



Killeen Police Department

Public Affairs Office
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Press Release

For Immediate Release

June 18, 2020

KPD Announces Police Reform.

The Killeen Police Department has had an opportunity to review the President's Executive Order on police reform, and reached out to the community and law enforcement members. We are pleased to report that our agency already meets or exceeds some of the guidelines for police reform. Even so, we have taken additional steps to improve our Police Department in a police reform package. In this package, six areas are highlighted in our initial recommendations. At KPD, Police reform is ongoing and we look forward to working with the community and our law enforcement partners for a positive result in order to serve our community better.

The events of recent police misconduct and the subsequent talks of police reform have not fell upon deaf ears at the Police Department and more specifically me, as the Chief of Police. The City of Killeen is in an ideal situation, whereas, we are a CALEA (The Commission on Accreditation for Law Enforcement Agencies, Inc.) accredited organization and have recently been re-accredited and our policies and procedures are up to date, reasonable and conforms to modern police practices.

CALEA or the Commission was created in 1979 as an independent accrediting authority by the four major law enforcement membership associations:

- International Association of Chief's of Police (IACP)
- National Organization of Black Law Enforcement Executives (NOBLE)
- National Sheriff's Association (NSA)
- Police Executive Research Forum (PERF)

In the past few weeks, I have had the opportunity to talk to many community members, other law enforcement professionals and even those who identify themselves as catalysts for change in the area of criminal justice and I hear and understand their concerns. Though, the Killeen Police Department is an accredited agency, I feel there is an opportunity to go above and beyond as I listen to the national narrative. I will now layout some areas where we have listened and are ready to effect change. Please understand this is an initial review and I and selected members of the organization will be specifically tasked to undertake police reform in the Killeen Police Department. I look forward to working with you, the governing body and the public as the Killeen Police Department continues on its path of excellence, progressiveness, and forward-looking as we move into this new era of policing.



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Use of Force

The Killeen Police Department has a very good and thorough use of force policy. I am pleased to point out that our police department policy ALREADY contains a duty to intervene, it states in the Use of Force Policy, section .03, sub section D-Duty TO INTERVENE: Any employee present and observing another employee using force that is CLEARLY beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, safely intercede to prevent the use of excessive force. Employees shall promptly report those observations to a supervisor.

Resulting action-To strengthen the policy regarding Duty to Intervene; if an employee has to take action regarding this policy, in addition to reporting his/her actions to a supervisor, they will also be required to write a memorandum to the chief of police before the end of their duty day of the circumstances that required them to intervene and annotate what occurred in a supplemental police report.

Under the current use of force reporting, when force is used by an officer or employee, a subsequent investigation is conducted by the employees' supervisor but, there is no specific provision when the report is initiated.

Resulting Action-The revised use of force reporting policy will require that a supervisor respond to the scene, when practical, of a use of force incident and immediately conduct an investigation, which may include gathering evidence, locating witnesses and interviewing all parties involved.

Choke hold

The Killeen Police department has always specifically and intentionally banned the use of the "choke hold" or carotid hold in our policies for many years, unless in an extreme situation where deadly force would be authorized.

Resulting Action-The Killeen Police department would continue with our current policy regarding the ban of the choke hold or carotid hold. Additionally, we will not participate in any training where such a hold is taught and will support any efforts to ban the choke hold in routine use of force application.

Requesting Medical treatment

The Killeen Police Department has a policy contained within the use of policy to render aid to all persons who are injured as a result of the application of force by an employee or officer.

Resulting action-This section of the policy will specifically and intentionally add that during the use of force, applying arrest tactics or attempting to arrest a subject and the arresting subject, communicates, "I can't breathe" or some other exclamation that is preventing the flow of air, the officer or employee, when safe and practical, will immediately render first aid to assist the arrestee in the flow of air. When an arrestee communicates that he/she has trouble breathing, this will be treated as a medical situation.

No knock warrants

Currently, the Killeen Police Department executes many types of search warrants as a routine part of law enforcement. The Department executes search warrants to obtain evidence to successfully prosecute



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cases in our criminal courts. Officers and detectives that work in the enforcement of narcotic investigations also use search warrants to obtain evidence and arrest offenders. Due to the unpredictable, dangerous and violent nature of narcotic traffickers to protect their illegal proceeds from other drug traffickers and even police; officers and detectives in the Killeen Police Department, based on the pattern and history the suspect, ask for an exception to the knock and announce requirement when entering a residence to arrest violent suspects. Historically, the rise and use of warrants in exception of the knock and announce rule or "no knock warrants" exploded in the 1990s and for almost twenty years as the county fought the war on drugs. As law enforcement transitioned away from the war on drugs, drug traffickers in no way reduced their illegal efforts and continued to traffic marijuana and produce methamphetamines and thus, the trafficking of illegal weapons continue as more people are involved in the trafficking of drugs and illegal weapons.

Law enforcement, to include the Killeen Police Department, continue our efforts to suppress illegal narcotics and weapons and ask for an exception to the knock and announce rules, when circumstances dictate. This is allowed in the Fourth Amendment of the Constitution of the United States to keep the suspect, community and officers safe during the arrest of these violent offenders in our communities.

As the Chief of Police, I am keenly aware of the national debate and controversy regarding "no knock" warrants and how the Killeen Police Department applies and executes no knock warrants. To summarize:

- An officer/Detective conducts and investigation into a drug, illegal weapons suspect, or violent offender.
- Probable cause is established to search the premises and arrest the suspect
- If the suspect has an established violent history or the investigation reveals that some other violent situation exists such as, other armed or dangerous subjects (not associated with the investigation are on the premises); or some other reason that would give officers a tactical advantage to keep the community, officers and the suspects from being injured, Officers then ask for permission from a judicial official that a no knock warrant be executed.
- Officers/Detectives meet with department's SWAT team and they conduct an assessment on how to execute the no knock warrant.
- Officers/Detective from the narcotic unit, along with the SWAT team supervisors meet with the Executive Police Staff (Chief of Police and/or Assistant Chief of Police) for final approval to execute the warrant.

Resulting Action-The Killeen Police Department recommends placing a temporary hold on requesting search warrants that include a provision to the knock and announce rule for a period of ninety (90) days. During this 90-day period, if it is deemed necessary that a "no knock" warrant is needed, this allowance can only be made be the Chief of Police or the Assistant Chief of Police. Examples when an exception may be granted are:

- ***Warrant service when a person's life is in danger and/or a person is being held against his/her will***



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- ***Warrant service that includes the identification, removal and detonation of Improvised Explosive Devices (IEDs) or other incendiary devices that can cause wide-spread, indiscriminate damage.***
- ***Warrant service at the request of federal agencies in assistance of national security***
- ***This list is not inclusive of all possible situations but, act as a guideline***
- ***During the 90-day review period, a workgroup will be formed consisting of officers, detectives and community members to formulate a community response/policy for service of no knock warrants.***

Note: No "no knock" warrants for narcotic investigations will be granted during this 90-day review period.

Accountability

The supervisory and executive staff of the Killeen Police Department has identified flaws with the current Internal Affairs system. In short, the system is approximately fifteen years old and we are working on the original version. As you can imagine, computer systems, operating systems and data storage has changed immensely in fifteen years. To maintain our status of a progressive and forward-looking police organization the Internal Affairs unit must have a recognized, professional, proven system that can work with our accreditation software and help identify officers through early intervention that have been involved in numerous incidents of misconduct and identify and recognize positive actions by officers and employees.

Resulting Action-The Killeen Police is requesting the City Manager assist the Department in allocating funds to obtain IA Pro with the Blue Team Solution. IA Pro in the leading Professional Standards Software World Wide used in over 800 public safety agencies in five countries and will be an ideal complement to our CALEA accreditation software. More information can be found on IA Pro with the Blue Team solution at www.iapro.com. Cost is approximately \$50,000.

The Killeen Police Department is a 334-member organization with 258 sworn police officers, which includes the Chief of Police. The sworn members of the Police Department have rules regarding employment, dismissal, discipline, termination, retirement, workers compensation and benefits in Chapter 143 of the Local Government Code. The Chief of Police, who is hired by the City manager is the only sworn police officer not governed by the rules of Chapter 143. The Chief of Police can choose an Assistant Chief of Police from the current ranks of the 257 member police force but this can be challenging as only two executive members manage police operations, administrative functions, jail/local holding facility rules, vehicle logistics, IT logistics, HR, hiring, discipline and many other functions that it takes to operate and manage a Police department. As we move forward in the new area of policing there must be executive oversight in the area of police community relations, enhanced training and police reform.

Resulting Action-The Chief of Police is requesting the addition of two positions; a second Assistant Chief of Police position that is selected by the Chief of Police. The second position would be a training sergeant. The Killeen Police Department is lacking supervisory oversight in the training of new employees at our police training center and supervisory oversight to bring state of the art, progressive training to the organization. With the addition of the training Sergeant, coordination could be had to bring more de-escalation training, identifying and dealing with people from other cultures, implicit bias training, and other alternatives to reduce use of force situations.



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Transparency

Admittedly, very little data is available publicly or it is difficult to find through the current web format of the Killeen Police Department. The Department and the City of Killeen spends a lot of man-hours fulfilling public information requests, which in many cases is routine information from the local media and interested citizens. Also, in today's environment it is an asset to lower the bar of suspicion and an agency should be able to stand on the information it provides to the public.

Resulting Action-The Killeen Police Department, in concert with IT, to vigorously research, develop and plan to have an open portal or open database that can be accessed by the public. Studying and sharing non-sensitive information can provide valuable insights and build trust in the community. This project is of the highest priority of the Police Department and will be managed by the Chief of Police.

Respectfully Submitted,

Charles F. Kimble
Chief of Police