

Mike Stafford
Harris County Attorney

November 20, 2003

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OPINION COMMITTEE

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable Greg Abbott
Office of the Attorney General
Post Office Box 12548
Austin, Texas 78711-2548

RQ-0136-GA

FILE # ML-43350-03
I.D. # 43350

Attention: Opinion Committee

Re: Constable precinct boundary lines

Dear General Abbott:

We request your opinion regarding the following questions:

1. Do constable precinct boundary lines have significance, other than to serve as divisions within the county for political and budgetary purposes?
2. Are there law enforcement services that a constable may perform only within his defined precinct and not within the boundaries of another constable precinct of the same county?
3. To what extent may a constable "police and patrol," as a peace officer, in a constable precinct other than his own?
4. May a constable, pursuant to an interlocal agreement between the county and the school district, provide police services to a school district that is within the same county, where a portion of the school district lies outside his precinct but within the geographic boundaries of a neighboring constable's precinct? Would it matter if the constable who is not providing such services objects to another constable providing such services within the precinct in which the objecting constable serves?
5. May two adjoining counties enter into an interlocal agreement for one of the counties to provide law enforcement services on a toll road that transgresses both counties' geographic boundaries? If so, must the sheriff or other law enforcement official of the county receiving the services from the providing county agree to the provision of services by the other county?

Our memorandum brief is attached. Thank you for your consideration of this request.


Sincerely,

MIKE STAFFORD
County Attorney

By 
T. SCOTT PETTY
Assistant County Attorney

Enclosure

APPROVED:


JOHN R. BARNHILL
First Assistant County Attorney