

Texas Commission on Law Enforcement

State of Texas Model Policy: Misconduct Allegations

State of Texas Model Policy: Hiring Procedures

State of Texas Model Policy: Personnel Files

State of Texas Model Policy: Medical and Psychological Examination of a Licensee

Pursuant to Texas Occupations Code §§1701.167, 1701.4522, and 1701.4535 as added by Senate Bill 1445 (88R), the Texas Commission on Law Enforcement (Commission) is proposing model policies regarding Misconduct Allegations, Hiring Procedures, Personnel Files, and the Medical and Psychological Examination of a Licensee. These proposed model policies were developed with input from advisory committees.

The Misconduct Investigation, Hiring Procedures, and Personnel Files Advisory Committee was charged under Texas Occupations Code §§1701.4522 and 1701.4535 with developing model policies establishing procedures applicable to a law enforcement agency investigating alleged misconduct by a license holder employed by the agency, hiring a license holder, and maintaining personnel files with respect to a license holder.

The Examination of a Licensee Advisory Committee was charged under Texas Occupations Code §1701.167 with developing a model policy prescribing standards and procedures for the medical and psychological examination of new licensees, existing licensees, and licensees whose employing agency has reason to believe that a new examination is necessary (fitness-for-duty examination) to ensure the individuals are able to perform the duties for which the license is required.

Each law enforcement agency in Texas will be required to adopt and submit to the Commission these proposed model policies, or a substantively similar policy, if these proposed model policies are adopted by the Commission at the next regularly scheduled public meeting of the Commission on April 29, 2024.

These proposed model policies can be accessed through the Commission's website at <https://www.tcole.texas.gov/>, selecting About Us, then selecting The TCOLE Commission and its Members, and navigating down the page to the Public Comment section, or by using the below links.

<https://www.tcole.texas.gov/document/model-policy-misconduct-allegations.pdf>

<https://www.tcole.texas.gov/document/model-policy-hiring-procedures.pdf>

<https://www.tcole.texas.gov/document/model-policy-personnel-files.pdf>

<https://www.tcole.texas.gov/document/model-policy-medical-and-psychological-examination-licensee.pdf>

The Commission will accept comments regarding these proposed model policies, including the date by which law enforcement agencies shall adopt the final model policies. The comment period will last 30 days following the publication of this proposal in the *Texas Register*. Comments may be submitted electronically to public.comment@tcole.texas.gov or in writing to Mr. John P.

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