



BADGE & GUN

Texas' Largest Police Union

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Successful Session

The 81st session of the Texas Legislature is now officially over. During the session we monitored a myriad of bills and issues related to our jobs as police officers and our rights and benefits afforded to us on State Civil Service which contains the enabling provision in statute that authorizes us to enter into a collective employment contract with the city.

As the saying goes, everything is in play every other year for 140 days when the Texas Legislature is in session. Therefore, we closely monitored every issue that touched us in any way.

In the end we were successful in clearing up some things that impacted police officers. It is now clear that if we as police officers are operating a police vehicle - marked or unmarked - in our official capacity, then we are exempt from civil fines imposed by red light traffic cameras.

We also helped pass legislation that clarified the definition of what an emergency vehicle actually is. Last session the Legislature inadvertently confused the definition by codifying that an emergency vehicle must be owned or leased by a governmental entity.

This caused some cloudiness regarding certain emergency vehicles that are truly just that.

However, they didn't exactly fit the statutory definition that the Legislature assigned to them. Our effort this session cleared up any ambiguity or conflicting language and basically returned the definition to the point it was in 2007 and before.

From "THE PRESIDENT'S MESSAGE,"
By GARY BLANKINSHIP

Racial Profiling Issue

Even though I haven't found many fans of the Racial Profiling law that was enacted by the Legislature approximately eight years ago, I am happy to report that we have at least made a few gains to fix what we feel was a significant hole in the reporting process.

As pointed out by HPOU Second Vice President Ray Hunt, the current statute is severely flawed as it relates to data collection. It is flawed in the sense that the statutory mandates regarding what information is collected doesn't take into account those situations where officers make traffic stops in low-light and nighttime conditions and therefore have no idea of the race of the violator they have stopped until they interact face to face with them.

Therefore, the HPOU initiated and won approval of an amendment in the TECLEO Sunset Act to mandate in the racial profiling a new addition that allows the officer to indicate that they did not know the race of the person being stopped.

It's our belief this new and very needed addition will help analysts and other interested parties to understand the primary color blind nature of police interactions.

In addition to the few clean-up items we pushed, we worked with our friends at the Combined Law Enforcement Associations of Texas to help them pass some legislation that mirrors to some degree the benefits we currently have in our contract.

Examples include enabling surviving family members of officers who were killed in the line-of-duty to continue to be allowed to purchase health insurance at the active officer rate and establishing that Texas peace officers can also begin to enjoy tuition free police-related college courses just like firefighters have with their own industry-related courses for the past three decades.

Good and Dead Issues

It's important to note that we also fought and defeated a number of issues that negatively impacted our jobs. These issues included the establishment in statute policy issues related to how police line-ups and photo spreads are held or conducted. This legislation as originally filed was horrible.

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Representatives of district attorneys negotiated with the bill sponsor and determined that they could live with the watered-down version of the bill. Interestingly enough, DAs don't conduct line-ups or perform the photo spread function of a criminal investigation. We were at a loss as to how they had squat to do with negotiating anything related to those processes.

Regardless of their ill-advised strategy, we opposed the bill all the way to the end of the session. Our efforts coupled with the outstanding leadership in the Texas Senate of Sen. Dan Patrick and Sen. Joan Huffman resulted in the measure meeting its much-needed death during the final days of the session.

Another really bad bill for working officers was a bill that required interviews to be videotaped – not just the confession portion of an interview, the entire interview. The HPOU in partnership with Captain James Jones, Chief Hurtt's legislative representative, successfully killed that measure too.

Once again, Sen. Huffman and Sen. Patrick saved the day for us in the Senate where the bill sponsor continually angled for any chance to slip that measure into a moving bill in order to pass it.

Both the police line up/photo spread and taped interview bills were also active in the Texas House.

Numerous members who are loyal supporters of HPD officers stepped up and made sure neither issue gained any ground on there side of the Capitol as well. We are extremely appreciative to Reps. Carol Alvarado, Dwayne Bohac, Ellen Cohen, Gary Elkins, Jessica Farrar, Allen Fletcher, Ana Hernandez, Ken Legler, Tommy Merritt, Kristi Thibaut, Senfronia Thompson, Sylvester Turner, Hubert Vo, Armando Walle, Randy Weber

and Beverly Woolley for their collective help on issues that required their immediate attention in the House.