

# Chapter 46 – Law Enforcement

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## ARTICLE I. - IN GENERAL

Secs. 46-1—46-30. - Reserved.

## ARTICLE II. - TRAFFIC PATROLS<sup>2</sup>

Sec. 46-31. - Guidelines.

Since almost all county residents reside in an incorporated city, county constables have historically served papers for and provided security to the justice of the peace courts but have not been staffed to conduct regular law enforcement or traffic enforcement patrol activities. The staffing formulas for constables' offices do not provide credit for traffic activities. There may be circumstances in which county constables have opportunities for targeted enforcement activities which are fiscally self-supporting and do not conflict with services to the justice of the peace courts. The county commissioners court does not plan to change the basic staffing formula for constables offices, but will consider each request from a constables for traffic patrol staffing based on the following uniform guidelines:

- (1) Traffic enforcement programs shall be self-liquidating as certified by the county auditor, and will be subject to an initial six-month financial review.
- (2) Constables will conduct routine traffic patrol only within their precinct, except where a city is located in more than one precinct and prior written approval from all affected constables and cities is provided to the commissioners court and supported by the county commissioner representing city.
- (3) The constables shall provide the commissioners court with their written policy on engaging in high-speed pursuits.
- (4) The county will not provide staff or equipment for part-time traffic enforcement.

(Ord. No. 97-2387, 12-2-1997; Ord. No. 2008-0156, 1-22-2008)

Secs. 46-33—46-60. - Reserved.

## ARTICLE III. - FIREARMS TRAINING

### DIVISION 1. - GENERALLY

Secs. 46-61—46-80. - Reserved.

### DIVISION 2. - GUN RANGE POLICY

Sec. 46-81. - Purpose of division.

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<sup>1</sup> **State Constitution reference**— Sheriff, [Tx. Const., art. 5, § 23](#). **State Law reference**— Sheriff, V.T.C.A., [Local Government Code § 85.001](#) et seq.

<sup>2</sup> **State Law reference**— Constables, V.T.C.A., [Local Government Code § 86.001](#) et seq.; signs, V.T.C.A., [Transportation Code § 393.001](#) et seq.; Uniform Traffic Act, V.T.C.A., [Transportation Code § 541.001](#) et seq.

The purpose of this division is to outline the standard operating procedures that will govern the use of the county firearms training center, referred to in this division as "the range," and to provide guidelines on its use by law enforcement agencies other than the county sheriff.

(Ord. No. 98-2227, § 1.0, 11-17-1998)

Sec. 46-82. - Law enforcement officers (LEO) defined.

All officers defined as peace officers in Vernon's Ann. C.C.P. art. 2.12 and special investigators cited in Vernon's Ann. C.C.P. art. 2.122 are referred to in this division as LEOs.

(Ord. No. 98-2227, § 1.1, 11-17-1998)

Sec. 46-83. - Range management.

The management and safe operation of the range is the responsibility of the county sheriff's department.

(Ord. No. 98-2227, § 2.0, 11-17-1998)

Sec. 46-84. - Firearms instructors.

- (a) Agencies may conduct training exercises under the direction of the firearms instructors employed or contracted by that agency.
- (b) These instructors must provide written documentation of credentials. These must include, but are not limited to, certification of T.C.L.E.O.S.E. instructor's license and T.C.L.E.O.S.E. firearms instructor's license, or the applicable equivalent.
- (c) Agencies must provide (line) safety officers during all training exercises. These officers are not required to be licensed instructors, but must be fully credentialed LEOs. The ratio of safety line officer to shooter must not be less than one to eight.

(Ord. No. 98-2227, § 2.1, 11-17-1998)

Sec. 46-85. - Safety.

- (a) The range will be operated in a manner which emphasizes the safety of the user, the staff and the surrounding areas. The sheriff may remove any individual and/or ban any agency from using the range if, in his judgment, an individual or agency compromises the goal of safety for all participants.
- (b) The county sheriff's department may inspect all weapons, ammunition and less lethal munitions, to ensure that they do not exceed the capacity and/or design of the range.
- (c) The county sheriff's department will be responsible for the investigation of all incidents in accordance with its general orders, S.O.P. and county policy.

(Ord. No. 98-2227, § 3.0, 11-17-1998)

Sec. 46-86. - Scheduling.

- (a) *Use of range.* The priority for scheduling use of the range will be in the following order:
  - (1) County sheriff's department;

- (2) Dallas division, Federal Bureau of Investigation;
  - (3) LEOs and security officers paid directly through county government, e.g., constables, etc.;
  - (4) Law enforcement agencies that provide substantial assistance to the county sheriff's department in the form of training for sheriff's deputies;
  - (5) Law enforcement agencies headquartered within the county or providing significant services to the county residents; and
  - (6) Law enforcement agencies outside of the county.
- (b) *Scheduling agent*. All activities related to the range will be scheduled through the county sheriff's department.

(Ord. No. 98-2227, §§ 4.0, 5.0, 11-17-1998)

Sec. 46-87. - Hold harmless agreement.

Prior to its use of the range, each agency will be required to sign a hold harmless agreement, as prepared by the county district attorney, which reflects that the agency accepts responsibility for the acts of its employees and holds the county harmless for the consequences of such acts.

(Ord. No. 98-2227, § 6.0, 11-17-1998)

Sec. 46-88. - Activities available for scheduling.

The following activities are available for scheduling at the range:

- (1) Rifle qualifications (five station-200 yards);
- (2) Pistol qualifications (20 station-50 yards);
- (3) Live fire training building with six rooms and two halls;
- (4) Two-story less lethal building;
- (5) Classroom (35-person capacity);
- (6) Defensive tactics building (40 feet x 50 feet x ten feet);
- (7) Obstacle course (25 obstacles).

(Ord. No. 98-2227, § 7.0, 11-17-1998)

Sec. 46-89. - Fee schedule.

- (a) The fee schedule is applicable to all agencies in the fifth and sixty priority categories enumerated in section 46-86. Agencies in the first four categories are eligible to schedule the range without user fees.
- (b) The fee schedule is applicable to all agencies other than the county's internal law enforcement agencies, the Dallas division, FBI, and law enforcement agencies with reciprocal training agreements with the county sheriff.
- (c) The fee schedule applies to law enforcement agencies who are either headquartered in the county, or who will be training individuals whose activity will be substantially carried out for the benefit of county citizens. Law enforcement agencies that do not fit this description will be charged an additional \$10.00 per hour over the rates shown as follows:
  - (1) Rifle range (per hour) ..... \$55.00

- (2) Handgun and shotgun range (per hour) ..... 60.00
- (3) Live fire training building (per hour) ..... 60.00
- (4) Less lethal building (per hour) ..... 65.00
- (5) Defensive tactics building (per hour) ..... 45.00
- (6) Obstacle course (per hour) ..... 45.00
- (7) Classroom ..... no charge

(Ord. No. 98-2227, § 8.0, 11-17-1998)

Sec. 46-90. - Payment.

The county will provide a written invoice for the use of the range to the senior officer of the using agency at the time the services are provided. Payment within 30 days is requested. Agencies who become delinquent in their payments to the county will not be allowed to schedule additional range use until the delinquency is resolved.

(Ord. No. 98-2227, § 10.0, 11-17-1998)

Sec. 46-91. - Equipment and ammunition.

- (a) The range will provide hearing and eye protection to all users at no cost.
- (b) The range will provide appropriate protective gear and all needed equipment, except munitions (i.e., simunition rounds, flash sound diversionary devices, etc.) for the simunitions building.
- (c) The range will furnish gym mats and audio visual equipment for the classroom and defensive tactics building.
- (d) Users will provide their own less lethal munitions, ammunition, weapons and targets.
- (e) Users will be required to operate the target controls in accordance with its training curriculum. The DSO range master or his designee will provide the user's target operator instruction on the proper operation of the controls prior to commencing their training evolution.

(Ord. No. 98-2227, § 9.0, 11-17-1998)

Sec. 46-92. - Cancellations.

- (a) *Cancellation of range use by the county.*
  - (1) If the use of the range is cancelled by the county, the leasing agency will not incur any charges. The county will make all efforts to prevent cancellation and will attempt to provide 72 hours' notification.
  - (2) Lost or down time as a result of range equipment failure will result in proportionate hourly credits.
- (b) *Cancellation of range use by leasing agency.* Leasing agencies shall make all efforts to prevent cancellations. If reservations are cancelled at least 72 hours in advance, the agency will incur no cost. Cancellations with less than 72 hours' notice will require the payment of an administrative fee.

Note: When scheduling, a history of past cancellations will be taken into consideration.

- (c) *Cancellation of range use due to inclement weather.* If the range must be closed due to inclement weather, the leasing agency will be allowed to schedule training at a later date with no additional cost incurred.

(Ord. No. 98-2227, § 11.0, 11-17-1998)

Sec. 46-93. - Cleanup.

It is the responsibility of the leasing agency to remove all spent ammunition casings, used targets, and/or debris from the training site and dispose of them according to the terms of the user agreement.

(Ord. No. 98-2227, § 12.0, 11-17-1998)