

**THE UNIVERSITY OF TEXAS MEDICAL BRANCH
POLICE DEPARTMENT**

Effective Date April 14, 2023 (REVISED)		Number 3.4
Subject Administrative Investigations		
Reference CALEA 91.1.3 and 91.1.9		Review Date Annually
Distribution General Manual		No. Pages 4

I. PURPOSE

The purpose of this directive is to establish guidelines for the conduct of an administrative investigation.

II. POLICY

University Peace Officers serve as both public law enforcement officers and as officers of the university administration. On occasion, they will be tasked to conduct administrative, non-criminal, investigations. It is our policy that administrative investigations shall be conducted in a lawful, expeditious manner and will conform to investigative best practices.

III. DEFINITIONS

Administrative Investigation: An investigation that is non-criminal in nature and specifically excludes police misconduct, which is addressed at General Manual 3.9, Internal Affairs.

Background Investigation: A detailed examination of a person's character, achievements, and traits over a specific time frame.

IV. PROCEDURES

A. Goal

An administrative investigation will have a clear written goal, which is understood by both the investigator and the official chartering the investigation. Only the Chief of Police or university official authorized by the Chief of Police may charter

an administrative investigation. The Police Department will not conduct administrative investigations for entities outside the Police Department. On rare occasions, the Chief of Police may authorize the Professional Standards Unit to assist another University entity with an administrative investigation being led by that entity.

B. Investigation

1. The department expects officers to treat investigations as a skill developed through training and experience, a skill that demands intelligence, logic, and discipline. Administrative investigations are by definition non-criminal, officers are cautioned not to use restricted criminal justice databases for administrative investigations. The investigator should review and analyze all records, documentation and related materials during an administrative investigation.
2. Interviews may be conducted and will be documented as is our standard practice. However, interview and interrogation tactics and techniques used in criminal investigations may be inappropriate in conducting additional interviews in an administrative investigation.
3. Relevant additional information may be acquired through the use of scientific aids and techniques. Officers are cautioned not to use state crime laboratories for forensic support in administrative investigations. Physical property and evidence for an administrative investigation cannot be stored within the Evidentiary Property Storage areas of the Department.

C. Reports

Administrative investigation reports reflect on the skill and abilities of this Department and our officers. These reports will be planned, organized, and prepared so as to enable the reader to quickly determine the investigation findings. The common format will include:

- 1 The Administrative Investigation Goal;
2. Finding(s) and Recommendation (s) if any;
3. Summary of the Investigation to include referenced interviews, records and physical property and evidence

The administrative investigation report should be addressed to the individual who chartered the investigation. The report is a confidential

document that can be released external to the University Police only upon the approval of the Chief of Police or designee. These reports shall not be made in the Department's records system but shall be presented to the entity leading the administrative investigation in a memorandum format.

D. Consultation

An administrative investigation may reveal criminal activities. When criminal activities are found to have occurred, are in progress or are planned to occur, the Chief of Police will be promptly advised and a criminal investigation will be initiated by the Criminal Investigation Division. The assistance of the Professional Standards Unit with a University administrative investigation may be stopped or may continue, depending on the nature of the incident. However, the Professional Standards Unit may not share evidence or information learned in an administrative investigation with the criminal investigation except with the consent and knowledge of the prosecutor's office.

E. Background Investigations

A subset of Administrative Investigations are Background Investigations. Upon request of University Officials, the Chief of Police may conduct a background investigation on a student, staff, faculty members of the University, or others.

1. Officers assigned to such background investigations shall not access criminal history information that is restricted to criminal justice purposes during such investigations.
2. These investigations will be considered security-sensitive investigations and the contents of the investigations will be disclosed on a need to know basis only.
3. Completed investigations will be submitted to the Chief of Police or designee upon completion. Records will be retained in accordance with applicable law.
4. As an element of employment background investigations, a contracted service will complete criminal history inquiries. Those inquiries that result in criminal records will be forwarded to Human Resources.
 - a. Human Resources will forward that record and a notation of the role the individual will be assigned at the University to the Chief of Police.

- b. The Chief of Police will review the Criminal Record and determine "Risk" or "No Risk" ruling, based upon his/her knowledge and experience.
- c. The Record, the role notation and the ruling of the Chief of Police will be forwarded to the Vice President, Human Resources and the Senior Vice President and General Counsel for action.
- d. The Vice President, Human Resources will notify Human Resources of the hiring decision made.

BY ORDER OF

Kentell A. Cedar

CHIEF OF POLICE