





Instructor

Paul Christ

- TMLIRP Law Enforcement Training Coordinator/Specialist
- Bachelor of Science, Criminal Justice, Texas State University '87
- Officer, Metropolitan PD, Washington, D.C. '89-'92
- Lieutenant, Austin PD, (Retired) '92-'15
- Master Chief, Master at Arms, USN, (Retired) '84-'16
- Small Arms Instructor (USN)
- Texas Commission on Law Enforcement Licensed Instructor
- TCOLE Master Peace Officer Certification
- TCOLE Crime Prevention Specialist License
- Emergency Vehicle Operations Instructor
- License to Carry Instructor, State of Texas
- Civilian Response to Active Shooter Events Instructor, ALERRT, Texas State University
- Williamson County Sheriff's Office, Detective(Res), Cold Case Unit





Texas Communities are STRONGER TOGETHER



Workers'
Comp.



Liability



Property



Cyber
Liability



Special
Risk

Workers' Compensation

TMLIRP provides statutory Workers' Compensation Coverage as well as Employer's Liability Coverage.

- Self-Insured Retention Options
- Risk Financing and Excess Programs
- The Alliance program consists of high quality medical providers dedicated to excellent medical care while reducing medical costs
- Increased income benefits available for volunteers



FILE A CLAIM



PORTAL SUBMISSIONS



CHANGE SCHEDULE



TRAINING



The First Amendment

Guarantees the five freedoms of religion, speech, the press, assembly and petition.

That's out of the way....

This presentation isn't about 1st Amendment law...

It's about educating civilian and sworn personnel regarding their responsibilities while representing their entities, and why officers need to protect their personal space during interactions with the public.

First Amendment Auditors

Their goals?

- Protect the Constitution
- Hate the government/law enforcement
- Make money with video views
- Independent “Journalists”

Don'ts:

- Tell them they can't film
- Touch them = assault claim
- Take the phone = theft
- Video activist with your own phone = Freedom of information request
- Argue or use profanity
- Have personal items in plain view
- Have sensitive information in plain view



Do's

- Good customer relations/professional
- Limit interaction
- Position computer screen so it can't be seen by the public
- Restrict access to areas you wish to keep protected with signage or physical barriers
- Call the police
- Provide your name



Ways to Protect Yourself and the Public

- Put up blinds, curtains, tint windows
- Bring uninvolved persons into controlled areas to conduct business
- Obscure documents
- Lock Doors

Where Video is Prohibited

- Restrooms
- Dressing Rooms
- Leased areas with private access/attendance
- Courtrooms...if the judge prohibits

Camera Use at City Facilities

Except for staff work areas, persons entering municipal facilities are allowed to take video/photos unrestricted. However, people photographing cannot impede public access to municipal facilities.

Examples of allowed public spaces

- Customer services areas/entry ways
- Publicly accessible halls/corridors
- Publicly accessible streets/sidewalks/parks/plazas

Examples of prohibited public spaces

- Staff work areas located behind closed doors or staff only areas
 - Offices/meeting rooms/staff halls/staff corridors
- Areas restricted by membership or tickets
 - Non-publicly accessible areas at recreation facilities
 - Non-publicly accessible areas at performance venues

What to do if approached by individual taking photo/video:

- Be professional and polite
- Acknowledge **but do not** engage/argue
- Concentrate on job function/duty
- Call 911 if questionable/illegal activity observed



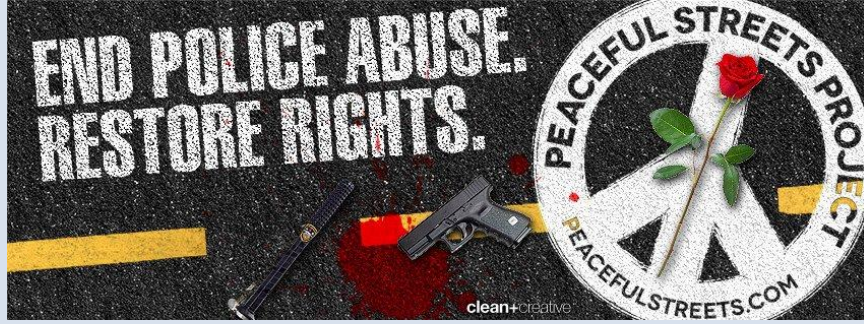
Customer Service Reminders

Do

- Know that photography is allowed in public areas
- Keep calm
- Be polite/professional
- Beware of voice tone and volume
- Watch your body language
- Try to keep interaction brief
- Call police if necessary

Don't

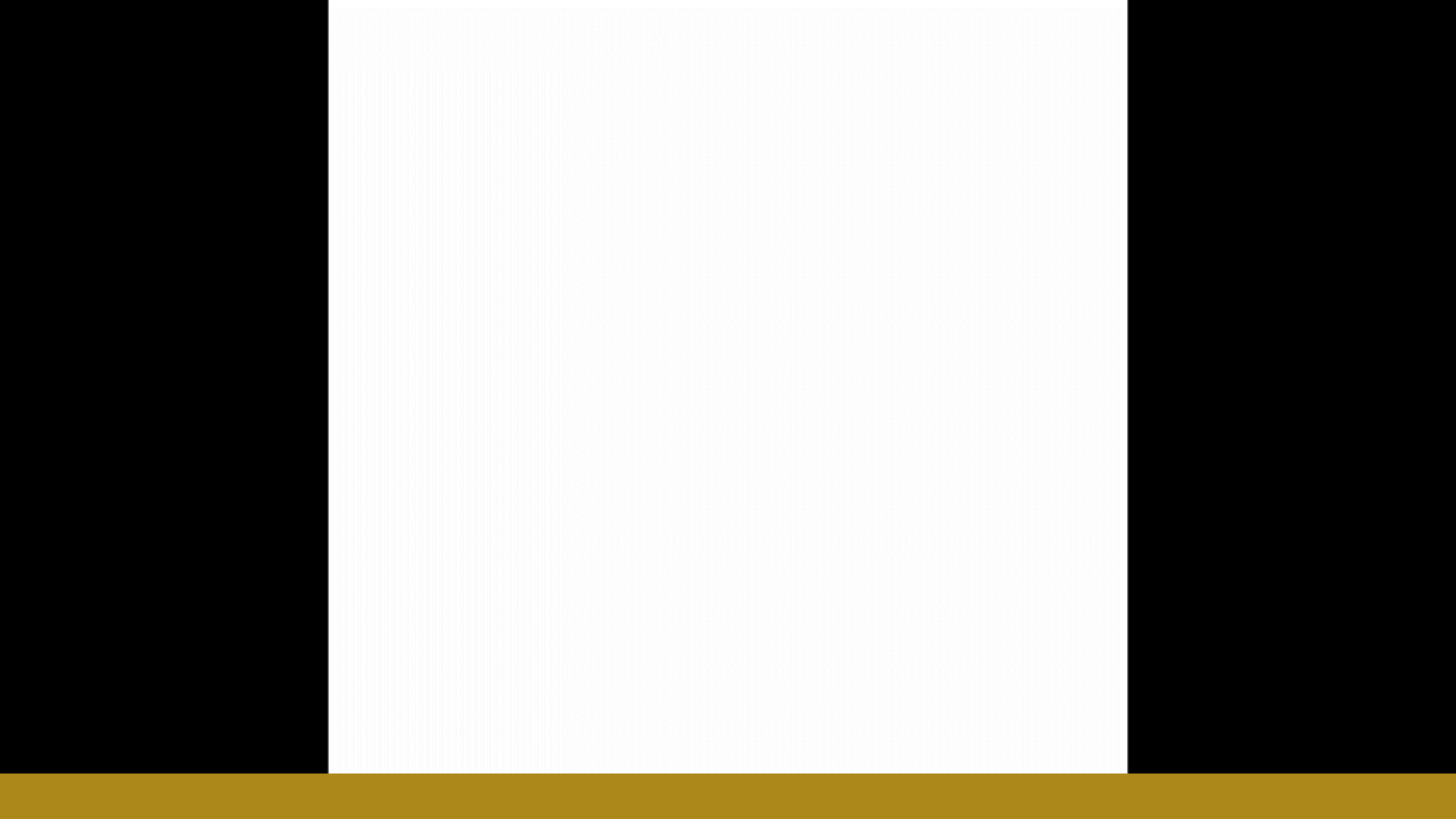
- Don't tell anyone they can't photograph/film in a public area
- Don't try to take their camera away
- Don't use your personal phone to record anyone (potential open records request)
- Don't argue
- Don't use profanity
- Don't physically touch anyone



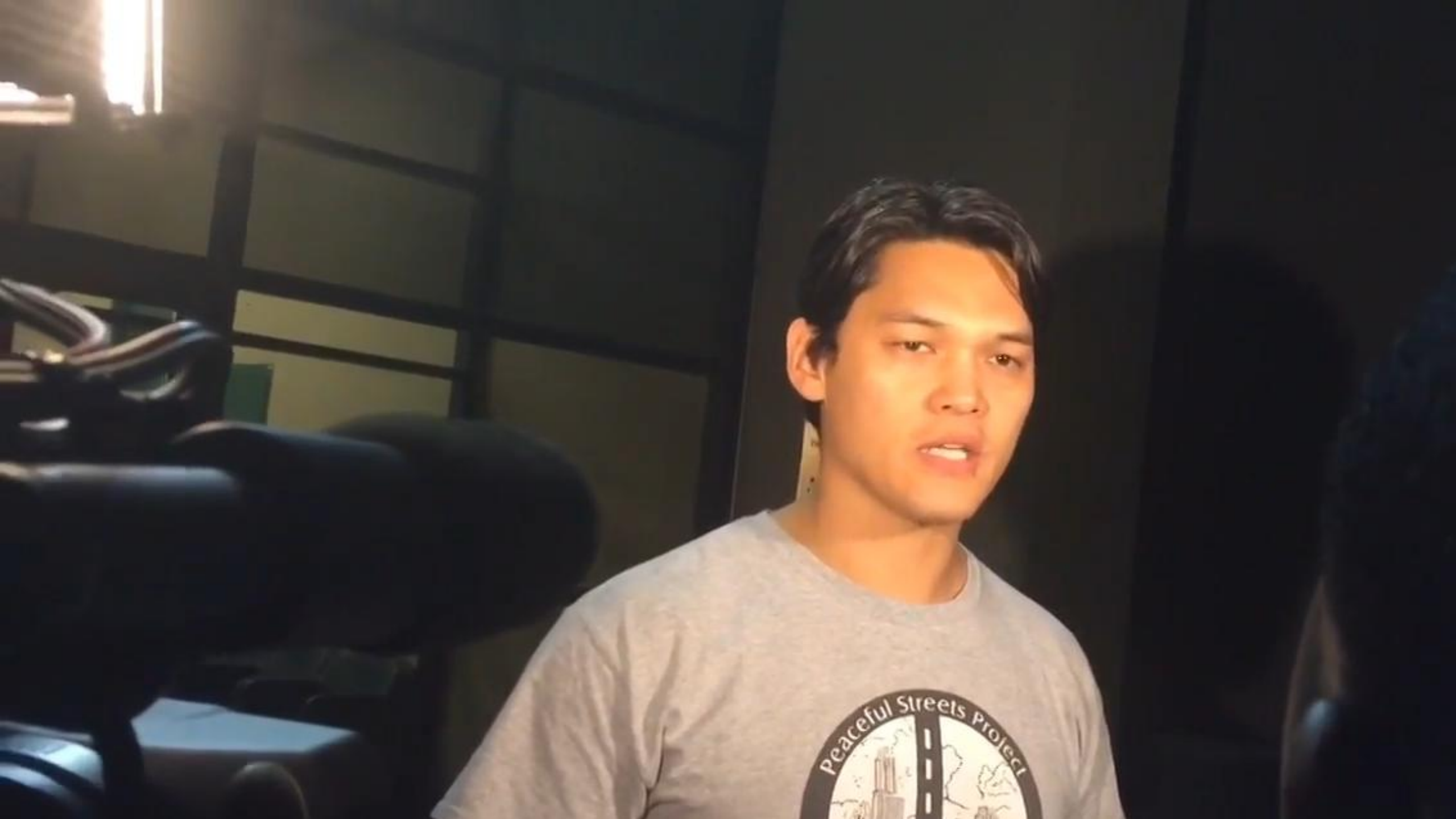
Fields v. City of Philadelphia et al
Geraci v. City of Philadelphia et al

- **Fields** photos officers from 15 feet away as they break up a house party on a public sidewalk
 - Ordered to leave and refuses. Arrested, phone taken and images searched
 - Charges dropped when officers don't show up for court
 - PPD policy prohibits officers from interfering with citizens photographing the cops
-
- **Geraci**, an activist is pinned against a pillar while attempting to video an arrest at a protest
 - No arrest or citation made





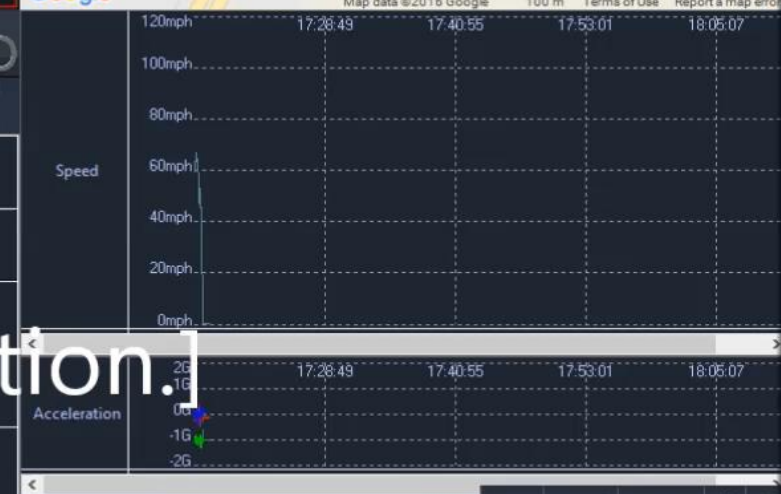
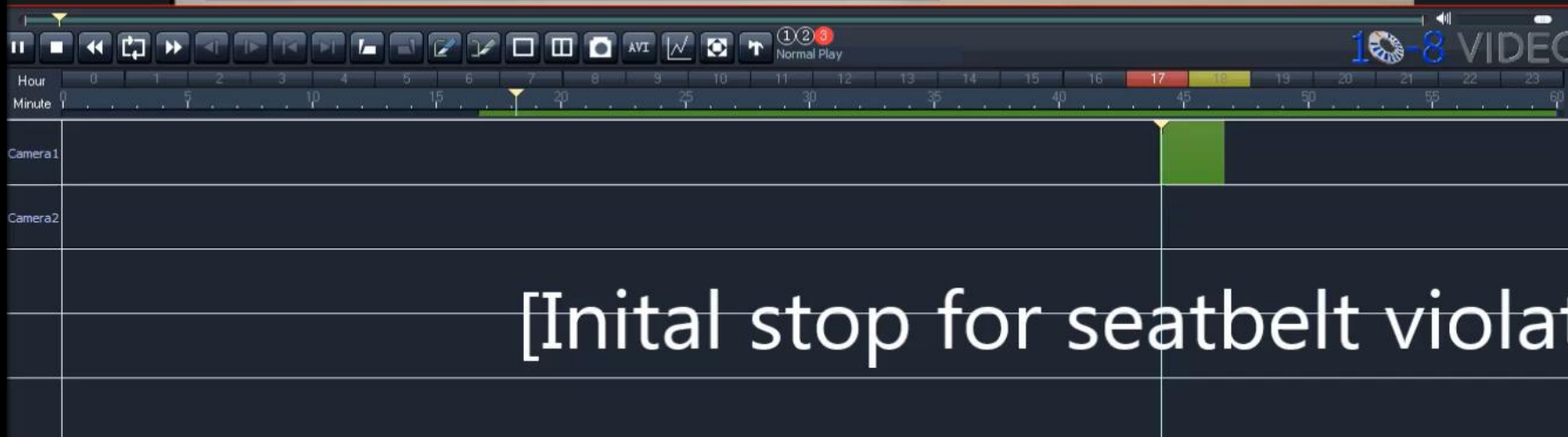
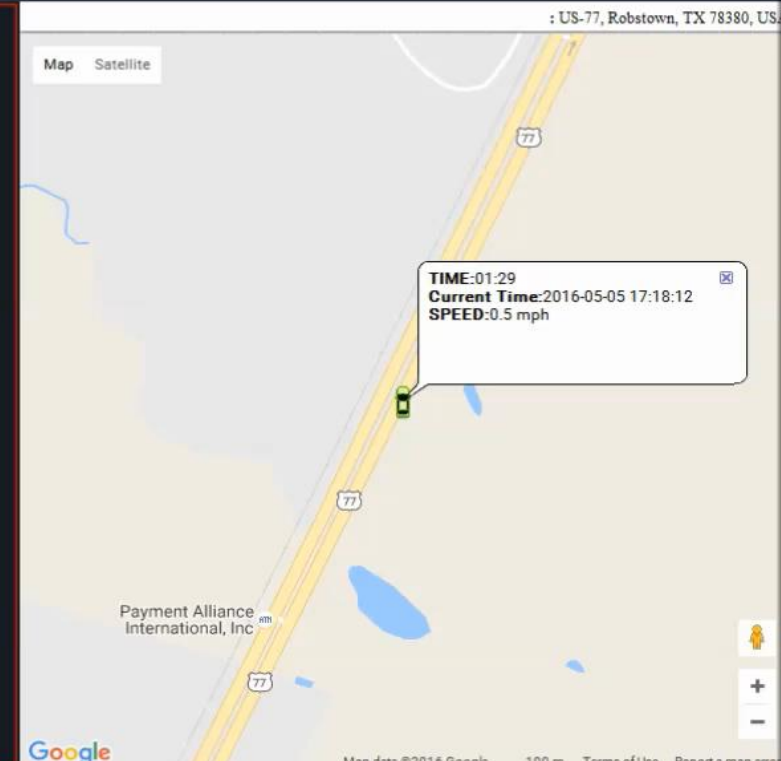




Third Circuit Court of Appeals

Ruling:

- Recording police activity in public falls squarely within the First Amendment right of access to information
- First Amendment's right of access to information the public has the commensurate right to record—photograph, film, or audio record—police officers conducting official police activity in public areas
- Officers given qualified immunity in this case due to the court not previously held that such a right existed to record the police and the law hadn't been clearly established at the time of the incidents.
- Right to record the police not absolute
- Subject to reasonable time, place and manner restrictions





DriscollPD-HernBody

2016/05/05 17:18:41

TMLIRP Cost.....



\$190,000

Failure to Identify

- **Texas Penal Code Section 38.02. Failure to Identify.** (a) A person commits an offense if he intentionally refuses to give his name, residence address, or date of birth to a peace officer who has lawfully arrested the person and requested the information.
- In criminal **law**, **detain** means to hold a person in **custody**, often for purposes of questioning. A **law** enforcement officer needs to have a reasonable suspicion of unlawful activity to **detain** a person.

Reasonable Suspicion

- An objectively justifiable suspicion that is based on specific facts or circumstances and that justifies stopping and sometimes searching (as by frisking) a person thought to be involved in criminal activity at the time.
- **TERRY STOP**: A police officer stopping a person must be able to point to specific facts or circumstances even though the level of suspicion need not rise to that of the belief that is supported by probable cause. A reasonable suspicion is more than a hunch.

**YOU WILL RESPECT MY
AUTHORITY!**



Summary/Questions

