

**TEXARKANA, TEXAS POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

<i>Effective Date</i> February 1, 2008		<i>Amended Date</i> September 1, 2015		<i>Directive</i> 2.12.1	
<i>Subject</i> Professional Conduct					
<i>Reference</i>					
<i>Distribution</i> All Personnel City Manager City Attorney		<i>TPCA Best Practices Recognition Program Reference</i> 2.12.1 Professional Conduct		<i>Review Date</i> June 22, 2023	
				<i>Pages</i> 7	

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

The purpose of this policy is to establish some general guidelines for professional conduct to be followed by all employees.

SECTION 2 POLICY

It is the policy of the Department that all employees will conduct themselves in a professional and proper manner at all times. Conduct which tends to bring discredit upon the employee or the Department will not be tolerated.

SECTION 3 PROCEDURES

A. GENERAL STANDARD OF CONDUCT

1. Employees shall conduct themselves in their private and professional lives in such a manner as to avoid bringing themselves or the Department into disrepute. Employees shall cooperate with all other employees of the Department and employees of other governmental and law enforcement agencies.
2. Actions not specifically set out herein which may bring discredit upon the employee or the Department, or which conflict with policies of the Department, will be addressed and disciplinary action shall be taken according to the seriousness of the violation in the same manner and degree as if the action had been specifically addressed in this policy.

B. RESPECT FOR FELLOW EMPLOYEES

Employees shall treat fellow employees, regardless of rank or position, with respect. They shall be courteous and civil in their relationships with one another at all times. When on duty and in the presence of the general public, employees shall refer to each other by title or rank.

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C. ATTITUDE TOWARD GENERAL PUBLIC

Employees shall be courteous and efficient in their dealings with the general public. Employees shall maintain a pleasant, respectful attitude at all times. In situations where control is necessary, employees shall maintain a firm and impersonal attitude, avoiding any impression of rudeness. Employees shall refrain from using harsh, violent, profane or insolent language, and shall remain calm regardless of provocation. When requested, employees shall supply their name, rank and badge or employee number, as applicable, in a courteous manner.

D. PARTIALITY

Employees shall maintain an impartial attitude toward all persons coming to the attention of the Department, regardless of race, creed or degree of influence. Unwarranted interference in the private business of others when not in the interest of justice is prohibited.

F. USE OF NARCOTICS

Employees shall not use addictive drugs or narcotics, on or off duty, unless legally prescribed by a physician for an illness or injury, and then only for the specific time period established by the physician.

G. USE OF PROHIBITED ENHANCEMENT SUBSTANCES

1. The Anabolic Steroids Control Act of 1990 placed anabolic steroids into Schedule III of the Controlled Substances Act. Under this legislation, anabolic steroids are defined as any drug or hormonal substance chemically and pharmacologically related to testosterone (other than estrogens, progestins, and corticosteroids) that promotes muscle growth.
2. Employees shall not use an anabolic steroid for any purpose unless prescribed by a physician for an illness or injury, and then only for the specific time period established by the physician. Employees performing in a "safety-sensitive" position are subject to random drug testing with or without cause in accordance with the City of Texarkana, Texas Personnel Policies, Chapter 6, Directive 6.05 – Drug and Alcohol Use Policy.

H. USE OF TOBACCO PRODUCTS

1. Employees shall not smoke tobacco products while in direct contact with the public or in department vehicles. This includes, but is not limited to, conducting interviews, transacting business, or conversing with a citizen under conditions when the use of tobacco may be detrimental to good health and appearance.
2. Department employees are the most prominent representatives of government and, as such, must present a professional image at all times. An employee's unwise or unsightly use of chewing tobacco and snuff may be offensive to the public and co-workers and detract from the professional bearing of the employee. For these reasons, the use of chewing or dipping tobacco or snuff is prohibited while in uniform and in direct contact with the public or in Department vehicles.
3. In accordance with City's Code of Ordinances, smoking is prohibited in City buildings, public service areas, on City property, and City vehicles.

I. COMMERCIAL USE OF EMPLOYEE NAME AND/OR PHOTOGRAPH

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Employees shall not permit their name or photograph to be used to endorse any product or service which is in any way connected with law enforcement without the permission of the Chief of Police. They shall not allow their name or photograph to be used in any commercial testimonial which alludes to their employment with the Department.

J. PREFERENTIAL TREATMENT

Employees shall not seek influence or intervention from any person outside the Department for the purpose of preferment, advantage, transfer or advancement.

K. PERSONAL INVOLVEMENT IN NEIGHBORHOOD QUARRELS, DISPUTES, OR OTHER INCIDENT WHICH PROVOKES A RESPONSE FROM A LAW ENFORCEMENT AGENCY

1. Employees shall not intentionally become personally involved in neighborhood quarrels or minor disputes when off duty. In emergency situations, such as family violence or weapons offenses, officers may take control of the situation only until on-duty officers arrive to assume control.
2. Any employee on duty or off duty, who is involved in a disturbance or altercation of any type during which any party violates a law or when the incident provokes or reasonably would provoke a response by a law enforcement agency, shall immediately report the incident to their first line supervisor. This verbal report to a supervisor shall be followed by a written report explaining the details of the incident and providing information about witnesses and suspects involved whenever known. This written report will be forwarded to the Chief of Police via the employee's chain of command.
3. Supervisors shall immediately report an employee's involvement in any disturbance or other incident where the employee or another person violates a law or provokes a response by a law enforcement agency. Supervisors shall notify the employee's Division Commander, and the Division Commander shall immediately verbally notify the Chief of Police of the incident.

L. PERSONAL INVOLVEMENT IN CRIMINAL INVESTIGATIONS

1. Employees shall not conduct any criminal investigation, make any criminal arrest or participate in any incident related to the job function of the employee where any blood or marital relationship exists between the employee and the victim or suspect, except in an emergency situation, and then only until other officers can be summoned to assume control.
1. In the event an employee is uncertain whether or not a conflict of interest exists, he should contact his supervisor for clarification.

M. INVOLVEMENT IN CIVIL MATTERS

Due to the nature of our society, an employee may find himself involved in matters of a civil nature which are unrelated to his employment with the Department. In these situations, employees shall not allow their position with the Department to become a factor in any civil proceeding.

N. POLITICAL ACTIVITIES WHILE ON DUTY OR IN UNIFORM

While on duty, employees shall restrict their political activity to voting. Employees shall not be permitted to take an active part in any political campaign for an elective position of the City while they are in uniform or on active duty. The term "active part" shall refer to making political speeches, passing out

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cards or other political literature, writing letters, signing petitions, actively and openly soliciting votes, and making public derogatory remarks about candidates for elective positions.

O. MEMBERSHIP IN SUBVERSIVE ORGANIZATIONS

Employees shall not knowingly become members of, or connected with, any subversive organization, except when necessary in the performance of duty, and then only under the direction of the Chief of Police. "Subversive organization" shall refer to any organization on the subversive list of the Attorney General of the United States.

P. PROHIBITED ON-DUTY ACTIVITIES

Employees are prohibited from engaging in the following activities while on duty:

1. Sleeping, loafing, idling, loitering.
2. Recreational reading.
3. Conducting private business.
4. Gambling, except in the performance of a police duty by direction of the division commander and not in uniform.
5. Any sexual conduct.

Q. APPEARANCE OF IMPROPRIETY OR INSTABILITY

Employees shall avoid actions which give the appearance of impropriety. Activities engaged in by employees on or off duty which indicate instability of character or personality shall subject the employee to disciplinary action.

R. FINANCIAL OBLIGATIONS AND INDEBTEDNESS

1. Employees shall promptly pay all just debts and legal liabilities incurred by them. Neglect to pay a just indebtedness within a reasonable time after it was incurred shall be cause for disciplinary action. Employees shall not incur debts beyond their reasonable means to repay such debts.
2. Employees may be disciplined for failure to pay just debts. However, no employee shall be disciplined for failing or refusing to pay any of the following:
 - a. An unjust or justifiably disputed debt or exorbitant interest.
 - b. A deficiency claim for property repossessed by a vendor, unless such deficiency has been entered as a court judgment after an opportunity was provided for the debtor to appear and contest the claim.
 - c. A debt barred by a discharge in bankruptcy or by the statute of limitations.
3. No employee shall be forced by the Department to enter into an arrangement with one creditor which would make it impossible for him to pay his other creditors a fair and proportionate amount, or to reasonably provide his family with the necessities of life.

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4. Employees shall not solicit fellow employees to cosign or endorse any promissory note or loan, nor shall employees offer to act, or act as, a cosigner or endorser of any promissory note or loan for a fellow employee without the approval of the Chief of Police.

S. SOLICITATION OR ACCEPTANCE OF KICKBACKS

1. Employees shall not solicit or accept "kickbacks" in direct or indirect connection with their employment or any activity connected with said employment. Employees shall not accept kickbacks when such acceptance might tend to influence the employee's actions in a police matter or might tend to cast an adverse reflection on the Department. Kickbacks shall mean any gift, service, gratuity, loan, fee, discount, item of value or the acceptance of free or discounted meals, snacks, beverages when offered on an individual basis.
2. Employees inadvertently receiving a kickback shall immediately forward it to the office of the Chief of Police, where all reasonable attempts shall be made to return the item to the donor. Failing in this, the item shall be donated to a charitable organization.

T. PROHIBITED TRANSACTIONS

Employees are prohibited from buying any service or item of value from, or selling any service or item of value to, a complainant, witness, defendant, prisoner, or other individual known by the employee to currently be involved in a police matter, wherein such buying or selling may affect or influence the outcome of said police matter. Employees shall not enter into any financial or business transaction with any arrestee or individual currently under investigation, or any person acting on behalf of such parties.

U. PROHIBITED ASSOCIATIONS

1. Except in a police capacity or as a Department function, employees are prohibited from associating with individuals whose character, reputation or background are such as to bring discredit upon the employee or the Department. Business relationships with such individuals must be avoided unless it can be demonstrated that such dealings are absolutely necessary, legal, ethical, and cannot be made with some other party. Individuals with whom contact and dealings are prohibited include, but are not limited to, persons with:
 - a. Felony arrests or convictions.
 - b. Numerous misdemeanor arrests or convictions.
 - c. Vice arrests or convictions.
 - d. Organized crime syndicate membership, employment or connections.
 - e. No apparent legitimate means of support.
 - f. Employment in gambling or vice establishments.
 - g. Serious habit of alcoholism, narcotic addiction or gambling.
 - h. Debased moral character.
2. If an employee feels that he must have contact with such a person due to social, business or personal reasons, a request for permission shall be made in writing to the Chief of Police prior to such contact. In case of blood or marital relationships, a memo detailing the relationship should be submitted to the Chief of Police so that an understanding may be reached regarding such associations.

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V. PROHIBITED ESTABLISHMENTS

Employees are prohibited from visiting, attending, entering, patronizing or having business dealings with establishments, concerns, or companies which fall under the following categories, unless it is required in the line of duty and at the direction of the division commander:

1. Where illegal activities are known, believed, or suspected to take place, whether the illegal action is open or secret and covert.
2. Establishments featuring strippers and exotic dancers, B-girls, taxi dancers, narcotic addicts, sex deviates, or criminals, and members of the organized crime syndicate.
3. Whose crime syndicate ownership or affiliation has been published in the press, Department publications, court trials, government investigative hearings, or in other public forums.

W. DAMAGE TO BUILDINGS AND FIXTURES

1. Employees shall not mar, mark or deface any surface in any Department building. Materials shall not be affixed in any way to any wall in a Department building without specific authorization from a Division Commander.
2. Employees shall not prop their feet on any desk, nor shall they stand with one foot placed against the wall of a building in a manner which may cause surface damage to the property.

X. OTHER PROHIBITED ACTIVITIES

Although certain prohibited activities are enumerated in this policy, it is not possible to comprise a policy that addresses all detrimental conduct. Conduct not specifically mentioned herein, which may bring discredit upon the employee or the Department or which violates any policy of the Department will be addressed in the same manner as if the conduct had been specifically addressed in this policy.

Y. MILITARY HONORS

1. Uniformed employees shall render full military honors to the national colors and anthem when appropriate. Proper military honors shall include coming to full attention, performing a military salute in the direction of the flag, and holding this position until the National Anthem is completed.
2. Employees in civilian dress shall render proper civilian honors to the national colors and anthem, when appropriate, by coming to attention and placing their right hand over their heart until the anthem is completed.

Z. RESPONSIBILITY

1. All members of the Department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.