, the governing body of Texas Eastern University is authorized to promulgate rules and regulations for the safety and welfare of students, employees, and property. In addition to university regulations, all of the local ordinances, state and federal civil and criminal laws are declared to be in full force and effect within the areas under the jurisdiction of Texas Eastern University, and all persons are responsible for compliance with these laws. The governing board of Texas Eastern University is authorized to employ university police personnel for the purpose of carrying out the provisions of this Subchapter and has the authority to commission such officers as peace officers vested with all powers, privileges, and immunities of peace officers in the performance of their duties.

The university police department is organized for and designed primarily to serve the university community and has a broad responsibility. It functions within the university as does a municipal police department within a city. It performs all law enforcement services performed by local governments plus those functions to the particular institution it was created to serve. Like the municipal police department, the primary objectives of the university police department are: the protection of life and property, crime prevention and detection, the preservation of peace and order, the safeguard of individual rights and due process.

In order to effectively perform his law enforcement duties, the university police officer must be a commissioned peace officer with authority to carry a firearm for personal protection and protection of those he serves within the university community. The university police officer risks his life every time he puts on his uniform and exposes himself to the public as a symbol of law enforcement. In addition, he will be called upon many times to risk his life in the performance of his duties. He may be asked to answer a call involving assault, rape, murder, robbery, burglary, auto theft, etc. Other law enforcement agencies may request his assistance in the apprehension of criminal offenders. Every encounter he has with a traffic violator poses a potential threat to his life. There is always the possibility that the violator has or is about to commit a serious offense and views the officer as a threat to his freedom and may react with violence. I could not in good conscience ask a man to risk his life or expose himself to bodily harm without providing him with a means of protection.

Every effort should be made to assure that a man possess the necessary qualifications to assume the responsibilities of a commissioned peace officer. An officer must know how to use his firearm, but more importantly he must know when to use it. First and most important is the implementation of a rigid selection and screening



process. Basic requirements will include a minimum and maximum age, good health as determined by a physical examination, no prior conviction of a felony, no established pattern of misdemeanor arrests, and a minimum education of 60 semester college hours. Other factors of the screening and selection process include a personal interview by the director of the department, intelligence and aptitude testing, psychological testing and evaluation, polygraph test, background investigation, and appearance before an oral interview board. After all factors are considered, the most qualified applicant will be selected. Prior to his being commissioned, the candidate will be required to attend a peace officer certification school as required by state law where he will receive comprehensive practical training in all areas of law enforcement. The six week session will include extensive training in the use of firearms. At the end of the training session the officer must show his proficiency by firing and qualifying with his firearm.

Upon completion of the certification school, the officer receives his commission and executes sufficient peace officer bond conditioned that he will fairly, impartially, and faithfully perform his duties as required by law. This provides protection for the officer as well as the university. The officer then receives in-service training from the director of the department or other personnel who may be designated as training officer. The officer is expected to fire and re-qualify with his sidearm every six months. Written procedures concerning the specific use of firearms will be issued by the director of the department. Finally, the officer will be subjected to a probationary period of six months during which time his performance will be closely observed and evaluated.

## TEXAS EASTERN UNIVERSITY

## POLICE DEPARTMENT

Departmental Policy	Date of Issue	Effective Date	No.
Subject Use of Firearms		Amends	
Reference		Rescinds	

## I Purpose

- A. It is the purpose of this policy to outline current departmental policy concerning the use of firearms by University Police Officers.
- B. Probably no other departmental policy, either oral, written or implied, causes more concern or carries with it more ramifications than a policy for the use of firearms by University Police Officers.
- C. All officers of this department will thoroughly familiarize themselves with the section dealing with the use of force in the current edition of the Texas Peace Officers' Manual and the Texas Law Enforcement Handbook.

## II Use of Force

- A. A peace officer is authorized to use only that amount of force necessary, considering the circumstances at hand, to effect a lawful arrest and detain the prisoner.
- B. A peace officer is authorized to use only that amount of force necessary, considering the circumstances at hand, to defend himself or another person.
- C. In cases of misdemeanor, no matter how serious the offense, the police officer is prohibited from using his firearm unless he is met with dangerous resistance.

## III Use of Firearms

- A. An officer, as a last resort, may use his firearm for any of the following purposes:
  - 1. To defend himself from death or bodily harm.
  - 2. To defend another person unlawfully attacked from death or bodily harm.



## TEXAS EASTERN UNIVERSITY

## POLICE DEPARTMENT

DEPARTMENTAL POLICY

3. To perfect the arrest or prevent the escape, after notice, when all other means fail, of a person who is in the act of committing or whom the officer knows has committed a felony.
4. To prevent a felony involving force or violence.
5. When an attempt is made to rescue by violence, a prisoner who is in lawful custody of an officer.
6. To kill a dangerous animal or to kill an animal so badly injured that humanity requires that it be destroyed to prevent further suffering.

- B. Nothing in this policy shall restrict the use of firearms on a firing range, or while participating in an authorized training mission.

NOTE: No officer will remove his firearm at any time for the purpose of display unless requested by the Captain of Operations or the Director of the Department for their inspection.

## IV Reporting Procedures

- A. In the event it becomes necessary for an officer to discharge his firearm in the line of duty other than on the firing range, he shall be required to submit a detailed report of the circumstances surrounding its use.
- B. The report submitted by the officer shall be made in four copies. Distribution shall be: one copy to the Captain of Operations, one copy to the Director of University Police, one copy to the Vice President of Fiscal Affairs, and one copy for the President of Texas Eastern University.

Distribution: All U.P.D. personnel

I have read the above policy and fully understand it.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

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