

	GENERAL ORDER	Effective: 02-28-2022	# 04-04
	Section: Personnel	Replaces or Modifies: Vers. 10-01-2021	
	Title: TCOLE Appointments		
Issued by: Chief Deputy Mattie Provost			

Purpose:

To establish standards regulating issuance of Texas Commission on Law Enforcement (TCOLE) Appointments by the Fort Bend County Sheriff's Office (FBCSO).

Policy:

The FBCSO issues TCOLE Appointments in compliance with Texas State Law and the rules and regulations of TCOLE. All employees with a TCOLE appointment from the FBCSO are responsible for maintaining requirements concerning licensing set by Texas State Law and TCOLE. Only the Sheriff or Chief Deputy may make a TCOLE Appointment.

Details and Procedure:

I. Positions Requiring an Employee to be an Appointed Peace Officer

- A. The following paid positions have as a requirement that the employee be an appointed peace officer by the FBCSO -
 - 1. Chief Deputy
 - 2. Assistant Chief Deputy
 - 3. Major
 - 4. Captain
 - 5. Lieutenant
 - 6. Sergeant
 - 7. Investigator (all assignments)
 - 8. Deputy Sheriff and Detention Deputy
 - 9. Any other position whose approved Job Description lists a requirement to be appointed as a peace officer
- B. The Sheriff is a peace officer in an elected official capacity and is bound by the Laws of Texas (Constitution and Statutes) and applicable TCOLE Rules and Regulations.

II. Positions Not Requiring an Employee to be an Appointed Peace Officer

- A. All paid positions not listed in I.A. of this General Order do not require that an employee be an Appointed Peace Officer.
- B. The Chief Deputy may appoint an employee covered under II.A. of this General Order as a peace officer if he/she determines that the appointment is beneficial to the FBCSO in creating and maintaining a pool of potential candidates for placement into Deputy Sheriff or Detention Deputy positions.
- C. An appointment as peace officer under II.B. of this General Order is:
 - 1. Not a benefit of employment or a condition of continued employment (in that this appointment is not a job requirement for the position the employee occupies).
 - 2. Subject to revocation at any time with or without cause.
 - 3. Will not be considered until an employee finishes the placement probationary period (as defined in the Civil Service Rules). The Chief Deputy may waive this requirement on a case-by-case basis if he/she deems it in the best interests of the FBCSO.

- D. The following regulations apply to employees appointed as peace officers under II.B. of this General Order –
 - 1. Guidelines applicable to all such appointees –
 - (a) If an employee occupies this appointment for a period greater than 5 years without moving into a position listed in I.A. of this General Order, the Chief Deputy will review the status of this appointment and may revoke the appointment if in his/her determination the continuation of the appointment is not in keeping with the purpose described in II.B. of this General Order.

III. Other TCOLE Related Guidelines

- A. The Chief Deputy is designated to perform all functions as the FBCSO's Agency Administrator as allowed by Law and TCOLE Rules and Regulations.
- B. An employee whose Job Description requires a TCOLE appointment or whose job function meets the requirements for an appointed position under TCOLE Rules and Regulations that fails to meet the requirements to maintain his/her appointment / license is subject to disciplinary action up to and including termination and revocation of appointment in accordance with Civil Service and General Order Procedures.
- C. Reserve Deputies are appointed at will and a Reserve Deputy that fails to meet the requirements to maintain his/her appointment / license as a Peace Officer is subject to disciplinary action up to and including revocation of appointment.
- D. Persons who are not direct employees of the FBCSO (employed by other Fort Bend County entities or contractors doing business with FBCSO) may be given a TCOLE appointment if the Chief Deputy determines it is in the best interests of the FBCSO and appointment is allowed under TCOLE Rules and Regulations. Such appointments are at will and subject to revocation at any time. Other stipulations/rules concerning this subsection will be enacted / enforced by the Chief Deputy.