

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

### **POLICY: 2.1 CODE OF CONDUCT**

**REVISED DATE: 06.09.2020**

#### **POLICY**

The Oak Point Police Department and the public expect all personnel to maintain high standards of appearance and conduct. The goal of the department is to exhibit and perform to the highest level of professionalism possible in any given situation.

#### **I. PURPOSE**

To define departmental expectations for on and off-duty personal behavior. This order applies to all employees both sworn and non-sworn.

#### **II. INTEGRITY**

All officers shall display the highest level of integrity in all dealings of their life. Understanding that we are looked upon as police employees 24 hours a day because of our chosen profession.

#### **III. GENERAL DUTIES**

- A. All officers shall, within jurisdictional limits, prevent crime, preserve the peace, protect life and property, detect and arrest violators of the law, and enforce the laws of the United States, the laws of the State of Texas, and all local ordinances, according to the rules, regulations, and general orders of the department. Officers must know that when they act under color of law, they are enforcing the law according to statutes, written administrative guidance in the department, ordinances, common usage, and custom. Further, officers shall exhibit good moral character in the administration of their duties according to departmental orders.
- B. The department maintains the right to establish oral and written orders to govern and control the efficiency, effectiveness, and safe operation of law enforcement. Officers shall be trained in the rules and expectations of professional conduct prior to assuming law enforcement duties.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

C. Management reserves the prerogative to discipline personnel for violations of the rules listed in this order as well as violations of all City, departmental orders and directives. The decision to discipline and the measure of discipline employed depend on the rule or law violated the consequences of the employee's actions, but an employee's prior history and experience, may be considered.

1. Nothing in these rules and regulations limits the charges against employees because the alleged act or omission does not specifically appear in this manual, other order of the department, or in the laws or ordinances of which the department is responsible to enforce.
2. No member of the department shall be a member of any organization which advocates the violent overthrow of the government of the United States, the State of Texas, or any unit of local government, or participate in any organization which has a purpose, aim, objective, or any practices which are contrary to the obligations of a law enforcement officer under these rules and regulations.
3. Employees of the department have every right to feel secure in their conversations and confidences placed in other members of the department. Employees also have the right to not be manipulated to saying something or portions of a conversation being taken out of context for unethical purposes. Therefore employees of this department are prohibited from recording either audio or video, by any means, a supervisor, other officer, employee, or city employee without the express written consent of the Director of Public Safety. Any violation of this order will result in immediate termination.

D. Obedience to Rules of Conduct, laws and orders

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

All employees, regardless of rank or assignment, shall be governed by the following general rules of conduct. Violation of any of these rules by any officer of the department shall be considered sufficient cause for dismissal, demotion, suspension, or other disciplinary action.

1. Obedience to Laws. Employees shall abide by the laws of the United States and the State of Texas as well as the ordinances of the City of Oak Point.
2. Adherence to Departmental Rules. Employees shall abide by the rules of the City Personnel Manual, and the Policy and Procedure Manual and other properly issued internal directives of the Police Department.
3. Applicability of Rules. Certain rules may not apply in specific police assignments specifically authorized in writing by supervisors. However in all instances Officers may be held accountable and required to justify their actions.
4. Insubordination. Employees shall promptly obey all lawful orders and directions given by supervisors. The failure or deliberate refusal of employees to obey such orders shall be deemed insubordination and is prohibited. Flouting the authority of a supervisor by displaying obvious disrespect or by disputing their orders shall likewise be deemed insubordination.
5. Issuance of Unlawful Orders. No commanding or supervisory employee shall knowingly or willfully issue an order that violates a federal or state law, a city ordinance, or a departmental rule or policy.
6. Obedience to Unjust or Improper Orders. If an employee receives an order he believes is unjust or contrary to a departmental General Order or rule, he must first obey the order to the best of his ability and then may appeal the order to the Director.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

7. Obedience to Unlawful Orders. No employee is required to obey an order that is contrary to the laws of the United States or the State of Texas or the ordinances of the City of Oak Point. If an employee receives an unlawful order, they shall report in writing the full facts of the incident and their actions to the Director.
8. Conflicts of Orders. If an employee receives an order that conflicts with one previously given them by a supervisor, the employee receiving the order shall respectfully point this out to the supervisor who gave the second order. If the supervisor giving the second order does not change the order in a way that eliminates the conflict, the second order shall stand and shall be the responsibility of the second supervisor. If the second supervisor so directs, the second order shall be obeyed first. Orders shall be countermanded only when immediately necessary for the good of the department.

### E. Attention to Duty

1. Performance of Duty. Employees shall be attentive to their duties at all times, and shall perform all duties assigned to them, even if such duties are not specifically assigned to them in any departmental rules or procedures manual.
2. Duty of Supervisors. Supervisors will enforce the rules, regulations, and policies of the Department. They will not permit, or otherwise fail to prevent, violations of the law, departmental rules, policies or procedures. They will report violations of departmental rules, policies, or procedures to their immediate superior without delay. Where possible, they will actively prevent such violations or interrupt them as necessary to ensure efficient, orderly operations.
3. Conduct and Behavior. Employees whether on-duty or off-duty shall follow the ordinary and reasonable rules of good conduct and behavior and shall not commit any act in an official or private capacity tending to bring reproach, discredit, or embarrassment to

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

their profession or the department. Employees shall follow established procedures in carrying out their duties as police officers and/or employees of the department, and shall at all time use sound judgment.

4. Responsibility to Serve the Public. Employees shall promptly serve the public by providing direction, counsel and other assistance that does not interfere with the discharge of their duties. They shall make every attempt to respond to the inquiry or request for assistance themselves when it is legal to do so.
5. Responsibility to Respect the Rights of Others. Employees shall respect the rights of individuals, and shall not engage in discrimination or oppression. Employees shall maintain a strictly impartial attitude toward all persons with whom they come in to contact with in an official capacity.
6. Truthfulness. Members shall be truthful in all verbal and written communications, reports and investigations. Officers who are conducting interviews or interrogations may find it necessary to provide inaccurate information in order to determine the truthfulness or veracity of a subject.
7. Officers Always Subject to Duty. Officers shall at all times respond to the lawful orders of supervisors, and to the call of individuals in need of police assistance. The fact that they may be off-duty shall not relieve them from the responsibility of being recalled to duty as needed.
  - a. While off-duty, or in their personal vehicle, officers shall not enforce, or take any police action to enforce Class "C" traffic offenses or any violation where they are not required to do so by law.
8. Officers Required to Take Action. Except where expressly prohibited, Officers are required to take prompt and effective

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

police action conforming to departmental policy with respect to violations of laws and ordinances coming to their attention or of which they have knowledge. Officers shall promptly and punctually perform all official duties.

9. Reporting for Duty. Employees shall promptly report for duty properly prepared at the time and place required by assignments, training, subpoenas, or orders. Patrol officers shall remain on duty until properly relieved by another officer or dismissed by a supervisor. Employees are subject to emergency recall and shall report for duty during emergencies when so notified by a supervisor. Officer may not refuse to work when called in.
10. Exceptional leave. Employees shall, in situations requiring emergency leave or sick leave, notify their supervisors of the circumstances as soon as possible. If unable to report to work, employees shall notify the on-duty supervisor at least three (3) hours before reporting time.
11. Remaining Alert to Duty. While on duty or at training, employees shall remain alert and awake, unencumbered by alcoholic beverages, prescription drugs, illegal narcotics, or conflicts arising from off-duty employment.
12. Prohibition of Personal Business while on Duty. While on duty, officers shall not engage in any activity or personal business which would cause them to neglect their duty.
13. Availability while on-duty. Employees while on-duty shall not conceal themselves except for some authorized police purpose. Employees shall keep themselves immediately and readily available at all times while on-duty.
14. Assistance to fellow Officers. An officer shall not display cowardice in the line of duty or in any situation where the public or another officer might be subjected to physical danger. Unless actually

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

incapacitated themselves, officers shall aid, assist, and protect fellow officers in time of danger or under conditions where danger might be impending.

15. Prompt Response to All Calls. Officers while on-duty shall respond without delay to all calls for police service. Calls shall be answered in compliance with normal safety precautions, traffic laws and departmental policy.
16. Duty to Report All Crimes and Incidents. Employees shall promptly report all crimes, violations, emergencies, incidents, dangers, hazardous situations and police information that come to their attention. Employees shall not conceal, ignore or distort the facts of such crimes, violations, emergencies, incidents and information.
17. Responsibility to Know Laws and Procedures. Employees shall know the laws and ordinances they are charged with enforcing, all departmental orders and rules, and the duties and procedures governing their specific assignments.
18. Responsibility to Know Districts and Locations. Officers shall know the location and boundaries of their assigned areas. Officers also shall be familiar with the names and general locations of streets and highways within our jurisdiction and the names and locations of hospitals and major public buildings within the immediate area.
19. Keeping Posted on Police Matters. Each day while on-duty and immediately upon returning from an absence, employees shall become familiar with the contents of recently issued communications and directives.
20. Sleeping on-duty. Employees must be alert. Sleeping while on duty is forbidden.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

21. Assisting Criminal Activity. Employees shall not communicate in any manner, directly or indirectly, any information that may delay an arrest or enable persons guilty of criminal acts to escape arrest or punishment, dispose of property or goods obtained illegally, or destroy evidence of unlawful activity.
22. Reading on-duty. Employees shall not read newspapers, books or magazines while on-duty and in the public view unless such reading has been assigned by a supervisory officer.
23. Studying on-duty. Employees shall not, during their regularly assigned working hours, engage in any studying activity that is not directly related to their current job assignments.
24. Maintaining Communications. While officers are on-duty or officially on call, they shall be directly available by normal means of communication, or shall keep supervisors informed of the means by which they may be reached when not immediately available.
25. Reporting Accidents and Injuries. Employees shall immediately report the following accidents and injuries: all on-duty traffic accidents in which they are involved, all personal injuries received while on-duty, all personal injuries not received while on-duty but which are likely to interfere with performance of assigned duties, all property damage or injuries to other persons that resulted from the performance of assigned duties, and all accidents involving city equipment whether on or off-duty. Officers must also report immediately to a supervisor in writing before the start of their shift any medications which by listed warning may cause drowsiness or affect their reaction time or decision making ability.
26. Report Address and Telephone Number. Employees shall have a working telephone or other means of communication in case of emergency at their residence, and shall register their correct residence address and telephone number with the department on the prescribed form. Any change in address or telephone number must be reported immediately.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

27. Testifying in Departmental Investigations. When directed by a competent authority to make a statement or furnish materials relevant to a departmental administrative investigation, officers shall comply with the directive.
28. Carrying of Firearms. Except as approved by the Director all officers are required to carry sidearms while on-duty. While off-duty, officers may use their own discretion as to whether to carry sidearm but **officers who choose to carry their badge or department issued ID card off-duty must carry a firearm on or about their person.**
29. Registration of Firearms. All firearms and ECWs carried and used by officers in the performance of their official duties must be department issued.

### F. Cooperation with Fellow Employees and Agencies

1. Fellow Employees. Employees shall treat other members of the department in a courteous, civil and respectful manner.
2. Interfering with Cases or Operations. Employees shall not interfere with cases assigned to others. Employees shall not interfere with the work or operations of any unit of the department or the work or operations of other governmental agencies. Employees against whom a complaint has been made shall not directly or indirectly contact or attempt to contact for any reason, the complainant, witness or any other persons related to the case.
3. Requests for Agency Assist/Mutual Aid. No member of this department or the department itself shall refuse any reasonable request for mutual aid or agency assistance that falls within the perimeters of these general orders.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

4. Offering of Agency Assistance or Mutual Aid. No employee shall offer any assistance or aid which has not been specifically requested by another agency. If someone needs our assistance they'll ask. Police personnel who leave the city on agency assists are required to return to the city as soon as the request is fulfilled. Loitering in another jurisdiction is strictly prohibited.

### G. Restrictions on Behavior

1. Interfering with Private Business. Employees, during the course of their duties, shall not interfere with the lawful business of any person.
2. Use of Intimidation. Employees shall not use their official positions to threaten or intimidate any persons.
3. Soliciting and Accepting Gifts and Gratuities. Employees of the Department may not accept any reward, gratuity, gift or other compensation for any service performed as a result of or in conjunction with their duties as employees of the department regardless of whether the service was performed while said persons were on or off-duty. Employees shall not solicit any gift, gratuity, loan, present, fee or reward for personal gain.
4. Soliciting and Accepting Gifts from Suspects and Prisoners. Employees are strictly prohibited from soliciting or accepting any gift, gratuity, loan, fee or other item of value, or from lending or borrowing, or from buying or selling anything of value from or to any suspect, prisoner, defendant or other person involved in any case, or other persons of ill repute, or professional bondsmen, or tow company employee or other persons whose vocations may profit from information obtained from the police department.
5. Reporting Bribe Offers. If an officer receives a bribe offer, he shall make a written report to his commanding officer.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

6. Accepting Gifts from Subordinates. Employees shall not receive or accept any gift or gratuity from subordinates, other than customary celebratory times such as holidays or birthdays.
7. Soliciting Special Privileges. Employees shall not use their official positions or identification to solicit special privileges for themselves or others, such as free admission to places of amusement, discounts on purchases, or free or discounted meals or refreshments.
8. Personal Use of Police Power. Officers shall not use their police powers to resolve personal grievances (e.g., those involving the officer, family members, relatives, or friends) except under circumstances that would justify the use of self-defense, actions to prevent injury to another person, or when a serious offense has been committed that would justify an arrest and they would by law be required to do so. In all other cases, officers shall summon on-duty police personnel and notify the Director in cases where there is personal involvement that would reasonably require law enforcement intervention.
9. Giving Testimonials and Seeking Publicity. Employees representing themselves as members of the Department shall not give testimonials or permit their names or photographs to be used for commercial advertising purposes. Employees also shall not seek personal publicity either directly or indirectly in the course of their employment.
10. Soliciting Business. Employees shall not, while on-duty, solicit in any manner. This includes but is not limited to soliciting for subscriptions, sell books, papers, tickets, merchandise or other items of value nor collect or receive money or items of value for any personal gain to themselves or others. Employees may not while on duty solicit for projects related to charitable fundraising.
11. Drinking on-duty. Employees shall not drink any intoxicating beverages while on-duty.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

12. Intoxication-Mental/Physical Impairment. Employees shall not be under the influence of any intoxicating beverage, medication or substance during their tour of duty or immediately prior to their tour of duty. Nor shall officers be intoxicated off-duty while in the public view. While off-duty, officers that have consumed an alcoholic beverage to the extent that their mental and physical faculties are impaired shall not exercise any police authority. Officers assigned to special assignments where they may consume alcoholic beverage during the performance of their duties shall not do so to the extent that their mental and physical faculties are significantly impaired.
13. Drinking While in Uniform. At no time shall any officer consume alcoholic beverages while in uniform.
14. Liquor on Official Premises. Employees shall not bring containers of intoxicating beverages into a Department building or vehicle except as evidence.
15. Entering Bars, Taverns and Liquor Stores. Officers on-duty or in uniform shall not enter or visit any bar, lounge, parlor, club, store or other establishment whose primary purpose is the sale and on-premise consumption of liquor unless for the purpose of official duties. Officers on-duty or in uniform also shall not purchase intoxicating beverages.
16. Drug Usage. While on or off duty, employees shall not use any illegal drug or any controlled drug not prescribed by a physician. Employees shall notify their supervisor if they are using any prescribed drug or any other medication or medical device that is listed as might or the employee believes might impair their driving or decision making.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

17. Tobacco Use. Tobacco use of any type is prohibited at any time while on duty or during any period of the shift. This includes all break periods.
18. Playing Games on-duty. Officers on-duty or in uniform shall not engage in any games to include the Lottery, Computer, Card or any other type.
19. Political Activity. While in uniform or on-duty, officers are not allowed to actively participate (e.g., make political speeches, pass out campaign or other political literature, write letters, sign petitions, actively and openly solicit votes) in political campaigns. Civilian employees are not allowed to actively participate (e.g., make political speeches, pass out campaign or other political literature, write letters, sign petitions, actively and openly solicit votes) in political campaigns while on-duty.
20. Improper Release of Information. Employees shall not communicate to any person any information concerning operations, activities, or matters of law-enforcement business, the release of which is prohibited by law or which may have an adverse impact on law enforcement operations or officer safety of this department or another.
21. Seeking Personal Preferment. Employees shall not solicit petitions, influence or seek the intervention of any person outside the department for purposes of personal preferment, advantage, transfer, advancement, or promotion for themselves or for any other person.
22. Criticism of the Department. Employees shall neither publicly nor at internal official meetings criticize or ridicule the department or its policies, city officials or other employees by speech, writing, or other expression, where such speech, writing, or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

23. Disruptive Activities. Employees shall not perform any action that tend to disrupt the performance of official duties and obligations of employees of the department or which tend to interfere with or subvert the reasonable supervision or proper discipline of employees of the department.
24. Operation and Use of Police Radios. Operation and use of police radios is restricted to authorized and official police business. Personal conversations, or using vulgar, sarcastic or obscene language, or making unnecessary sounds are not permitted.
25. Use of Racial Jokes and Slurs. No employee shall engage in any form of speech likely to be construed as a racial, ethnic or religious slur or joke, whether in the presence of the public or of other employees.
26. Use of Force. Officers shall use the least and only that amount of force reasonably necessary to accomplish their police mission.
27. Duty to Act in Preservation of Life. If a member of this department observes a law enforcement officer within this agency's jurisdiction using force in a manner that unreasonably places another in danger of death or serious bodily injury they are required to take reasonable action to prevent such an occurrence. Should this occur they are to contact the Director as soon as safely possible and complete a Use of Force Report and all other required documentation regarding the incident.
28. Indebtedness to Subordinates. Supervisors shall not become indebted to their immediate subordinates.
29. Personal Relationships Prohibited with Certain Persons. Employees shall not become personally involved or develop a personal or social relationship with a victim, suspect, or witness nor develop a personal relationship with any member of this or any other

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

department which that relationship may affect the performance or safety of any member of this department.

30. Duty to be Kind, Courteous, and Patient. Employees shall at all times be courteous, kind, patient, and respectful in dealing with the public. Employees shall be respect of all members of the community in the discharge of their official duties. When addressed, employees shall avoid answering questions in a short or abrupt manner, and shall not use harsh, coarse, violent or profane language unless such language or communications is being used as a level of force to gain compliance.

### H. Identification and Recognition

1. Giving Name and Badge Number. Officers shall give their name, badge number and if necessary department to any person requesting such facts unless doing so would jeopardize the successful completion of a police assignment.
2. Carrying Official Identification. All employees will carry their official identification on or about their persons while on-duty.
3. Personal Cards. Employees are not permitted to have or use personal cards showing their connection to the department if such cards bear any information not directly pertaining to their work as police department employees.
4. Exchange, Alteration or Transfer of Badge. An employee's issued badge shall not be altered or exchanged between employees or transferred to another person except by the Director. Employees retiring or resigning will not be permitted to retain their badge when doing so will hamper normal operations of the department. All badges must be issued.
5. Plainclothes Officers – Identification. A uniformed officer shall neither acknowledge nor show recognition of another police officer

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

in civilian clothes unless that officer first addresses the uniformed officer.

### I. Maintenance of Property

1. Use of City Property or Service. Officers shall not use or provide any city equipment or service other than for official city business.
2. Responsibility for City Property. Employees shall be responsible for the proper care and use of department property and equipment assigned to or used by them and shall promptly report to a supervisor any loss, damage, destruction, or defect pertaining to such equipment or property. Employees may in the event of damage or neglect of such property be required to repair and or purchase their own equipment in lieu of city issued equipment. If required to do so an employee may not report to work until such a purchase has been made and approved by the Director.
3. Departmental Vehicles. Employees shall operate department vehicles and other equipment in such a manner as to avoid injury to persons or damage to property. Whenever a police vehicle is involved in an accident, the operator shall notify a supervisor immediately. Under no circumstances shall an officer investigate his or her own accident. The Department of Public Safety or Sheriff's Department will be requested to investigate police involved accidents.
4. Reporting Damage. At the beginning of shift, employees shall examine any vehicle and equipment assigned to them and report any operational deficiencies, damage, or defects to the sergeant. Failure to report damage or defects creates the presumption that the employee inspected the vehicle or equipment and found no damage or defects. The employee, in this case, shall be held responsible for the damage.
5. Responsibility for Private Property. Employees are responsible for reasonably protecting private property or equipment that has

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

come into their possession by reason of their office against loss, damage, or destruction.

6. Care of Quarters. Employees shall keep their offices, lockers and desks neat, clean and orderly.
7. Property and Evidence. Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence held in connection with an investigation or other official action except in accordance with established procedures. Any property or evidence coming into the possession of an employee shall be submitted to the property room immediately following the call if reasonable but in all cases prior to the end of shift.
8. Alteration or Modification of Police Equipment. Officers shall not use any equipment that does not conform to departmental policy or specifications. All equipment shall be carried and utilized only as issued and authorized, and no changes, alterations, modifications or substitutions shall be made to such equipment unless approved by the Director.

### J. Relationship with Courts and Attorneys

1. Attendance in Court. Employees shall arrive on time for all required court appearances and be prepared to testify. Each member shall be familiar with the laws of evidence and shall testify truthfully on any matter.
2. Recommending Attorneys or Bondsmen. Employees shall not suggest, recommend, advise or counsel the retention of a specific attorney or bondsmen to any person (except relatives) coming to their attention as a result of police business.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

3. Testifying for a Defendant. Any employee subpoenaed or requested to testify for a criminal defendant or against the City or against the interests of the department in any hearing or trial shall immediately notify the Director.
4. Interviews with Attorneys. Interviews between an officer and a complainant's attorney about a case arising from the officer's employment by the department shall be done in the presence of or with the knowledge and consent of the Director, and or department legal counsel or prosecutor.
5. Assisting and Testifying in Civil Cases. Officers shall not serve civil process papers nor render assistance in civil cases except as required by law. No employee shall volunteer to testify in civil actions.
6. Notice of Lawsuits against Officers. Employees who have had a suit filed against them which may result in their missing work or an unfavorable image of the department shall immediately notify the Director in writing and furnish a copy of the complaint as well as a full and accurate account of the circumstances in question.
7. Notice of Arrest or Citation. Employees who have become the subject of a citation, arrest action, investigation, or any contact with the police in an official manner in any other jurisdiction shall **immediately** notify the Director.
8. Arrest of Officer from another Agency. An officer who arrests a sworn officer of another law enforcement agency shall immediately notify the Director or in his absence the sergeant of the fact. Officers shall take whatever action is appropriate to the circumstances including issuance of summonses or making a physical arrest. That the person cited or arrested is a law enforcement officer shall make no difference.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

9. Arrest of Departmental Employee. If an officer has probable cause to arrest a sworn officer of our department, when practical the officer shall first contact their supervisor to review and confirm probable cause. In some cases, the department may wish to obtain a warrant against the suspect officer. Some occasions (some instances of excessive force) may however demand an immediate custodial arrest.

### K. Expectation of Privacy

1. Employees shall have no expectation of personal privacy in such places as lockers, desks, departmentally owned vehicles, file cabinets, computers, or similar areas that are under the control and management of this law enforcement agency. While this agency recognizes the need for officers to occasionally store personal items in such areas, officers should be aware that these and similar places may be inspected or otherwise entered—to meet operational needs, internal investigatory requirements, or for other reasons—at the direction of the Director or his or her designee.
2. No member of this agency shall maintain files or duplicate copies of official agency files in either manual or electronic formats at his or her place of residence or in other locations outside the confines of this agency without express permission.

### L. Performance Prohibitions

1. As appropriate, disciplinary action may be taken for violation of the following orders or the following reasons:
  - a. Incompetent or inefficient performance or dereliction of duty;
  - b. Insubordination, discourteous treatment of the public or a fellow employee, or any act of omission or commission of

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

similar nature which discredits or injures the public.  
(Insubordination may also consist of direct, tacit, or constructive refusal to do assigned work.)

- c. Mental or physical unfitness for the position which the employee holds.
- d. Engaging in sexual conduct while on-duty, or on City property.
- e. Abuse of sick, injury, disability, or other leave benefits.
- f. Discriminatory conduct or harassment against any individual on the basis of race, national origin, religion, disability, pregnancy, age, military status, sex or other protected status.
- g. Absence without proper leave.
- h. Conviction of a felony or misdemeanor, or a pattern of misconduct as displayed by series of misdemeanor convictions.
- i. Failure to report to a supervisor incompetence, misconduct, excessive force, inefficiency, neglect of duty, moral turpitude, or any other form of misconduct or negligence of which the employee has knowledge.
- j. Failure of a supervisor to take corrective action regarding employees under his or her supervision who may be guilty of any form of neglect of duty or misconduct where the supervisor knows or should have known of the dereliction.
- k. Family members or friends of employees are no longer allowed at the DPS facility unless on official business.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

Employees are responsible for the actions of their family members and friends.

- l. Employees are not to park on the tarmac, driveway entrance at any time, or in the city hall general parking lot while city hall is open for business or on meeting nights.
- m. Employees shall not conduct, or allow to be conducted, or attend any meetings, parties or social gatherings on Department property that have not been approved by administration.
- n. Employees shall refrain from being party to rumors, gossip, false reports, or information and activities which would, or may tend to disrupt morale, or which may bring discredit to the Department or the City. Members shall not concern themselves with or become involved in matters which do not pertain to them directly or which pertain to another branch of the department. Nor shall any member make disparaging comments regarding any other member or regarding the department.
- o. Employees shall be responsible for maintaining the minimum amount of CE hours with their respective certifying agencies.
- p. Employees are prohibited from entering any supervisors' office when the supervisor is not present or aware of the employee's actions. There are absolutely no exceptions to this policy.
- q. Swapping or subbing of time is prohibited. Failure to report for duty as assigned may result in suspension and possibly termination at the discretion of the Director.
- r. Employees shall not possess, or allow to be possessed, downloaded or viewed any form of sexually explicit,

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

suggestive or pornographic material in any form on Department premises.

- s. Officers shall report with dispatch over the radio whenever they are out at the department.
- t. Officers are to complete their paperwork in the patrol car while on duty. All paperwork must be done accurately and completely and turned in at the end of their shift unless approval is given by a supervisor to turn it in at a later date. Such approval must be in writing as well as the request and reason for the request. Officers are not permitted to return to the station until 10 minutes before the end of their shift. Any officer who returns earlier than this must give a written explanation for their action.
- u. No officer either living within the jurisdiction of the department or not is permitted to go to their private residence while on duty, **for any non-DPS emergency reason**. Officers are to tell their families if an emergency arises and DPS services are needed then they are to call 911, then after being dispatched officers may respond. As with all calls for service they are to be audio and video recorded. Under no circumstances are officers to respond due to a call received on a non-emergency city operated land or cellular phone line. Due to officers past actions violation of this order may result in termination.
- v. If an officer request advice from another officer in regards to procedure or opinion on a specific call the requesting officer will document the conversation in detail within their report or call sheet. The officer giving advice will do a supplemental report which also documents the conversation and will become part of the file. Failure to follow this guideline will result in disciplinary action. Probationary officers are prohibited from giving advice.

# CITY OF OAK POINT

## DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

- w. Members shall not concern themselves with or become involved in matters which do not pertain to them directly or which pertain to another branch of the department.

Approved: *M. Shackelford*

Adopted: 10.01.2013

Revised: 06.09.2020 Format and Content