

State of Texas  
Community Safety Education Act  
Instructor's Guide

Instruction for Students on the Proper Interaction with Law Enforcement  
During Traffic Stops

Authorized by Senate Bill 30, 85<sup>th</sup> Texas Legislature, 2017

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## Tips for Educators

Thank you for providing this important instruction to students on proper interaction with law enforcement. The primary purpose of this instruction is to ensure the safety of both officers and citizens before, during, and immediately following traffic stops. The focus throughout this instruction should be on ensuring everyone's safety.

- Partner with a school resource officer or a representative of local law enforcement to provide instruction.
- Prior to sharing information, assess students' knowledge toward traffic stops.
- Prior to sharing information and throughout instruction, assess students' attitudes toward traffic stops.
  - Assess whether attitudes have shifted following instruction.
  - Make sure to address any misperceptions
- During the question and answer portion of the video, periodically pause after a question is asked and before the officer answers. Ask students what they think the answer will be.
- Students may ask about citizens videotaping traffic stops. It is a citizen's right to videotape. Drivers and passengers should be aware that unknown items in a citizen's hand may cause safety concerns for officers.
- The key point for students to remember is that officer instructions are focused on ensuring the safety of all involved.
- Use the quiz at the end of this section to assess students' knowledge and understanding of the information provided.

## Section 1

### The role of law enforcement and the duties and responsibilities of peace officers

Complete this section with students prior to showing the videos.

#### Guiding Questions

- ❖ What do you expect will happen during a traffic stop?
- ❖ Has anyone experienced a traffic stop? Tell the class what happened during the traffic stop. How did you feel at the time?

This is what you should expect from an officer when you experience a traffic stop:

- Officers should treat motorists with dignity and respect.
- Officers are not required by state law to provide their names or badge numbers to a driver but may do so if required to by agency policy.
- It is recommended that an officer explain to a driver that when a citation is issued, it is with the implied agreement that the driver will appear in court or make the arrangements necessary to satisfy the court appearance. Or, the officer should instruct drivers to read the information provided on the citation regarding the driver's obligation to appear in court.
- When seeking to perform a consensual search, officers should elicit clear consent for the search, including when practicable, a signed statement or video recorded affirmative consent to the search from the motorist.

## Section 2

### Rights concerning interactions with peace officers

Complete this section with students after showing the first portion of the video prior to the interaction between the officer and the driver (3:15 minute mark).

#### Guiding Questions

- ❖ What are some things you think you should do when interacting with a peace officer during a traffic stop?
- ❖ What are some of the things you think you shouldn't do when stopped?

#### Notes for drivers:

- Law enforcement and drivers should respond with courtesy during traffic stops and other officer/citizen interactions.
- Although it is lawful for you to remain silent during a traffic stop, you are required by law to truthfully identify yourself when asked to do so by an officer. A driver or passenger can be arrested for giving false identifying information to an officer.
- Although you have the right to remain silent, it may be beneficial to verbally provide identifying and address information to an officer if you cannot present your license.
- An officer may conduct a nonconsensual search based on an officer's observation that you have responded in a way to make the officer believe that you have engaged in a criminal act or are about to engage in a criminal act.
- If an officer suspects that a weapon is on your person, the officer may conduct a pat-down search of your clothing. A driver may not physically resist the search but has the right to notify the officer that he or she does not consent to any further search. Consent to a search may later be used in court.
- If you are placed under arrest, it is an offense to refuse to identify yourself, to not provide your address, or to refuse to give your date of birth to an officer.

Notes for passengers:

- Law enforcement and passengers should respond with courtesy during traffic stops and other officer/citizen interactions.
- A passenger in a vehicle should receive instructions advising him or her that he or she can be asked questions by an officer while being detained. However, a passenger can ask an officer if he or she is being detained or if he or she is free to leave. A passenger has the right to leave if he or she is not being detained.
- Although it is lawful for you to remain silent during a traffic stop, you are required by law to truthfully identify yourself when asked to do so by an officer. A driver or passenger can be arrested for giving false identifying information to an officer.
- Although you have the right to remain silent, it may be beneficial to verbally provide identifying and address information to an officer if you cannot present your license.
- An officer may conduct a nonconsensual search based on an officer's observation that you have responded in a way to make the officer believe that you have engaged in a criminal act or are about to engage in a criminal act.
- If you are placed under arrest, it is an offense to refuse to identify yourself, to not provide your address, or to refuse to give your date of birth to an officer.

## Section 3

### Proper behavior for civilians and peace officers during interactions

Complete this section with students after showing the remaining portion of the first stop in the video (4:38 minute mark).

#### Guiding Questions:

- ❖ How do you feel when you are stopped?
- ❖ How do you think the officer feels? Why do you think that?
  
- ❖ What should you do when you are pulled over?
- ❖ What should you NOT do when you are pulled over?
- ❖ How should passengers behave during a stop?

While being stopped by an officer, you should do the following:

- Slow down immediately and pull over to the right side of the road as soon as possible.
- Park your vehicle on the right shoulder or to the right of the road as far and as safely possible. If safe parking is unavailable at roadside, move slowly to a side street or parking lot away from high volume traffic.
- When visibility is limited, activate your vehicle hazard lights and/or interior dome lights.
- Drivers should be advised that an officer may approach their vehicle from the passenger side for reasons of safety.

Once your vehicle is stopped, you should do the following:

- Place the vehicle in park, engage the emergency brake, and turn your engine off.
- Keep both of your hands visible on the steering wheel and passengers should keep their hands in plain sight.
- Lower your window. This is required by state law.
- Before attempting to your access license or insurance documents, notify the officer of the location of your items and advise the officer that you are going to get the items.
- Follow the officer's instructions. When the officer approaches your vehicle, certain movements such as reaching and searching for required documents, could be interpreted as a threat to the officer's safety or indicate possible criminal activity.
- Remain inside the vehicle unless you are instructed to exit by the officer. If instructed to exit the vehicle, check traffic and do so safely.
- Notify the officer if there is a firearm inside your vehicle. You should store all required documents in a different location from the firearm.

When your vehicle is stopped, you should NOT do the following:

- Reach or search for your license or insurance documents before or while the officer approaches the vehicle
- Attempt to leave a traffic stop until it has been indicated by the officer that the stop is complete. At that time, you should give the appropriate signal and re-enter traffic safely.

\*\* If you are not sure that the vehicle performing the traffic stop is a police car, you should drive slowly and carefully, below the speed limit, to a well-lighted and populated location. You may contact 9-1-1 and remain on the line until the officer's identity is verified.

NOTE: It is a violation of state law and you can be arrested for not stopping when the vehicle performing the stop is a marked law enforcement or emergency response vehicle.



## Section 4

### Filing a complaint against or a compliment on behalf of a peace officer

Complete this section with students after showing the final portion of the video.

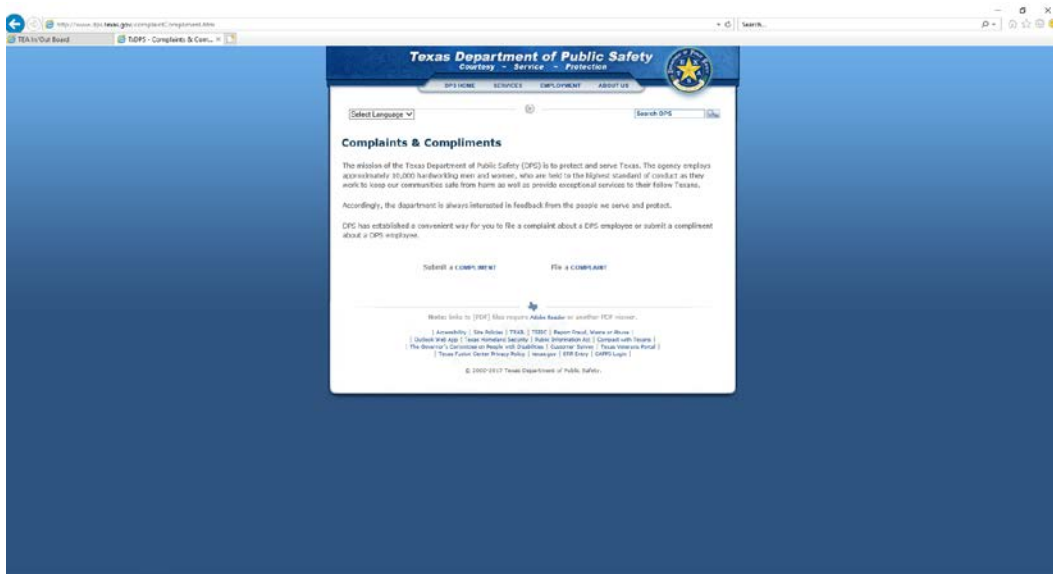
Note to instructor: Find the relevant information from local law enforcement information and provide that information to students in addition to showing the following samples.

- The time to make an argument or complain is not during the traffic stop. There are formal processes and procedures that you can and should follow to file a complaint.
- You can also file a formal compliment when you have a positive experience.
- You can complete an online search to find specific complaint and compliment instructions for your local law enforcement.

Here are samples of complaint and compliment websites.

#### Texas Department of Public Safety (DPS)

<http://www.dps.texas.gov/complaintCompliment.htm>



## Texas Commission on Law Enforcement (TCOLE)

<https://www.tcole.texas.gov/content/complaint-procedures>

The screenshot shows the TCOLE website's 'Complaint Procedures' page. The header includes the TCOLE logo and navigation links such as 'Home', 'Help and Resources', and 'Complaint Procedures'. A sidebar on the left lists various topics like 'Open Records Request', 'FAQ', and 'Legal FAQ'. The main content area is titled 'Complaint Procedures' and contains several sections: 'Overview', 'Jurisdictional Complaints', and 'Complaint With Texas'. The text explains that TCOLE does not have direct authority to investigate complaints against law enforcement officers or agencies, except in cases where a violation of law or rule occurs. It details the process for filing a complaint, including contacting the agency first, and provides information on how to file a jurisdictional complaint with TCOLE. Examples of jurisdictional complaints include violations of law or rules, training, certification, appointment of a licensee, or conviction or placement on deferred adjudication for a covered criminal offense. The page also mentions that TCOLE may investigate complaints involving racial profiling, excessive force, or use of force. A 'Translate' button is visible in the top right corner of the browser window.

## Dallas Police Department

<http://www.dallaspolice.net/division/internalaffairs/complaint>

The screenshot shows the Dallas Police Department's 'File A Complaint' page. The header features the Dallas Police Department logo and navigation links: 'Home', 'About', 'Divisions', 'Community', 'Reports', 'Resource', and 'Map'. The main content area is titled 'File A Complaint' and includes a 'Translate' button. The text explains that Texas law requires all complaints against police officers to be in writing and signed by the person making the complaint. It states that complaints must be made within 60 days of the incident. The page lists several ways to file a complaint: 1) A person can come to the Internal Affairs Division, Monday - Friday, 8:00 a.m. - 5:00 p.m., on the second floor of the Jack Evans Police Headquarters. 2) A person can go to any of the seven police stations around the City of Dallas and ask to speak to a supervisor. 3) A person can print off a Citizen's Complaint Form available at the links provided below and return it to the department in one of four ways: via email to DPOAD@dallaspolice.net, via fax to 214-670-8219, via mail to the contact address, or by delivering it to a police supervisor at any City of Dallas police facility. Below this information is a red banner that reads '\*\*\* CITIZEN COMPLAINT FORM \*\*\*'. The page also has a section for 'Racial Profiling Complaints', which states that in 2001, the Texas Legislature passed a law prohibiting 'Racial Profiling'. It defines racial profiling as stopping or detaining an individual based on their race, ethnicity, or national origin rather than on their behavior or information identifying them as having engaged in criminal activity. Examples of racial profiling include stopping a traffic stop on a particular vehicle because of the race, ethnicity, or national origin of the driver, or stopping or detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model.

## Austin Police Department

<http://www.austintexas.gov/online-form/police-complaint>

The screenshot shows the Austin Police Department's online complaint form page. The browser address bar displays <http://www.austintexas.gov/online-form/police-complaint>. The page header includes navigation links for various city services and a search bar. The main content area features a sidebar with a navigation menu (Home, Services, About, Programs) and a central banner for the Office of Police Monitor. Below the banner, the page is titled "POLICE COMPLAINT" and provides instructions on how to initiate a complaint, including contact information for the Office of Police Monitor. An "IMPORTANT NOTICE" section explains that the form is for identifiable complaints and that the complainant's name will be provided. The "INITIATE A COMPLAINT" section includes a form with fields for "First and Last Name", "Date of Birth" (with dropdown menus for Month, Day, and Year), "Age", and "Address (street number and name or P.O. box)".

## Houston Police Department

<http://www.houstontx.gov/police/contact/iad.htm>



### How Do I Make a Complaint?

State law requires that complaints involving police officers be sworn under oath and notarized. For your convenience, a complaint form can be printed from the attached link titled "Complaint Sworn Affidavit | Complaint Sworn Affidavit Spanish." It does not require an appearance at headquarters or a substation. Complaints against members of the Houston Police Department may be initiated in person to a supervisor at any police substation throughout the City of Houston, 24 hours a day, 7 days a week. They may also be made in person at the Internal Affairs/Central Intake Office, which is open Monday through Friday, 8:00 a.m. to 5:00 p.m. (except during City holidays). The Internal Affairs/Central Intake Office is located at Police Headquarters, 1200 Travis, Suite 2001, Houston, Texas, 77002. There is also the option of filling out the form, getting it notarized and then mailing it to the address above. Community organizations, including LULAC, the Urban League, and the NAACP have the same form and staff that have been trained to assist with the filing of a complaint. Information on filing a complaint can be obtained by contacting the Central Intake Office at (713) 308-0040 or by contacting any police substation or supervisor.

### What Happens To My Complaint After It Is Received?

All complaints received by the Department are processed through the Central Intake Office. When a complaint is received, it is reviewed to determine the nature of the allegations. The most serious type of complaints are investigated by the Internal Affairs Division. These complaints involve allegations such as excessive force, any discharge of firearms, or criminal activity such as theft. Complaints comparatively less serious in nature, such as rude behavior or improper procedure, are forwarded to the individual officer's division for investigation. In every case, the person making the complaint will be contacted during the investigation for additional information, and will be notified by mail of the final disposition.

## TEXAS GOVERNMENT CODE

### SUBCHAPTER B. COMPLAINT AGAINST LAW ENFORCEMENT OFFICER OR FIRE FIGHTER

#### Section 614.021. APPLICABILITY OF SUBCHAPTER.

- (a) Except as provided by Subsection (b), this subchapter applies only to a complaint against:
  - (1) a law enforcement officer of the State of Texas, including an officer of the Department of Public Safety or of the Texas Alcoholic Beverage Commission;
  - (2) a fire fighter who is employed by this state or a political subdivision of this state;
  - (3) a peace officer under Article [2.12](#), Code of Criminal Procedure, or other law who is appointed or employed by a political subdivision of this state; or
  - (4) a detention officer or county jailer who is appointed or employed by a political subdivision of this state.
- (b) This subchapter does not apply to a peace officer or fire fighter appointed or employed by a political subdivision that is covered by a meet and confer or collective bargaining agreement under Chapter [143](#) or [174](#), Local Government Code, if that agreement includes provisions relating to the investigation of, and disciplinary action resulting from, a complaint against a peace officer or fire fighter, as applicable.

#### Section. 614.022. COMPLAINT TO BE IN WRITING AND SIGNED BY COMPLAINANT.

To be considered by the head of a state agency or by the head of a fire department or local law enforcement agency, the complaint must be:

- (1) in writing; and
- (2) signed by the person making the complaint.

#### Section. 614.023. COPY OF COMPLAINT TO BE GIVEN TO OFFICER OR EMPLOYEE.

- (a) A copy of a signed complaint against a law enforcement officer of this state or a fire fighter, detention officer, county jailer, or peace officer appointed or employed by a political subdivision of this state shall be given to the officer or employee within a reasonable time after the complaint is filed.
- (b) Disciplinary action may not be taken against the officer or employee unless a copy of the signed complaint is given to the officer or employee.
- (c) In addition to the requirement of Subsection (b), the officer or employee may not be indefinitely suspended or terminated from employment based on the subject matter of the complaint unless:
  - (1) the complaint is investigated; and
  - (2) there is evidence to prove the allegation of misconduct.

## Community Safety Education Act Post Quiz

1. Why should you slow down below the speed limit and turn on hazard lights as you exit a highway to pull over?

2. Why should you place your hands on the steering wheel while officer is approaching?

3. If asked questions by an officer, you may not remain silent during a traffic stop.

True            False

4. When should you retrieve your driver's license and registration? Why?

5. If you are involved in a traffic stop as a passenger, you may leave if you are not detained.

True            False

6. An officer will always approach your vehicle from the driver side.

True            False

7. You can be arrested for not stopping when the vehicle performing a stop is a marked law enforcement vehicle.

True            False

8. What should you do once the officer has indicated that the stop is complete?

## Community Safety Education Act Post Quiz Answer Key

1. Why should you slow down below the speed limit and turn on hazard lights as you exit a highway to pull over?

**For your safety; it indicates to officer that you've seen their flashing lights and are pulling over or looking for safe place to pull over.**

2. Why should you place your hands on the steering wheel while officer is approaching?

**For the officer's safety; it signals to officer that you are not armed.**

3. If asked questions by an officer, you may not remain silent during a traffic stop.

True

**False**

4. When should you retrieve your driver's license and registration? Why?

**After the officer has approached your vehicle. You should notify the officer of the location of your items and advise the officer that you are going to get the items.**

**Certain movements such as reaching and searching for required documents before the officer approaches the vehicle, could be interpreted as a threat to the officer's safety or indicate possible criminal activity.**

5. If you are involved in a traffic stop as a passenger, you may leave if you are not detained.

**True**

False

6. An officer will always approach your vehicle from the driver side.

True

**False**

7. You can be arrested for not stopping when the vehicle performing a stop is a marked law enforcement vehicle.

**True**

False

8. What should you do once the officer has indicated that the stop is complete?

**You should give the appropriate signal and re-enter traffic safely. Do not wait for the officer to re-enter traffic first.**