
	<b>Richland Hills Police Department</b>		
	<b>Subject:</b> Rules of Conduct		<b>Number:</b> 200.1
	<b>Category:</b> Professional Standards and Conduct		
	<b>Effective Date:</b> June 28, 2023	<b>Supersedes:</b> GO 200.1 (05/2022)	<b>Review Date:</b> June 2025
	<b>Issuing Authority:</b> Kimberly L. Sylvester, Chief of Police		
	<b>Signature of Issuing Authority:</b> 		
	<b>References:</b> TBP 1.08, 2.02, 2.11, 2.12, 2.14, 2.15, 2.16, 2.17, 2.18, 2.19, 2.20, 2.21, and 2.22		

NOTE: This General Order 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 the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this General Order, if proven, can only form the basis of a complaint by this Department and only in a non-judicial, administrative setting.

## I. POLICY

The Richland Hills Police Department and the public expect all personnel to maintain high standards of appearance and conduct. The mission of the Department is to work with all members of the community to preserve life, maintain human rights, protect property, and promote individual responsibility and community commitment.

## II. PURPOSE

The purpose of this General Order is to set forth standards of professional conduct for all employees and define Departmental expectations for on and off-duty personal behavior. This order applies to all employees both sworn and non-sworn. [TBP 2.12]

## III. DEFINITIONS

- A. Affirmative Duty - The personal responsibility and obligation of an employee to report wrongdoing rather than providing such information only when requested.
- B. False Report - A report that is not made in good faith, based on information that is known or reasonably likely to be inaccurate; intentionally or negligently ignores exculpatory or mitigating information; or made with the purpose of harassing or wrongly incriminating another employee.

- C. Good Faith Report - A report that provides allegations concerning an employee who is reasonably believed by a complaining party to have purposely committed a serious violation of Departmental General Orders, policy, procedures, rules, or laws.
- D. Retaliation - Retaliation of the following kinds is designed to serve as retribution against an employee who, in good faith, has filed a complaint against another employee. In the context of this General Order, retaliation includes any deliberate, purposeful actions or failures to act, directed against employees that cause, or that could reasonably be expected to cause, physical harm, property damage, significant emotional stress, or otherwise negatively affect another employee's terms or conditions of employment or that could seriously impair the efficiency, safety or effectiveness of that employee, this Department, or both. Such adverse actions may take many forms, including but not limited to, bullying; persistent offensive comments, threats, or intimidation; false accusations; isolating; ostracizing; or acts that malign or disparage an individual's reputation.
- E. Serious Acts of Misconduct - Deliberate acts or failures to act that could reasonably form the basis for significant disciplinary action against an employee. Such disciplinary action would be reasonably likely to adversely affect that employee's terms or conditions of employment up to and including termination of service.

**IV. GENERAL DUTIES**

- A. All Officers shall display the integrity required by the Law Enforcement Code of Ethics [TBP 2.02]:

As a Law Enforcement Officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the law and the regulations of my Department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear, favor, malice, or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other Law Enforcement Officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession – Law Enforcement.

The Richland Hills Police Department provides all employees with a copy of the Law Enforcement Code of Ethics at their swearing-in ceremony.

- B. 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, both written and oral.
- C. All Officers shall immediately report accidents in which they are involved, all personal injuries received while on-duty, all personal injuries received while off-duty but which will likely impact their performance on-duty, all property damage or injuries to any persons resulting from the performance of assigned duties, and all accidents involving city-owned or operated equipment whether on or off-duty.
- D. All Officers shall, except where expressly prohibited by a supervisor, take prompt and effective police action conforming to Department policy with respect to investigating violations of laws and ordinances, hazards, dangers, emergencies, police information, or calls from citizens coming to their attention or of which they have knowledge, and shall properly report all such incidents without omission or distortion of any fact. Officers shall promptly and punctually perform all official duties and shall not conceal themselves unless such act is ordered by a supervisor or necessary for enforcement purposes. Officers shall render, or cause to be rendered, medical assistance to any injured person.
  - 1. Emergency calls shall take precedence, though all calls shall be answered as soon as possible in a manner consistent with normal safety precautions and traffic laws.

2. Except under the most extraordinary of circumstances or where otherwise ordered by a supervisor, no Officer shall fail or decline to respond to a call for service to which he is dispatched.
- E. Officers shall know the location and boundaries of their assigned areas. Officers also shall be familiar with the names and general locations of major and cut-through streets and highways and the names and locations of hospitals and major public buildings and landmarks.
- F. Officers 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
- G. Employees, whether on 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 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 times, use sound judgment.
- H. Except for the Command Staff or as approved by the Chief of Police or by established procedures, all Officers are required to carry a sidearm while on-duty. Members of the Command Staff are required to carry a sidearm when on-duty and in uniform and are encouraged to maintain a sidearm where it can be quickly accessed when they are on-duty but not in uniform, in the event an emergency situation occurs and their assistance is required. While off-duty, Officers may use their own discretion as to whether to carry a sidearm.
- I. All Officers, when returning from an absence or their scheduled days off, shall study and become familiar with the contents of recently issued communications and directives.
- J. All Officers shall provide aid and assistance to fellow Officers in times of danger or under conditions where danger might be impending, unless that Officer is otherwise incapacitated themselves. Officers shall not display cowardice or hesitation in the line of duty in any situation where the public or another Officer might be subjected to physical danger and peril.
- K. Officers shall be attentive to their duties and shall perform all duties assigned to them, even if such duties are not specifically assigned to them in Department rules, procedures, General Orders, or directives.
- L. All Department personnel are expected to utilize and follow their Chain of Command unless specific circumstances or direction from a supervisor warrant a deviation from the employee's Chain of Command.

- M. Supervisors will enforce the rules, regulations, and policies of the Richland Hills Police Department. They will not permit, or 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.
- N. The ranking on-duty supervisor on scene of any police incident shall be the responsible person in charge for that incident. In the absence of a supervisor, the Officer-in-Charge shall be in charge and responsible for the incident. The supervising employee shall remain on scene until such a time that the incident has been brought under control, is being handled properly in accordance with existing policies and General Orders, and sufficient instructions have been issued to bring the incident to a proper conclusion.
1. Failure or deliberate refusal of any employee to obey a lawful order issued to them by a supervising employee, or by a supervising employee assigned to the Office of the Chief of Police conducting an Internal Affairs Investigation, shall constitute insubordination.
  2. Concerning the relationship between a Field Training Officer (FTO) and a Probationary Police Officer (PPO or trainee), deliberate refusal or failure on the part of the PPO to obey a lawful order given by the FTO shall constitute insubordination.
- O. Unless otherwise assigned or directed, employees shall report to daily roll call at a time and place so designated by their supervisor or the Chain of Command. Employees should allow sufficient time to prepare their vehicles or work areas for their shift prior to the start of any roll call/briefing or meeting. Employees shall report to roll call in the appropriate uniform or dress for their assigned duty. Employees shall be attentive to the information being provided during roll call/briefing. (TBP: 2.16)
1. If, due to illness or injury or other emergency, an employee is unable to report for an assigned duty shift, they shall notify the on-duty supervisor as soon as possible but with a minimum of two (2) hours before the start of their normal shift or assignment.
- P. The hours of duty for all employees shall be regulated by the Chief of Police or designee, who reserves the right to recall any employee back to duty for emergency, regardless of the normal assigned hours for that employee. Employees recalled for emergency duty have a responsibility to respond to such requests and appear as ordered, unless extenuating circumstances justify their absence. (TBP: 2.22)
- Q. While Officers are on-duty or officially on-call, they are required to be directly available by normal means of communication or shall keep their supervisor or the Department informed of the means by which they may be reached when not immediately available.

- R. Employees are responsible for maintaining a current address and telephone contact number at which they can be reached in an emergency. If an employee’s address or telephone number change, the employee shall notify the Department as soon as possible, but not later than five (5) days from the date their address or telephone number changed. Additionally, employees are responsible for updating their contact information with the Texas Commission on Law Enforcement (TCOLE). The form for doing this is found electronically on their website.
  - 1. If an employee is unavailable at their normal address or telephone number, the employee shall provide the Department with a secondary contact number or address or provide circumstances for the unavailability (i.e. vacation, travel out of state, etc.).
  
- S. Employees shall report to duty fit for the duty assignment to which they are assigned. Employees shall be alert, observant, and occupied with police business during their assigned work shift or duty. While on Department time, employees shall devote their time and attention to Department business. Employees are responsible for their duties as assigned and are not to leave their reporting post or assigned duty station until properly relieved or ordered by a supervisor. (TBP: 2.16)
  
- T. 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 taking prompt and proper police action or from being recalled to duty as needed.
  - 1. The above shall not be construed to include enforcement of laws of a Class "C" misdemeanor nature or traffic offenses except for breach of the peace, theft, or assault.
  - 2. While off-duty, or in their personal vehicle, Officers shall not enforce, or take any police action to enforce Class “C” traffic offenses.
  
- U. When on duty and in public or around members of the public, Officers shall refer to each other by their appropriate rank.
  
- V. Employees shall promptly submit reports required by the performance of their duties or directed of them by a supervisor. All reports completed on a shift shall be reviewed and approved by the on-duty shift supervisor prior to the end of that shift’s tour of duty.
  
- W. Officers shall have prior approval from the on-duty supervisor before initiating any type of undercover or surveillance duties.
  
- X. Employees who served in the military and who separate shall provide the Department with a copy of their form DD-214 or NGB22 indicating the separation was Honorable or General-Under-Honorable conditions. Employees who are licensed by the Texas Commission on Law Enforcement (TCOLE) shall also notify TCOLE of their separation from the Armed Forces. Forms for such notification may be found on the TCOLE website.

- Y. Employees who receive a bribe offer shall immediately notify their supervisor and document the full circumstances surrounding the bribe offer in a written report. (TBP 2.21)
- Z. Officers shall always use only that level of force reasonably necessary to accomplish legitimate police objective and shall always act in accordance with General Order 600.1, Use of Force.
- AA. 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.
- BB. Administration reserves the prerogative to discipline personnel for violations of the rules listed in this order as well as violations of all other Departmental orders and directives. The decision to discipline and the measure of discipline employed depend on the rule or law which was violated, the consequences of the employee's actions, and the employee's prior history and experience.
- CC. All employees of this Department have an affirmative duty to report serious acts of misconduct or failures to perform actions defined in Department policy, procedures, and rules. Failure to report shall result in corrective or disciplinary action.
  - 1. Acts of retaliation against employees who make good faith complaints or disclosures of misconduct against another employee are strictly forbidden. Such acts will form the basis for charges of misconduct resulting in serious disciplinary action.
  - 2. All employees have an affirmative duty under this General Order to cooperate fully during the investigation of any allegation of employee misconduct whether conducted by this Department or another authorized authority. Protection from retaliation is extended under this General Order to all employees who cooperate in good faith.
  - 3. All complaints of retaliation shall be submitted to any supervisor. If the supervisor is the subject of or is involved in the complaint, an employee shall submit the complaint to the next higher-ranking employee in the chain of command.
  - 4. In uncommon situations involving highly egregious offenses or illegality that may have Departmental or governmental implications, a complaint may be made directly to the Chief of Police. Examples include but are not limited to broad-based corruption, conspiracy among employees, or offenses involving or including high-ranking Officers or members of government.

DD. Employees shall always be courteous, kind, patient, and respectful while dealing with the public. Employees shall strive to win the respect of all members of the community in the discharge of their official duties. When addressed, employees shall avoid answering questions in short or abrupt manners, and shall not use harsh, coarse, violent, profane, indecent, suggestive, sarcastic, bigoted, or insulting language. Employees shall promptly serve the public by providing direction, counsel, and other assistance that does not interfere with the discharge of their duties. Officers shall make every attempt to personally respond to citizens who request police services.

EE. Employees have a responsibility to respect the rights of others, and shall not engage in discrimination, oppression, or favoritism. Employees shall maintain a strictly impartial attitude toward all persons with whom they come into contact in an official capacity. Employees shall be respectful of citizens and other City employees and refrain from conducting sexual or other unlawful harassment. Employees are responsible for maintaining compliance with Section 1.4 of the City of Richland Hills Employee Handbook, which outlines prohibited sexual and other unlawful harassment and complaint procedures. [TBP 2.11, 2.17]

FF. 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.

GG. Members shall be truthful in all official verbal and written communications and reports. Employees will be truthful in any court related testimony or agency investigations (TBP: 2.14). Officers who are undercover or conducting interviews or interrogations may find it necessary to provide inaccurate information in order to maintain their cover or determine the truthfulness or veracity of a subject.

**V. PERFORMANCE AND BEHAVIOR PROHIBITIONS**

A. The following are examples of activities and behaviors which are prohibited while employees are on duty. As appropriate, disciplinary action may be taken for any of the following reasons:

1. Sleeping, loafing, or idling;
2. Incompetent or inefficient performance or dereliction of duty;
3. Recreational reading or playing games, to include cards, billiards, electronic arcade games, computer games, and games on portable communication devices (except for during meals and breaks and when not in view of the public);
4. Studying for a purpose which is not related to the employee’s job while on duty without permission from a supervisor (except for during meals and breaks and when not in view of the public);



5. Conducting private business or soliciting subscriptions, book sales, merchandise exchanges, or other trade of monetary amounts for goods or services for personal gain;
6. Carrying any article(s) which distract from the proper performance of their employee's duty, or conducting themselves in a manner which disrupts the performance of official duties and obligations of any employee of the Department (to include the employee involved in such conduct), or which would reasonably subvert the issuance of proper discipline of any employee of the Department;
7. Insubordination, discourteous treatment of the public or a fellow employee (to include deliberate and directed use of profanity toward any Department or City employee), or any act of omission or commission of similar nature that discredits or injures the public, or direct, tacit, or constructive refusal to do assigned work;
8. Consuming or purchasing intoxicating beverages or substances while on duty (except as part of an official duty assignment and with permission from a member of the Chief of Police or designee); (TBP 2.19)
  - a. Additionally, employees in uniform shall not purchase, possess, or consume intoxicating beverages or substances either on or off duty.
  - b. Employees shall not bring or keep any intoxicating beverages or substances on Department premises, except for when such substances are needed for the furtherance of a police activity (i.e. field sobriety testing or alcohol awareness classes). In such cases, the intoxicant shall be properly and accurately labeled and maintained in a manner to allow for positive control of the substance. (TBP 2.19)
9. Legal or illegal gambling (except as part of an official duty assignment and with permission from a supervisor);
10. Any sexual conduct;
11. Reporting for duty assignments in an obviously intoxicated state, or reporting for duty assignments in a state of impairment which affects the employee's job performance; (TBP 2.19)
  - a. Employees shall not, at any time, be in uniform and intoxicated in view of the public.
12. Entering a tavern, bar, theater, or other public place except to perform police services;

13. Using tobacco or tobacco products (to include e-cigarettes) in any area not designated as a City smoking area, using tobacco or tobacco products (to include e-cigarettes and chewing tobacco) around members of the public or while conducting official police business, or chewing gum around members of the public or while conducting official police business (for more details on city tobacco policies, refer to the City of Richland Hills Employee Handbook Section 8.8, Tobacco);
14. Making purchases for items in the name of the City of Richland Hills or the Richland Hills Police Department without specific authorization from a supervisor;
15. Using City-owned equipment (to include uniforms, vehicles, radios, and duty gear) for any purpose other than official city or Department business, both on and off duty.
  - a. Exceptions to this rule include the use of uniforms while conducting off-duty employment approved by the Chief of Police, take-home vehicles issued to members of the Department which are driven in limited capacity for non-Department purposes such as filling the gas tank, stopping on the way to or from work for a non-Department purpose, or for purposes otherwise approved by the Chief of Police).
16. Working any off-duty, extra duty, or outside employment on the same calendar day that employee failed to report for duty due to reported illness or injury;
17. Following or working in any vocation which conflicts or interferes with the employee's responsibilities to this Department;
  - a. Employees seeking outside employment must obtain permission from the Chief of Police prior to engaging in outside employment.
  - b. Employees are prohibited from holding a deputation or commission from any other Law Enforcement entity while commissioned and employed with this Department except where and as authorized by law.
18. Accepting gifts or gratuities from members of the public for services provided or in conjunction with services rendered as part of an employee's official capacity, regardless of whether the work or action performed was while the employee was on or off-duty; soliciting loans, gifts, presents, fees, or rewards in return for services provided while on or off-duty; or accepting gifts or gratuities from subordinates, except for customary celebratory times such as holidays and birthdays; (TBP 2.21)
19. Accepting gifts or gratuities from suspects or prisoners, or accepting any item of value, loan, or fee, or borrowing, lending, or selling any item of value or service to any suspect, prisoner, defendant, or other person involved in any case, or other person of ill repute, or professional bondsman, or other persons whose vocation may profit from information obtained from the Department; (TBP 2.21)

20. Associating with known felons, persons under criminal investigation or indictment, or persons with a reputation of criminal behavior, except during the discharge of official duties;
  - a. Exceptions may be made for associating with relatives previously convicted of certain felonies.
21. Posting bond for a person identified as a defendant in a criminal case, without prior approval from the Chief of Police;
22. Developing a personal, romantic, or social relationship with any person who is a victim, suspect, witness, or defendant to a Department incident while such incident is being investigated or prosecuted as a result of investigation; (TBP 2.18)
23. Entering or associating with establishments known for criminal activity or where federal or state law or city ordinance is violated, such as illegal gambling establishments, houses of prostitution, known drug houses, etc. except to perform police services;
24. Publicly criticizing or ridiculing the Department, its policies, officials, or other employees by speech, writing, or other expression, where such speech, writing, or expression is defamatory, obscene, bigoted, or unlawful, or engaging in the same course of conduct in an internal Department meeting or engagement, where such action or speech undermines the Department, interferes with the issuance of discipline, or is made with reckless disregard for truth or falsity;
25. Consuming or using any illegal drug or any controlled substance not prescribed to that employee by an individual licensed to prescribe such substances; (TBP 2.20)
  - a. Employees prescribed any medication or substance they believe or know may impair their ability to perform their duties or abilities to perform their job functions shall notify their supervisor prior to engaging in any job-related functions.
26. Giving testimonials and seeking personal publicity while the employee is representing himself as a member of the Richland Hills Police Department, or permitting photographs or names to be used for commercial advertising or social media purposes without prior authorization from the Chief of Police or designee;
27. Communicating with any person who is not an employee of this Department and providing that person any information concerning Department activities, operations, or matters of Law Enforcement business, the release of which is prohibited by law or which might have an adverse impact on Law Enforcement operations or Officer safety;

- a. This does not prohibit employees from communicating and exchanging Department information with employees of other agencies for official Law Enforcement purposes.
28. Intimidating any person by use of one’s official position, or interfering with the private business of any citizen during the course of an employee’s duties or using one’s police powers to resolve personal grievances, except in circumstances which would justify self-defense, actions to protect or prevent injury to any person, or where a serious offense has occurred which justifies an arrest;
29. Becoming indebted to one’s immediate subordinates;
30. Using Department equipment (radios, computers, bulletin boards, etc.) to conduct personal business or to communicate with anyone in a profane, vulgar, sarcastic, or bigoted manner;
31. Engaging in political activities while in uniform or on-duty; (TBP 2.15)
- a. An employee is considered to engage in political activity on-duty if they:
    - 1) Make a public political speech supporting or opposing any candidate or issue;
    - 2) Distribute cards or other political literature relating to a campaign, candidate, or issue;
    - 3) Wear a campaign button;
    - 4) Circulate or sign a petition for a candidate or issue;
    - 5) Solicit votes for a candidate or issue;
    - 6) Solicit campaign contributions for a candidate or issue; or
    - 7) Voluntarily appear, either on-duty or in uniform, in any kind of news-related or advertising with or for a candidate for any public office.
  - b. This does not restrict any employee’s right to vote, so long as the act of voting does not involve any action listed in Subsection V.A.31.a.1-7.
  - c. While out of uniform and off-duty, an employee may engage in the political activities listed in Subsection V.A.29.a.1-7, with the following exception:
    - 1) Employees may not solicit campaign contributions for a candidate other than from a member of an Employee organization of which he is a member.

32. Using one's position or authority to solicit special privilege for themselves or others, such as free admissions, discounts on services, or free or reduced cost meals and refreshments;
  - a. The Department realizes some businesses will offer gratuities, discounts, and privileges as a token of their gratitude or for the security of an increased police presence at their establishment. Employees visiting such a location shall never request or expect to receive any discount or gratuity, even if one is commonly offered, and shall always prepare and offer to pay the full price for any goods or services purchased. Nominal discounts and gratuities offered, such as with meals or beverages, may be accepted after attempting to pay the full cost for the item. Excessive discounts and gratuities, such as a free tire for a personal vehicle, shall never be accepted. Businesses which customarily offer discounts or gratuities shall not be frequented by employees more than once in a work week. (TBP 2.21)
  
33. Using racial or religious jokes or slurs or any form of speech likely to be construed as racist, ethnically insensitive, or religiously discriminating, whether the comments are made in the presence of the public or not;
  
34. Being convicted of a felony or misdemeanor involving conduct amounting to moral turpitude (see Section IV.A, Law Enforcement Code of Ethics), or a pattern of misconduct as displayed by a series of misdemeanor convictions;
  
35. Failure to report to an appropriate superior authority incompetence, misconduct, inefficiency, neglect of duty, moral turpitude, or any other form of misconduct or negligence of which the employee has knowledge; and
  
36. Failure of a supervisory employee 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.
  
- B. 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 orders, or policies of the Department, or in the laws or ordinances that the Department has the responsibility to enforce.
  
- C. No member of the Department shall be a member of any organization that advocates the violent overthrow of the government of the United States, the State of Texas, or any unit of local government.
  
- D. No Department member shall participate in any organization that has a purpose, aim, objective, or any practice that is contrary to the obligations and duties of a Law Enforcement Officer under these rules and regulations.

- E. No Officer shall participate in any type of disruptive protest or demonstration, nor shall any Officer act as a spokesperson, representative, or agent for any group engaged in or planning to engage in any type of disruptive protest or demonstration.
- F. An employee of this Department may not become a candidate for elected office except as allowed by any applicable Department directives, rules and regulations of the City of Richland Hills, and state law, and as permitted by the Chief of Police.

## **VI. OBEDIENCE TO RULES OF CONDUCT, LAWS, AND ORDERS**

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.

- A. Adherence to Departmental Rules - Employees shall abide by the rules of City of Richland Hills Employee Handbook, the Richland Hills Police Department's Policy and Procedures Manual, and other properly issued General Orders, Standard Operating Procedures, Written and Oral Directives, and other internal directives of the Police Department.
- B. Applicability of Rules - Certain rules may not apply in undercover police assignments specifically authorized by supervisors in accordance with this Policy Manual. Officers will be strictly accountable for justifying their actions.
- C. Conflicting Orders - If an employee receives an order that conflicts with one previously given 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 necessary for the good of the Department. [TBP 1.08]
- D. Insubordination - Employees shall promptly obey all lawful orders and directions given by supervisors and radio dispatchers. 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 his orders shall likewise be deemed insubordination. [TBP 1.08]
- E. 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. [TBP 1.08]
- F. Obedience to Laws - Employees shall abide by the laws of the United States of America, the laws of the State of Texas, and the ordinances of the City of Richland Hills.

- G. Obedience to Unjust or Improper Orders - An employee who receives an order he believes is unjust or contrary to a Departmental General Order or rule must first obey the order and then may appeal the order to the Chief of Police via the proper chain of command.
- H. Obedience to Unlawful Orders - No employee is required to obey an order that is contrary to the laws of the United States of America, the laws of the State of Texas, or the ordinances of the City of Richland Hills. An employee who receives an unlawful order shall report in writing the full facts of the incident and any action taken to the Chief of Police via the chain of command. [TBP 1.08]
- I. Obedience to Chain of Command – Employees shall use their assigned Chain of Command and show obedience to supervisors and all lawful orders, directives, and assignments issued by their Chain of Command, unless supervisory direction or sufficient and specific cause exists to circumvent the Chain of Command.

**VII. CIVIL, CRIMINAL, JUDICIAL, AND ADMINISTRATIVE INVESTIGATIVE ACTIONS**

- A. The Department has jurisdiction in criminal cases and civil parking cases only. No employee shall render aid or assistance in any other civil case except to prevent an immediate breach of the peace or to quell a disturbance actually existing. This rule is not intended to prevent employees from informing any citizen as to what steps to take to initiate a civil lawsuit.
- B. No employee shall investigate a criminal case or personally file a criminal charge in a court of law against any person for a criminal offense committed where he or a family member is a victim, except for Class C Misdemeanors occurring in the employee’s presence while on duty. Other offenses that may be committed against him or members of his family shall be reported directly to the Criminal Investigations Unit. The personnel of that Unit shall investigate and file such charges as may be proper.
- C. When directed, employees shall render, or cause to be rendered, all materials and relevant statements to a competent investigating authority in a Department internal investigation and shall answer all questions when so directed.
- D. No employee will willingly misrepresent any matter, sign any false statement or report, commit perjury, give false testimony before any court, grand jury, board of inquiry, commission, administrative investigation, official, or Department hearing.
- E. No employee shall knowingly falsify any report, document, or record, or cause to be entered any inaccurate, false, or improper information on records, documents, or reports of the Department or of any court or alter any record, document, or report, except by supplemental record, document, or report. No employee shall remove or destroy, or cause the removal or destruction of any report, document, or record without authorization.

- F. Employees must be available to testify in any court or before any grand jury in Tarrant County when officially provided notice to appear. In criminal cases outside Tarrant County and in all civil cases, employees are only required to respond to a legal subpoena.
- G. Employees who, for a valid reason, are unable to answer to an official summons must be excused by the court or grand jury prior to the date and time they are scheduled to appear. The reason for the excused absence shall be reported to the employee's supervisor as well, in accordance with this General Order.
- H. Any employee who is subpoenaed or who volunteers to testify for the defense in any criminal or civil trial or hearing against the City of Richland Hills or the Richland Hills Police Department shall notify the Chief of Police in writing upon receipt of the subpoena or decision to testify prior to his appearance as a witness.
- I. No employee shall accept a fee in exchange for services as a witness in any criminal or civil case if the matter relates to the exercise of the employee's official duties.
- J. Employees shall not engage in any of the following conduct:
  - 1. Interfering with the service of lawful process;
  - 2. Interfering with the attendance or testimony of witnesses through coercion, bribery, or other means;
  - 3. Attempting to have any Notice to Appear or traffic citation reduced, voided, or stricken from the calendar without the approval of the Chief of Police or designee;
  - 4. Recommending a dismissal, reduction of charges, or other disposition of a pending criminal case which has previously filed in any criminal court or before any grand jury, except by written approval of the Chief of Police or designee;
  - 5. Taking any action which interferes with the efficiency or integrity of the administration of criminal justice or Departmental discipline; or
  - 6. Having knowledge of such interference and failing to inform a supervisor immediately in writing.
- K. No employee shall make known any information concerning the progress of an investigation, a known or reported law violation, a condition against which action is to be taken at a future time, or any proposed operation to any person not authorized to receive the same.



- L. Employees shall not communicate in any manner, directly or indirectly, any information which may delay an arrest or enable persons guilty of criminal acts to escape punishment, dispose of property or goods obtained illegally, or destroy evidence of a crime or other unlawful activity.
- M. No employee shall release any police report, police record, arrest report, prosecution report, criminal history file, mug shot or photograph, or other record or report to any person or agency which does not have a criminal justice function unless ordered by a lawful subpoena or authorized by the Chief of Police or designee.
- N. Employees shall not communicate in any manner, either directly or indirectly, any information regarding personal issue, notice of claims, civil litigation, or any other information regarding the inner working operations of the Department, to any person outside the Department other than those who are approved by the Chief of Police.
- O. Only those employees designated by the Chief of Police are custodians of Richland Hills Police Department records, for purposes of dissemination outside the Department.

**VIII. COOPERATION WITH FELLOW EMPLOYEES AND AGENCIES**

- A. Employees shall not interfere with cases assigned to others. Employees shall not interfere with the work or operations of any unit in 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 in an attempt to intimidate or to secure the abandonment or withdrawal of the complaint, charges, or allegations.
- B. Employees shall treat other members of the Department with respect. They shall be courteous, civil, and respectful of their superiors, subordinates, and associates, and shall not use threatening or insulting language whether spoken directly to a specific individual, a third party, or a social media, or other electronic format.

**IX. IDENTIFICATION AND RECOGNITION**

- A. Officers shall carry their official City identification on their persons at all times. All employees will carry their official identification on or about their persons while on-duty.
- B. An employee's issued badge shall not be altered or exchanged between employees or transferred to another person except by order of the Chief of Police. Employees retiring or resigning will not be permitted to retain their badge when doing so will hamper normal operations of the Department. Honorably retired Officers shall receive a badge indicating their status as retired.

- C. Officers shall give their name, badge number and other pertinent information to any person requesting such facts unless doing so would jeopardize the successful completion of a police assignment.
- D. 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.
- E. A uniformed Officer shall neither acknowledge nor show recognition of another police Officer in civilian clothes unless that plainclothes Officer first addresses the uniformed Officer.

**X. MAINTENANCE OF PROPERTY**

- A. 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 Chief of Police.
- B. Employees shall keep their offices, lockers, vehicles, and desks neat, clean, and orderly.
- C. 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. When the situation dictates, a neighboring city Police Department, the Texas Department of Public Safety or Tarrant County Sheriff's Office will be requested to investigate police involved accidents.
- D. 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 prior to the end of shift.
- E. At the beginning of a tour of duty (or as soon as discovered), employees shall examine any vehicle assigned to them and report any operational deficiencies, damage, or defects to their supervisors. Failure to report damage or defects creates the presumption that the employee inspected the vehicle and found no damage or defects. The employee, in this case, shall be held responsible for the damage.
- F. 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 their supervisors any loss, damage, destruction, or defect therein.

- G. Employees are responsible for protecting private property or equipment that has come into their possession by reason of their office against loss, damage, or destruction.
- H. Officers shall not use or provide any city equipment or service other than for official city business.

## **XI. RELATIONSHIP WITH COURTS AND ATTORNEYS**

- A. An Officer who arrests a sworn Officer of another Law Enforcement agency shall immediately notify his own supervisor 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.
- B. If an Officer has probable cause to arrest a sworn Officer of our Department, the Officer shall first contact his immediate supervisor to review and confirm probable cause. In most cases, the Officer may obtain a warrant against the suspect Officer. Some occasions may demand an immediate custodial arrest.
- C. 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.
- D. 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.
- E. Employees that are subpoenaed for a civil case or are notified of a lawsuit against them shall notify their supervisor as soon as possible. This pertains only to incidents that are police related (i.e., a civil subpoena for a vehicle accident that an Officer investigated, etc.) or incidents where an employee was employed off-duty for security or police purposes (i.e., extra job where the Officer is being sued for an arrest, etc.). Employees named in a work-related lawsuit will be notified by the Chief of Police or designee.
- F. 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 Officer's commanding Officer, Department legal counsel, or prosecutor.
- G. Employees who have become the subject of a citation (other than traffic citations) or arrest action in any other jurisdiction shall immediately notify the Chief of Police.
- H. Employees who have had a suit filed against them because of an act performed in the line of duty shall immediately notify the Chief of Police in writing and furnish a copy of the complaint as well as a full and accurate account of the circumstances in question.

- I. 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.
- J. Any employee subpoenaed or requested to testify for a criminal defendant or against the City of Richland Hills or against the interests of the Department in any hearing or trial shall immediately notify the Chief of Police through the chain of command.

## **XII. CONFLICTS OF INTEREST**

A conflict of interest arises whenever an employee intentionally disregards the public interest in favor of other interests, personal or otherwise. Likewise, a conflict exists whenever, due to personal or financial interests, an employee is incapable of performing, or chooses not to perform, his official duties impartially. A conflict of interest may exist whenever an employee has a substantial personal or private interest in a matter which involves his duties and responsibilities as an employee. The trust of the community demands that an employee take no action which would constitute the use of City employment as a means to further personal or private interests.

- A. Employees will avoid any action, regardless of its status as prohibited by law, which would reasonably tend to affect the employee's job performance by creating the effect or appearance of:
  - 1. Using public office for private gain;
  - 2. Giving preferential treatment to any person; or
  - 3. Losing independence or impartiality.
- B. Employees in uniform, or while off-duty, shall not endorse any person or participate in any activity that might tend to bring into question the impartiality or a perception of impartiality of the Richland Hills Police Department toward any group in the performance of the Department's public responsibilities.
- C. All employees shall avoid situations which give rise to an actual or apparent conflict between their professional responsibilities and their relationships with other employees.
- D. Members of the Department shall not enter into an ongoing, lengthy, or continual financially significant off-duty employer/employee or business relationship with members of their chain of command. If this arrangement is seen as necessary or should a transfer or promotion create an apparent violation of this rule, the affected members shall immediately notify the Chief of Police or designee by way of written memorandum. The memorandum shall detail the nature and extent of the business relationship.

1. Once notified of such an arrangement, the Chief of Police or designee is then responsible for taking action as appropriate to eliminate the conflict, keeping the best interests of both the Department and the involved employees in mind.
  2. The Chief of Police or designee may determine that no significant conflict exists. If conflict does, however, exist, the Chief of Police or designee may require:
    - a. Changes in assigned duties;
    - b. Changes in personnel assignments;
    - c. Disqualification from a particular assignment; or
    - d. Divestment by the employee of their conflicting interest.
- E. Employees shall not, under any circumstances, solicit any gift, gratuity, loan, or fee where there is any direct or indirect relationship between the solicitation and the Department membership, except as provided by law and approved by the Chief of Police.
- F. Employees shall not accept, either directly or indirectly, any gift, gratuity, reward, loan, fee discount, rebate, or special consideration arising from or offered because of police employment or any activity connected to such employment that might reasonably tend to influence the employee in the discharge of his official duties.
- G. Employees shall not accept a reward or any gift, favor, privilege, or employment from any public utility corporation or licensee, the granting of whose license is subject to regulation or approval by the Chief of Police, except as may be authorized by City Ordinance, General Orders, or approval by the Chief of Police.
- H. Employees shall not buy anything from, or sell anything to, any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention through their employment with the Department, nor can they act as an intermediary in the payment of a reward for the return of stolen property without the prior written authorization of the Chief of Police. This does not prohibit employees from dealing with a legitimate place of business.
- I. Any reward paid or sent to any employee shall be promptly submitted, by that employee, to the Office of the Chief of Police, which shall deposit it into any fund from which the Department's employees derive benefits.
- J. Employees shall not suggest, recommend, advise, or otherwise counsel the retention of any attorney or bail bondsman to any person coming to their attention as a result of police business. This does not apply when a relative or acquaintance of an Officer seeks such service. No advice may be given where a fee, gratuity, or reward is offered by or accepted from any attorney or bail bondsman.

- K. No employee shall give any lawyer, bondsman, or agent of either or any other person not authorized, any information regarding prisoners in confinement, except for members of their immediate family.
- L. Employees shall not furnish bail or act as a principal or surety on any bail bond or bail bond application for any person charged with any type of criminal offense except for members of their immediate family.
- M. Except for official police duties, no employee of this Department shall establish an inappropriate social relationship with a known victim or witness, or associate with persons whom the employee could reasonably be expected to know were of immoral character, convicted felons, gamblers, or other persons who habitually commit violations of the law, to include suspects, defendants, and confidential informants. This does not exclude an employee from associating with members of his immediate family who may fall within one of these categories.

**XIII. EXPECTATION OF PRIVACY**

- A. Employees shall have no expectation of personal privacy in such places as lockers, desks, Department owned vehicles, file cabinets, computers, or similar areas that are under the control and management of this agency. While the Department recognizes the need for Officers to occasionally store personal items in such areas, Officers should be aware that these and other similar places may be inspected or otherwise entered to meet operational needs, internal investigatory requirements, or for other reasons, at the direction of the Chief of Police or designee.
  - 1. Officers do have a reasonable expectation of privacy while utilizing restroom facilities within the Police Department building.
- B. No member of this agency shall maintain files or duplicate copies of official agency files in either physical or electronic formats at their place of residence or in other locations outside the confines of this agency without express permission from the Chief of Police.

**XIV. CITY HANDBOOK**

Employees are reminded that The City of Richland Hills Employee Handbook contains information that parallels the practices and procedures of this Department as well as information not contained in this directive. All employees are responsible for being knowledgeable of the contents of the City Handbook and ensuring they maintain the most current copy of the City Handbook for reference.

The City Handbook may be found on the Department’s network drive under the folder titled “Policies” or on the STW system.