

CONROE POLICE DEPARTMENT

RULES OF CONDUCT MANUAL

FOREWORD

The Rules Of Conduct Manual of the Conroe Police Department is published pursuant to the Code of Ordinances of the City of Conroe, which gives the Chief of Police the authority to promulgate administrative rules and regulations for the Police Department. It is intended to serve the purposes of governance and guidance of Conroe Police officers and employees.

The Rules Of Conduct Manual, therefore, contains the specific statements of the expectations to which the behavior and conduct of each employee will be held. Conroe Police officers and employees shall adhere to the rules in this manual and officers shall follow the Code of Ethics contained herein.

Subject to the City Charter, ordinances, and rules and regulations of the Civil Service Commission, the Chief of Police may bring disciplinary action against officers and employees of the department for violation of the rules and regulations promulgated in accordance with this section.

All rules and regulations and such procedures in effect shall be compiled and published under the direction of the Chief of Police, and a copy of all rules and regulations to which each member of the Conroe Police Department is subject to shall be supplied to each and every officer and employee of the department. It shall be the duty of all Conroe Police Department employees to whom a Policy Manual is issued to familiarize themselves with the contents of the manual and to keep themselves current concerning it.

The right to modify or rescind any of the provisions of this Rules Of Conduct Manual is reserved to the Chief of Police. All previous rules, regulations and orders are hereby rescinded.

Charlie Ray
Chief of Police

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SECTION ONE: OBEDIENCE TO ORDERS, RULES AND LAWS

1.1 Obedience to Rules of Conduct

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.

1.2 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 Conroe.

1.3 Adherence to Departmental Rules

Employees shall abide by the rules of the Civil Service Commission, and the General and Special Orders, Rules of Conduct Manual and other properly issued internal directives of the Police Department.

1.4 Applicability of Rules

Certain rules may not apply in undercover police assignments specifically authorized by supervisors in accordance with General Orders. Officers will be strictly accountable for justifying their actions.

1.5 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 their orders shall likewise be deemed insubordination.

1.6 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.

1.7 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 Chief of Police via the proper chain-of-command.

1.8 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 Conroe. If an employee receives an unlawful order, they shall report in writing the full facts of the incident and their actions to the Chief of Police via the chain-of-command.

1.9 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 necessary for the good of the department.

SECTION TWO: ATTENTION TO DUTY

2.1 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.

2.2 Duty of Supervisors

Supervisors will enforce the rules, regulations, and policies of the Conroe Police 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.

2.3 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 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.

2.4 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.

2.5 Responsibility to Respect the Rights of Others

Employees shall respect the rights of individuals, and shall not engage in discrimination, oppression or favoritism. Employees shall maintain a strictly impartial attitude toward all persons with whom they come in to contact with in an official capacity.

2.6 Truthfulness

Employees shall not make false or untrue statements.

2.7 Officers Always Subject to Duty

Officers shall at all times respond to the lawful orders of supervisors, and to the call of citizens 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.

- A. 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.
- B. While off-duty, or in their personal vehicle, officers shall not enforce, or take any police action to enforce Class "C" traffic offenses.

2.8 Officers Required to Take Action

Except where expressly prohibited, Officers are required to take prompt and effective 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.

2.9 Reporting for Duty

Line officers (Patrol and Communication Officers) shall promptly report for duty properly prepared at the time and place required by assignments, subpoenas, or orders. Line officers shall remain at their posts or place of assignment until properly relieved by another officer or dismissed by a supervisor. All other officers and employees shall promptly report for duty properly prepared at the time and place required by assignment and shall remain at their post, place of assignment, or otherwise engaged in their duty assignment until having completed their tour of duty as set by established procedures or dismissed by a supervisor.

2.10 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.

2.11 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.

2.12 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.

2.13 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.

2.14 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 Conroe streets and highways and the names and locations of hospitals and major public buildings.

2.15 Keeping Posted on Police Matters

Each day while on-duty and immediately upon returning from an absence, employees shall study and become familiar with the contents of recently issued communications and directives.

2.16 Sleeping on-duty

Employees must be alert throughout their tours of duty. Sleeping while on-duty is forbidden.

2.17 Assisting Criminals

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.

2.18 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.

2.19 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.

2.20 Maintaining Communications

While officers are on-duty or officially on call, they shall be directly available by normal means of communication, or shall keep their office, headquarters, or supervisors informed of the means by which they may be reached when not immediately available.

2.21 Keeping Notes on Police Activities

Officers shall maintain written notes on police matters such as calls, arrests and other activities to the extent that they may later complete official reports and accurately testify in official proceedings.

2.22 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.

2.23 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.

2.24 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.

2.25 Carrying of Firearms

Except for senior staff or as approved by the Chief of Police or established procedures, all officers are required to carry sidearms while on-duty. While off-duty, officers may use their own discretion as to whether to carry sidearms.

2.26 Registration of Firearms

All weapons carried and used by officers in the performance of their official duties must be registered with the department. Required registration information must be kept current.

SECTION THREE: COOPERATION WITH FELLOW EMPLOYEES AND AGENCIES

3.1 Respect for Fellow Employees

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.

3.2 Supporting Fellow Employees

Employees shall cooperate, support, and assist each other whenever necessary.

3.3 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 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.

3.4 Cooperation with Other Agencies

Employees shall cooperate with all governmental agencies by providing whatever aid or information such agencies are entitled to receive.

SECTION FOUR: RESTRICTIONS ON BEHAVIOR

4.1 Interfering with Private Business

Employees, during the course of their duties, shall not interfere with the lawful business of any person.

4.2 Use of Intimidation

Employees shall not use their official positions to intimidate persons engaged in a civil controversy.

4.3 Soliciting and Accepting Gifts and Gratuities

Unless approved by the Chief of Police, employees of the Conroe Police 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 also shall not solicit any gift, gratuity, loan, present, fee or reward for personal gain.

4.4 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 other persons whose vocations may profit from information obtained from the police department.

4.5 Reporting Bribe Offers

If an officer receives a bribe offer, he shall make a written report to his commanding officer.

4.6 Accepting Gifts from Subordinates

Without approval from the Chief of Police, employees shall not receive or accept any gift or gratuity from subordinates, other than customary celebratory times such as holidays or birthdays.

4.7 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.

4.8 Giving Testimonials and Seeking Publicity

Employees representing themselves as members of the Conroe Police 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.

4.9 Soliciting Business

Employees shall not, while on-duty, solicit 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 solicit for projects related to charitable fundraising, but only when done in a manner not to disrupt the workplace and only with the approval of the Chief of Police.

4.10 Drinking on-duty

Employees shall not drink any intoxicating beverages while on-duty.

4.11 Intoxication

Employees shall not be under the influence of any intoxicating beverage 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 refrain from exercising any police authority. Officers assigned to special units, or 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.

4.12 Drinking While in Uniform

At no time shall any officer consume alcoholic beverages while in uniform.

4.13 Liquor on Official Premises

Employees shall not bring containers of intoxicating beverages into a Police Department building or vehicle.

4.14 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, and shall not otherwise enter, remain or frequent such places. Officers on-duty or in uniform also shall not purchase intoxicating beverages.

4.15 Playing Games on-duty

Officers on-duty or in uniform shall not engage in any games of cards, billiards, pool, dominoes, electronic arcade games, portable electronic games, computer games including both internally programmed games such as solitaire or Internet based games, or other games.

4.16 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.

4.17 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, promotion or change of duty for themselves or for any other person.

4.18 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.

4.19 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.

4.20 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.

4.21 Use of Racial Jokes and Slurs

No employee shall engage in any form of speech likely to be construed as a racial or religious slur or joke, whether in the presence of citizens or of other employees.

4.22 Use of Force

Officers shall use only that amount of force necessary to accomplish their police mission. The use of excessive force is strictly forbidden.

4.23 Indebtedness to Subordinates

Supervisors shall not become indebted to their immediate subordinates.

4.24 Consorting with Persons of Ill Repute

Members of the Department shall not associate or fraternize with known gamblers, prostitutes, drunkards or other persons of bad character or ill repute except to accomplish a police mission.

4.25 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 strive to win the respect of all law-abiding citizens 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, profane, indecent, suggestive, sarcastic, or insulting language.

SECTION FIVE: IDENTIFICATION AND RECOGNITION

5.1 Giving Name and Badge Number

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.

5.2 Carrying Official Identification

Officers shall carry their official identification on their persons at all times. All employees will carry their official identification on or about their persons while on-duty.

5.3 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.

5.4 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 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. All badges must be purchased unless exempted by the Chief of Police.

5.5 Plainclothes Officers - Identification

A uniformed officer shall neither acknowledge nor show recognition of another police officer in civilian clothes unless that officer first addresses the uniformed officer.

SECTION SIX: MAINTENANCE OF PROPERTY

6.1 Use of City Property or Service

Officers shall not use or provide any city equipment or service other than for official city business.

6.2 Responsibility for City Property

Each employee is responsible for protecting departmental equipment against loss, damage, or destruction.

6.3 Reporting Needed Repairs

Employees shall promptly report to their superior officer the need to repair any city-owned property.

6.4 Responsibility for Private Property

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.

6.5 Care of Quarters

Employees shall keep their offices, lockers and desks neat, clean and orderly.

6.6 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.

6.7 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 Chief of Police.

SECTION SEVEN: RELATIONSHIPS WITH COURTS AND ATTORNEYS

7.1 Attendance in Court

Employees shall arrive on time for all required court appearances and be prepared to testify.

7.2 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.

7.3 Testifying for a Defendant

Any employee subpoenaed or requested to testify for a criminal defendant or against the City of Conroe or against the interests of the department in any hearing or trial shall immediately notify the Chief of Police through the chain of command.

7.4 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 officer's commanding officer.

7.5 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.

7.6 Notice of Lawsuits against Officers

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.

7.7 Notice of Arrest or Citation

Employees who have become the subject of a citation (other than traffic citations) or arrest action shall immediately notify the Chief of Police in writing.