**Multi-County Drug Task Forces
Policies and Procedures**

Texas Department of Public Safety

Criminal Investigations Division

**August 26, 2022**

1. **OVERVIEW**
2. Texas Government Code Section 411.0097 requires the Texas Department of Public Safety to establish policies and procedures for multi-county drug task forces and to evaluate these task forces for compliance with state and federal requirements and effective performance.
3. Under Texas Local Government Code Section 362.004(a)(1), a multi-county drug task force may be established and operated only after the Texas Department of Public Safety confirms a strategic need for the task force.
4. The following document provides relevant policies and procedures as they relate to the application process and requirements of multi-county drug task forces in the state of Texas, as established by the Texas Department of Public Safety.
5. **DEFINITIONS**
6. **Department:**  The Texas Department of Public Safety.
7. **Director:**  The Director of the Department.
8. **Chief:** The Chief of the Department’s Criminal Investigations Division, or his/her designee.
9. **Impact Area:** The service area of the Task Force, which must be comprised of contiguous counties that, by resolution or order of their governing bodies, have entered into an agreement with one another to form a mutual-aid drug law enforcement task force to cooperate in criminal investigations and law enforcement.
10. **Multi-County Drug Task Force:** A law enforcement task force as defined by Local Government Code Section 362.001.
11. **Organized Crime Section:** The Organized Crime Section of the Department’s Criminal Investigation Division.
12. **Project Director:**  The person responsible for the operation of the Task Force.
13. **Task Force:** A Multi-County Drug Task Force.
14. **Task Force Commander:** The person who supervises the day-to-day operations of the Task Force and is responsible to the Project Director.
15. **TASK FORCE REQUIREMENTS**
16. A Task Force and any personnel assigned to the Task Force shall:
17. Comply with all state and federal law requirements, including the policies and procedures established by the Department;
18. Demonstrate effective performance outcomes; and
19. Submit timely, accurate, and complete responses to any requests by the Director for information, data, or reports.
20. A Task Force shall have a current Project Director at all times. If the Project Director changes, the current Project Director shall provide written notification to the Director within five calendar days after the change.
21. If any Task Force personnel change, then the current Project Director shall provide written notification to the Director within five calendar days after the change.
22. At least twenty-five percent of personnel assigned to the Task Force shall be randomly tested at least quarterly for drugs by an independent scientific laboratory that meets federal Department of Health and Human Services guidelines for drug/metabolite testing. The Project Director shall provide the Director with a copy of the Task Force’s written drug testing policy, if requested. The Project Director shall maintain documentation on file evidencing that the above drug testing was conducted. The Project Director shall provide written notification to the Director of the identity of any employee with a positive drug test and shall take appropriate action as outlined in the applicant agency’s policy on providing a drug-free workplace.
23. The Project Director shall notify the Director in writing, within five calendar days of the arrest, of the identity of any Task Force personnel who has been arrested, the reason for the arrest, and any resulting action taken by the Task Force.
24. The Project Director shall notify the Director in writing of any lawsuit or pending litigation involving the Task Force or its personnel no later than five calendar days after receiving notice of that lawsuit or pending litigation.
25. A Task Force may only retain proceeds from forfeitures for the period of time that the Task Force was authorized by the Director.
26. **APPLICATION SUBMISSION**
	1. An application must be submitted for any drug task force composed of county and/or city law enforcement agencies located in two or more counties of this state.
	2. The applicant must be the Project Director, who shall submit an application on behalf of the Task Force.
	3. The Project Director must be the elected district attorney, the elected sheriff, or the chief of police of a municipal police department located within the proposed Impact Area.
	4. The Project Director shall ensure that the Task Force adheres to all requirements contained in the application as well as these policies and procedures.
	5. The person submitting an application for a Task Force must:
27. Identify the drug threat to be addressed in the Impact Area;
28. Explain the strategic need for addressing the drug threat in the Impact Area;
29. Describe the composition of the Task Force, including the names of the participating agencies and the names and experience levels of the individual officers to be assigned to the Task Force; and
30. Provide any other information necessary to process the application.
31. **REJECTION, DENIAL, AND CANCELLATION**
32. **Rejection:** The Director may reject an application without further processing if an application, form, or document is incomplete, illegible, or missing. The Director may request additional information necessary to process the application from the applicant and provide a deadline for the submission of the requested information. The Director may reject an application without further processing if the requested information is not provided to the Director by the deadline.
33. **Denial:** The Director may deny an application if:
34. The applicant has not sufficiently articulated and established a strategic need for the Task Force to specifically address the threat of the Impact Area;
35. The composition of the Task Force has been inadequately disclosed for review of personnel as to their suitability for assignment to the Task Force, or the composition is deemed to be unacceptable; and/or
36. During the previous year, the Task Force has failed to comply with these policies and procedures or has failed to demonstrate effective performance outcomes.
37. **Cancellation:** The Director may cancel an authorization if the Director authorized the application in error.
38. **WITHDRAWAL, RESTRICTIONS, OR CONDITIONS**
39. The Director may withdraw an authorization to operate a Task Force or may place restrictions or conditions on Task Force operations if the Task Force fails to comply with any of the policies and procedures established by the Department.
40. A Task Force whose authorization has been withdrawn may not re-apply for authorization to operate until one year after the date a withdrawal of authorization became final. Within that year, the Director will not reinstate a Task Force who has had its authorization to operate withdrawn unless the Task Force submits a new application and establishes that the facts supporting the withdrawal of authorization have been negated. Even if a reinstatement is authorized to be effective any date other than September 1, the authorization will expire August 31.
41. **REQUEST FOR MEETING**
42. A Project Director may submit a request for a meeting with the Chief upon denial, cancellation, or withdrawal of authorization.
43. The request for a meeting must articulate the points of contention and must be in writing.
44. The request for a meeting shall be addressed to the Chief and must be received by the Chief no later than 15 calendar days after the Director mailed his/her written notice of denial, cancellation, or withdrawal of authorization to the Task Force.
45. The request for a meeting may be faxed or mailed to the Chief at:

Telephone Number: (512) 424-2030

Fax Number: (512) 424-5794

Mailing Address: Criminal Investigations Division, PO Box 4087, Austin, TX 78773-0430

Physical Address: 6100 Guadalupe Street, Austin, TX 78752

1. An untimely request for a meeting shall be rejected without further proceedings.
2. Upon receipt of a timely request for a meeting, the Chief shall schedule a meeting.
3. The applicant may submit a written response to the Chief, articulating points of contention and rebutting the findings of the Department, on or before the scheduled meeting date in lieu of attending the meeting in person.
4. The Chief shall decide whether to uphold or modify the denial, cancellation, or withdrawal of authorization. **NOTE: The Chief’s decision shall be final and not subject to appeal.**
5. If there is no request for a meeting, or the request for a meeting is untimely, then the denial, cancellation, or withdrawal is final on the 16th calendar day after the Director mailed his/her written notice of denial, cancellation, or withdrawal of authorization to the Task Force and is not subject to further appeal.
6. **COMMUNICATION**
	1. The Director shall provide written notice to a Task Force, through the Project Director, of any proposed action, or action taken, by the Department affecting the Task Force’s operations.
	2. If a person is required or allowed to make a notification, report, or other communication to the Director, the person must make the communication in writing to the Director through the Organized Crime Section at:

Telephone Number: (512) 424-7722

Fax Number: (512) 424-5717

Mailing Address: Criminal Investigations Division, PO Box 4087, Austin, TX 78773-0430

Physical Address: 6100 Guadalupe Street, Austin, TX 78752

1. **INSPECTION**
2. The Director or his/her designee may inspect any aspect of the Task Force operation to ensure compliance with applicable laws and regulations, state and federal requirements, and policies and procedures established by the Department.
3. During an inspection, the Director or his/her designee may examine, audit, inspect, and copy any Task Force records, reports, or other documents created or maintained pursuant to the operation of the Task Force, as well as any administrative information related to the collection of statistical information.
4. During an inspection, The Director or his/her designee may enter the offices maintained by the Task Force at a reasonable time, including normal business hours or any other time when the Task Force offices are occupied or open.
5. No individual in charge of a premise, item, or record may refuse or interfere with any of the following activities related to the inspection of the Task Force:
	1. Entry to the premises;
	2. Examination, audit, or inspection of records; and/or
	3. Copying of a record or related document.
6. **TERMINATION**
7. A Task Force authorization expires, or is terminated, on the 31st of August of each year. An authorization also terminates in the following circumstances:
	1. When a Task Force voluntarily discontinues operations;
	2. When a withdrawal, cancellation, or denial of authorization is final; or
	3. At the end of the designated period of authorization, if earlier than the 31st of August.
8. On the day a Task Force discontinues operations, the Project Direction must notify the Director in writing by close of business. The Director shall immediately terminate the Task Force’s authorization to operate.
9. After termination, the prior authorization provides the Task Force with no authority to operate as a multi-county drug task force.
10. After termination, an applicant must apply for a new authorization to operate a Task Force.
11. **REPORT TO ATTORNEY GENERAL**
12. The Director shall report the expiration, withdrawal, denial, or cancellation of a Task Force’s authorization to the Attorney General.
13. The Director may report a Task Force that has had restrictions or conditions placed on its operations to the Attorney General.