

Colleyville Police Department

Informational Q & A

The Colleyville Police Department has compiled the following list of questions asked of department personnel in response to recent police actions nationwide. In an effort to provide maximum transparency, the department prepared answers to each question and made this Q & A available to the public.

Q: Are the police officers in the Colleyville Police Department being trained to de-escalate altercations by using peaceful conflict resolution strategies?

A: De-escalation is one of the main pillars of our training philosophy in the Colleyville Police Department. De-escalation techniques are incorporated into all of our scenario-based training provided to officers. All officers are also specifically trained in de-escalation techniques at least annually.

Q: Are the police officers in the Colleyville Police Department forbidden from using carotid restraints (chokeholds, strangleholds, etc.) and hog-tying methods? Furthermore, are they forbidden from transporting civilians in uncomfortable positions, such as face down in a vehicle?

A: Colleyville police officers are prohibited from using any type of choke hold unless in a situation where deadly force is authorized and such holds are the only means of protecting himself, herself, or another person from imminent threat of serious physical injury or death.

Officers are also prohibited from transporting anyone in a prone position due to the danger of asphyxiation. "Uncomfortable" is very subjective and the acceptable method of transporting someone in a vehicle, seated with their hands handcuffed behind their back, secured in a seatbelt can be uncomfortable, but there is no threat to their safety or well-being.

Q: Are the police officers in the Colleyville Police Department required to intervene if they witness another officer using excessive force? Will officers be reprimanded if they fail to intervene?

A: All Colleyville police officers have a duty to intercede if they observe another officer using force that is clearly beyond that which is objectively reasonable under the circumstances. The officers are mandated to report such excessive force immediately to a supervisor.

All reports of violations of the law or policy will be investigated and appropriate discipline (or criminal charges if applicable) will be meted.

Q: Are the police officers in the Colleyville Police Department forbidden from shooting at moving vehicles?

A: Colleyville police officers are prohibited from discharging their weapons at a moving vehicle in an attempt to disable the vehicle. Under very rare circumstances, and officer may fire their weapon into a moving vehicle. Here is the actual policy verbatim:

“Because of the low probability of penetrating a vehicle with a handgun, officers threatened by an oncoming vehicle should attempt to move out of its path, if possible, instead of discharging a firearm at it or any of its occupants. However, if an officer reasonably believes that a person is immediately threatening the officer or another person with deadly force by means of a vehicle, an officer may use deadly force against the driver of the vehicle.”

There are rare instances where someone in the vehicle is firing at an officer or others and the officer has no choice but to return fire to end the threat. However, if someone is trying to run the officer over with the vehicle, officers are instructed to make every possible effort to get out of the way.

Q: Is there a clear and enforced use-of-force continuum that details what weapons and force are acceptable in a wide variety of civilian-police interactions?

A: Department policy states:

“While various degrees of force exist, each officer is expected to use only that degree of force reasonable under the circumstances to successfully accomplish the legitimate law enforcement purpose.”

Q: Are the officers in the Colleyville Police Department required to exhaust every other possible option before using excessive force?

A: The use of excessive force is never permitted. As stated in the previous quotation, Officers are to only use that level of force reasonably necessary to accomplish the legitimate law enforcement purpose in accordance with policy.

Q: Are the officers in the Colleyville Police Department required to give a verbal warning to civilians before drawing their weapon or using excessive force?

A: In *Deorle v. Rutherford* (2001), the 9th Circuit Court of Appeals stated that **when feasible**, Officers should warn people of the impending use of force. Officers are not required to give a warning prior to use of force in every situation, only when feasible to do so. During training, Colleyville Police Officers are trained to give warnings when feasible.

Q: Are the officers in the Colleyville Police Department required to report each time they threaten to or use force on civilians?

A: Officers are required to report the use of any kind of force against a person (other than routine use of handcuffs or firm grip to direct the movements of an uncompliant person in custody), to include displaying or pointing a firearm. Every use of force report is reviewed by the entire chain of command to include the Chief of Police, Internal Affairs and Training.

Q: Are the officers in the Colleyville Police Department thoroughly vetted to ensure that they do not have a history with abuse, racism, xenophobia, homophobia / transphobia, or discrimination?

A: The Colleyville Police Department has some of the highest hiring standards in the nation. Applicants are thoroughly vetted through an extensive background investigation that includes review of work history, interviews of roommates / significant others, criminal checks, psychological and polygraph testing, credit check, and a review of all of their social media. Police applicants will be disqualified if derogatory / discriminatory information is uncovered during the background investigation.

Q: Are the officers in the Colleyville Police Department trained to perform and seek necessary medical action after using excessive force?

A: As stated previously, the use of excessive force is not permitted. Colleyville Police Officers are required by policy to render appropriate medical aid immediately following the use of force (other than routine use of handcuffs or firm grip to direct the movements of an uncompliant person in custody). Officers are trained in the use of CPR, AEDs, and first aid. All Officers carry AEDs and tourniquets to stop or mitigate hemorrhaging. Medics will also be called to the scene to render aid and transport to a hospital if necessary.

Q: Is there an early intervention system enforced to correct officers who use excessive force? Additionally, how many complaints does an officer have to receive before they are reprimanded? Before they are terminated? More than three complaints are unacceptable.

A: As stated previously, excessive force is not permitted. The Colleyville Police Department has an Early Warning System and there are policies in place to correct officers who violate policy. As previously stated, supervisors regularly review their officer's activities and are mandated to identify any indication of bias in an officer. Any action that indicates any type of bias will be investigated. Any action that violates policy regarding non-biased policing is cause for disciplinary action, up to and including termination.

There is no set number of complaints required to be received before reprimanded. Each complaint will be investigated and if sustained, will be dealt with based on the circumstances. Depending on the nature of the violation, 1 sustained complaint can be enough for an officer to be terminated.

Q: Has the Colleyville Police Department recorded any in custody deaths and how would such events be investigated?

A: All in-custody deaths would be reported to and investigated by the Texas Rangers. There have been no deaths of anyone in the custody of the Colleyville Police Department since it was established in 1973.