

removal in a quo warranto proceeding under Chapter 66, Civil Practice and Remedies Code.

(c) The license requirement of Subsection (b) supersedes the license requirement of Section 1701.302, Occupations Code.

Added by Acts 1997, 75th Leg., ch. 884, Sec. 3, eff. Jan. 1, 1998.

Amended by Acts 1999, 76th Leg., ch. 877, Sec. 1, eff. Aug. 30, 1999;  
Acts 2001, 77th Leg., ch. 1420, Sec. 14.821, eff. Sept. 1, 2001.

Amended by:

Acts 2005, 79th Leg., Ch. 954, Sec. 1, eff. June 18, 2005.

Sec. 86.003. NEW BOND; REMOVAL. (a) If any of the sureties of a constable dies, permanently moves from this state, becomes insolvent, or is released from liability as provided by law or if the commissioners court determines that the bond of the constable is insufficient, the court shall issue a citation that requires the constable to appear at a time set in the citation, after the 10th day but on or before the 30th day after the date the citation is issued, in order to execute a new bond with good and sufficient surety.

(b) If the constable neglects or refuses to appear to execute the bond at the designated time, the constable shall cease to perform the duties of the office and shall be removed from office by the judge of the district court in the manner provided by law for the removal of county officers.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

#### SUBCHAPTER B. DEPUTIES

Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the

deputy only if the commissioners court determines that the constable needs a deputy to handle the business originating in the precinct.

(b) Each deputy constable must qualify in the manner provided for deputy sheriffs.

(c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety.

(d) A person commits an offense if the person:

(1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or

(2) is a constable and issues a deputyship without the consent and approval of the commissioners court.

(e) An offense under Subsection (d) is punishable by a fine of not less than \$50 or more than \$1,000.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 86.012. RESERVE DEPUTY CONSTABLES. (a) The commissioners court of a county may authorize a constable of the county to appoint reserve deputy constables. The commissioners court may limit the number of reserve deputy constables that a constable may appoint.

(b) A reserve deputy constable serves at the discretion of the constable and may be called into service at any time that the constable considers it necessary to have additional officers to preserve the peace and enforce the law. The constable may authorize a reserve deputy constable who is a peace officer as described by Article 2.12, Code of Criminal Procedure, to carry a weapon or act as a peace officer at all times, regardless of whether the reserve deputy constable is engaged in the actual discharge of official duties, or may limit the authority of the reserve deputy constable to carry a weapon or act as a peace officer to only those times during which the reserve deputy constable is engaged in the actual discharge of official duties. A reserve deputy constable who is not a peace officer as described by Article 2.12, Code of Criminal Procedure, may

# HIDALGO COUNTY CONSTABLE PRECINCT 4 OFFICE

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## SERGEANT

### **SUMMARY:**

May be assigned to patrol, narcotics, court processes or criminal investigation work. Depending on area to which assigned, may perform primarily undercover and surveillance work, patrol work, civil and criminal process serving or investigating work.

### **ESSENTIAL DUTIES AND RESPONSIBILITIES:**

Depending on the area of criminal enforcement to which assigned, may perform any of the following duties:

- Patrol an assigned area, generally by vehicle, to prevent crimes and enforce laws and regulations;
- Respond to emergency calls and routine complaints and take action as necessary;
- Issue traffic citations and direct traffic;
- Investigate traffic accidents and crimes against persons and property and assist federal, state and local law enforcement officials;
- Keeps records of activities and makes reports concerning crimes, complaints, accidents, and investigations;
- Files cases with district attorney or U.S. attorneys;
- Make lawful arrests for violation of laws for the State of Texas and local governments ordinance and/or resolution;
- Serve felony, misdemeanor and mental commitment warrants and make arrests;
- Serve court papers including writs, summons, subpoenas, capias, etc;
- Question witnesses and suspects and take statements;
- Assist other law enforcement agencies as needed;
- Meets with informants and conducts undercover narcotics investigations;
- Conducts background investigations on applications for law enforcements and correction positions;
- Gathers and labels evidence, takes photographs and fingerprints, guards and transports prisoners and testifies in court;
- May address and work with community groups to promote good public relations and to inform citizens of police activities and crime prevention;
- May be responsible for animal control, especially relating to cattle on roadways;
- Return persons who have been arrested in Hidalgo County to other locations in and out and out of state;
- Approved subordinates reports and insure subordinates complete their daily assigned duties;
- Regular attendance is a must;
- Ability to work with others.
- Must hold all mandated licenses and certifications throughout employment with Hidalgo County.

### **SUPERVISORY RESPONSIBILITIES:**

- Will supervise those investigations, deputy constable's, communication officer, and civilian personnel that have been placed in his/her charge;
- Will ensure that subordinate personnel in his/her charge carry out day to day duties as defined by job description, level of responsibilities; department goals, and applicable federal and state laws;
- Shall report both orally and in written form, poor job performance, violations of department policy, and violations of federal and state laws involving and subordinate or officer of same of higher rank, through established chain of command;

### **QUALIFICATION REQUIREMENTS:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

### **EDUCATION and/or EXPERIENCE**

- High School Diploma or general education degree (GED)
- Four (4) years experience as a Peace Officer immediately preceding the date of application;
- Applications for employee should reflect any increases in responsibilities during previous or current employment;
- Bilingual is preferred.

### **CERTIFICATES, LICENSES, REGISTRATIONS**

- Applicant must possess a current Peace Officer Certification immediately preceding the date of application;
- Application for employment should reflect any increases in responsibilities during previous or current employment.
- Employee must have a current valid Texas Motor Vehicle Operator's License
- Must be able to be insured by the County's insurance carrier

### **OTHER SKILLS AND ABILITIES**

- Ability to understand and follow written and oral instructions, departmental policy, rules, regulations and laws;
- Ability to establish and maintain effective working relationships with other county employees and officials, law enforcement agencies and the general public;
- Ability to analyze situations and adopt a quick, effective and reasonable course of action;
- Ability to write clear and concise reports and to maintain complete records as required;
- Ability to learn the use and care of vehicles, firearms, and specialized equipment;
- Ability to communicate effectively orally or in writing;
- Good physical condition;
- Ability to solve basic mathematical problems involving addition, subtraction, multiplication and division;

- Ability to use decimals and percentages in solving such problems;
- Ability to speak, read, and write in English;
- Ability to read and interpret documents such as safety rules, operating and maintenance instructions and procedure manuals;
- Ability to write routine reports and correspondence;
- Ability to speak effectively before groups of employees or organizations;
- Ability to also speak and write in Spanish preferred;
- Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardizations exists;
- Ability to interpret a variety of instructions furnished in written, oral, diagram or schedule form;
- Employee may be assigned other duties in addition to those listed; duties may change according to the changing needs of the county.

### **PHYSICAL DEMANDS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

While performing the duties of this job, the employee is required to stand, walk, talk and hear. The employee frequently is required to sit; use hands to finger, handle or feel objects, tools or controls; reach with hands and arms; stoop, kneel, crouch or crawl. Employee subdues and restrains uncooperative inmates, runs, climb stairs, pushes heavy doors, handles and distributes heavy food/drink containers.

The employee must regularly lift and/or move up to ten (10) pounds, occasionally lift and/or move up to twenty-five (25) pounds, and in emergency situations, lift inmates with body weight ranging from 100 to 250 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus. Employee utilizes all visual abilities to keep and maintain control of inmates.

### **WORK ENVIRONMENT:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job.

While performing the duties of this job, the employee frequently works near moving mechanical parts such as the doors and gates throughout the prison. The employee is occasionally exposed to fumes and airborne particles. The risk of electrical shock is present because of the large amount of electrical equipment which the officer encounters during the shift. The employee may be required to work outdoors or in areas where temperatures could exceed 100 degrees Fahrenheit or below 0 degrees Fahrenheit.

The noise level in the work environment is usually moderate.

### **SAFETY REQUIREMENTS:**

Maintain physical condition appropriate to the performance of assigned duties and responsibilities which may include the following:

- sitting for extended periods of time
- operating assigned equipment

Maintain mental capacity which permits:

- making sound decisions and using good judgment
- maintaining confidentiality
- demonstrating intellectual capabilities

Effectively handle a work environment and conditions which involve:

- working closely with others
- working in a multi-task environment

Approved 2001

Maintain effective audio-visual discrimination and perception needed for:

- making observations
- reading and writing
- operating assigned equipment
- communicating with others

**ACCIDENT PREVENTION PROGRAM:**

Required to follow all department's safety regulations.

Approved 2001

**Hidalgo County**  
**Department of Budget & Management**  
**FISCAL NOTE**

•Fiscal notes are prepared by the Department of Budget & Management to present the budgetary impact of requests by departments/offices or of new proposals that were not approved during the budget process.

Agenda Item: 29632

To: Commissioner' Court  
 From: Sergio Cruz, Budget Officer  
 CC Date: Monday, November 14, 2011

**Summary of request/proposal:**

**CONSTABLE PRECINCT NO. 4 (1100):**

**Approval to delete one full time Sr. Deputy Constable (Step II) position, slot no. 0004 and create one (1) full time Sergeant (Step I) position, slot 0019.**

Fund	Position Title	Slot#	Obj	Current			Proposed			Total Requested
				G	S	Salary	G	S	Salary	
1100	SR. DEP. CONST. (STEP II)	0004	113	-	-	43,263.00	-	-	0.00	(43,263.00)
1100	SERGEANT (STEP I)	0019	113	-	-	0.00	-	-	45,980.00	45,980.00
						43,263.00			45,980.00	2,717.00

**Budgetary Impact:**

INCREASE/DECREASE ACCOUNT NUMBER		ACCOUNT (OBJECT)	AMOUNT
1-1100-421-00-294-001-0-	113	CONST.PCT.4- REG F/T EMPLOYEES	\$355.30
1-1100-421-00-294-001-0-	211	CONST.PCT.4- HEALTH INSURANCE	\$0.00
1-1100-421-00-294-001-0-	212	CONST.PCT.4- LIFE INSURANCE	\$0.00
1-1100-421-00-294-001-0-	220	CONST.PCT.4- FICA	\$27.18
1-1100-421-00-294-001-0-	230	CONST.PCT.4- RETIREMENT	\$34.11
1-1100-421-00-294-001-0-	250	CONST.PCT.4- UNEMPLOYMENT COMP	\$1.78
1-1100-421-00-294-001-0-	260	CONST.PCT.4- WORKER'S COMP	\$0.00
		2011 BUDGETARY IMPACT:	\$418.37

**2012 Budgetary Impact: (\$982.22)**

**Possible Funding Sources: SEE BELOW**

**Comments:** POSITION TO BE FUNDED FROM FUNDS OF DELETED SR. DEPUTY CONSTABLE (STEP II) POSITION AND FROM CO. WIDE ADM CONTINGENCY.

**HIDALGO COUNTY  
COMMISSIONER COURT  
2011 SALARY SCHEDULE**

1-1100-421-00-294-001-0

**AI - 29632**

**CONSTABLE PCT. 4**

Slot #	Obj Code	POSITION TITLE	GRADE	STEP	2011 GRADE & STEP SALARY	2011 APPROVED BUDGETED SALARY	ACTUAL SALARY	Other Allowances					2011 ACTUAL TOTAL COMPENSATION	
								Longevity 115	Interpet. 116	Supplem. 117	Auto A. 118	Clothing 119		
0001	111	CONSTABLE				\$68,190.00	\$68,190.00	\$0.00	\$0.00	\$3,300.00	\$8,000.00	\$0.00	\$79,490.00	
0002	113	CHIEF DEPUTY CONSTABLE II STEP I				\$50,578.00	\$50,578.00	\$300.00	\$0.00	\$4,800.00	\$0.00	\$0.00	\$55,678.00	
0003	113	SR. DEPUTY CONSTABLE STEP II				\$43,263.00	\$43,263.00	\$480.00	\$0.00	\$1,200.00	\$0.00	\$0.00	\$44,943.00	
<b>0004</b>	<b>113</b>	<b>DELETE</b> ↓ <b>SR. DEPUTY CONSTABLE STEP II</b>				<b>\$43,263.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	
0005	113	DEPUTY CONSTABLE STEP I				\$38,000.00	\$38,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$38,000.00	
0006	113	SR. DEPUTY CONSTABLE STEP I				\$41,800.00	\$41,800.00	\$300.00	\$0.00	\$1,800.00	\$0.00	\$0.00	\$43,900.00	
0007	113	DEPUTY CONSTABLE STEP I				\$38,000.00	\$38,000.00	\$0.00	\$0.00	\$1,200.00	\$0.00	\$0.00	\$39,200.00	
0008	113	ADMINISTRATIVE ASSISTANT I	4	4	\$25,839.00	\$25,839.00	\$26,090.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$26,090.00	
0009	113	DEPUTY CONSTABLE STEP I				\$38,000.00	\$38,000.00	\$0.00	\$0.00	\$600.00	\$0.00	\$0.00	\$38,600.00	
0010	113	SR. DEPUTY CONSTABLE STEP III				\$44,777.00	\$44,777.00	\$720.00	\$0.00	\$1,200.00	\$0.00	\$0.00	\$46,697.00	
0011	113	DEPUTY CONSTABLE STEP I				\$38,000.00	\$38,000.00	\$0.00	\$0.00	\$3,000.00	\$0.00	\$0.00	\$41,000.00	
0012	113	SR. DEPUTY CONST STEP III - PEACE OFF BP	0	0	\$0.00	\$44,777.00	\$44,777.00	\$540.00	\$0.00	\$1,200.00	\$0.00	\$0.00	\$46,517.00	
0013	113	SR. DEPUTY CONSTABLE STEP I	0	0	\$0.00	\$41,800.00	\$41,800.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$41,800.00	
0014	113	SR. DEPUTY CONST STEP I-PEACE OFF BP	0	0	\$0.00	\$41,800.00	\$41,800.00	\$0.00	\$0.00	\$1,200.00	\$0.00	\$0.00	\$43,000.00	
0016	113	SR. DEP CONST STEP I - BIKE PATROL	0	0	\$0.00	\$41,800.00	\$41,800.00	\$300.00	\$0.00	\$0.00	\$0.00	\$0.00	\$42,100.00	
0017	113	DEPUTY CONSTABLE STEP I	0	0	\$0.00	\$38,000.00	\$38,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$38,000.00	
0018	113	ADMINISTRATIVE ASSISTANT I	4	1	\$23,385.00	\$23,385.00	\$23,385.00	\$420.00	\$0.00	\$0.00	\$0.00	\$0.00	\$23,805.00	
<b>0019</b>	<b>113</b>	<b>CREATE</b> ↙ <b>SERGEANT (STEP I)</b>				<b>\$45,980.00</b>	<b>\$45,980.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	
<b>TOTAL</b>						\$95,204.00	\$703,989.00	\$658,260.00	\$3,060.00	\$0.00	\$19,500.00	\$8,000.00	\$0.00	\$688,820.00

Approval to delete one full time Sr. Deputy Constable (Step II) position, slot no. 0004 and create one (1) full time Sergeant (Step I) position, slot 0019.

