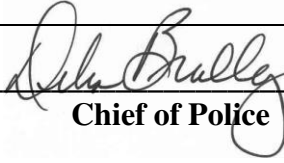


CORINTH POLICE DEPARTMENT		GENERAL ORDERS	
SUBJECT: Code Of Conduct		NUMBER: 200	
EFFECTIVE DATE: 01-01-2009		REVIEW DATE: 01-2011	
AMENDS/SUPERSEDES: Code Of Conduct issued 01-01-2005		APPROVED:  Chief of Police	
CALEA STANDARDS: 1.1-1.3, 1.5, 2.1, 11.1, 11.2, 84.2			

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 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.

INDEX WORDS:

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CORINTH POLICE DEPARTMENT: TEN ETHICAL STANDARDS**As a member of the Corinth Police Department it shall be my duty:**

1. To advance the objective of the Department in preserving order and protecting the lives, rights, privileges and property of the people in the State of Texas to the best of my ability and in an entirely impartial manner.
2. To practice at all times the motto of this organization, "*Honor, Integrity, Pride, Service*".
3. To keep myself clean and presentable and in good physical, mental and moral health.
4. To know and obey lawful orders and instructions at all times.
5. To keep all City equipment entrusted to me fully accounted for and in proper condition.
6. To qualify as a voter and to vote my convictions as a citizen on all public questions and political campaigns, but to take no other part in any public politics or political campaigns except as authorized by law and policy.
7. To conduct my business in a straightforward manner, relying, when possible, upon poise, competence and discretion rather than threats and argument to carry out my duties.
8. To take up matters affecting me and my position with my immediate superior and through proper channels.
9. To submit through proper channels constructive suggestions for the improvement of the Department and its service.
10. To conduct myself at all times, both on and off duty, in such a manner that I may merit the voluntary commendation of all law-abiding citizens and visitors with whom I come in contact, both those with whom I meet in carrying out my duties and those I shall live among as a citizen in order that credit may be reflected upon the Corinth Police Department.

I. PURPOSE

- A. The Code of Conduct of the Corinth Police Department is promulgated by the Chief of Police from authority of the Code of Ordinances of the City of Corinth.
- B. The Corinth Police Department expects its personnel to maintain high standards of appearance and conduct. The public similarly expects such high standards. Police Officers wield considerable power over the citizenry, power that is carefully circumscribed by state and federal law and, ultimately, by the Constitution and the Bill of Rights. The power to arrest, seize property and interfere, at times, with the lives of citizens constitutes a public trust. A Police Officer can help to ensure that this trust is regarded as vital by fulfilling his duties in an exemplary manner. Performance, however, is not enough. We must always conduct ourselves in an exemplary fashion.
- C. The Code of Conduct of the Corinth Police Department is designed to promote efficiency, discipline and good public relations by setting forth policies governing the conduct of every member of the Police Department, both sworn and non-sworn, on or off duty. The terms sworn member and Officer refer to any person commissioned as a Police Officer under the Charter and Ordinances of the City of Corinth and qualifying as a peace Officer under Article 2.12 of the Texas Code of Criminal Procedure. The terms Member and Employee refer to any Employee, full or part time, paid or non-paid of the City of Corinth, assigned to the Police Department whether sworn or non sworn (civilian). The use of the terms he and his to refer to a member of the Department shall indicate either a male or female Employee.
- D. The Corinth Police Department's Code of Conduct and General Orders are founded on well recognized standards of behavior and ethics. Police Officers are held to higher standards than others employed in public service because they alone have the power to limit individual freedom. The Law Enforcement Code of Ethics are included as addenda to this Code of Conduct to provide Departmental personnel with a philosophical basis for the rules and regulations of the Corinth Police Department.

II. POLICY

The provisions of the Code of Conduct, the City of Corinth Personnel Rules and Departmental Regulations shall apply to all members of the Police Department.

III. SCOPE:

- A. The provisions of the Code of Conduct shall be observed by all Employees of the Department in order to maintain the confidence, respect and support of the public.
- B. Violations of the Code of Conduct, the City of Corinth Personnel Rules,

Administrative Regulations, the Charter of the City of Corinth, the Ordinances of the City of Corinth and/or the laws of the State of Texas or the United States and departmental regulations shall subject the offender to disciplinary action which may take the form of a verbal or written warning, written reprimand, reduction in rank, suspension or termination of employment. Action taken will depend on the degree of severity of the offense, the record of the offender and the seriousness of the consequences of the violation.

- C. Disciplinary action under the Code of Conduct will be in accordance with the City of Corinth Personnel Rules as well as any and all applicable departmental regulations. All disciplinary actions will be based on substantial evidence.
- D. Pursuant to the authority granted by the Code of Ordinances of the City of Corinth, the Chief of Police shall have the exclusive right to suspend or discharge any Employee who may be under his jurisdiction and control for incompetence, neglect of duty, immorality, drunkenness, the improper use of any substance that modifies behavior or failure to obey orders given by proper authority or the orders, rules and regulations promulgated by the Chief of Police.
- E. Employees are required to establish and maintain a working knowledge of the Code of Conduct, of all laws and Ordinances of the City of Corinth and the written rules and policies of the Department. In the event of improper action or the breach of discipline, it will be presumed that the Employee was familiar with the law, rule or policy in question.
- F. Failure, on the part of any Employee, to comply with the Code of Conduct, the General Orders and all other lawful orders, policies and directives issued by proper authority will subject the offender to disciplinary actions as prescribed in General Order 300.
- G. Any Employee who, by act or conduct, attempts to violate or conspires with any person to violate the Charter of the City of Corinth, the Code of Conduct, Personnel Rules of the City of Corinth, General Orders or policies of the Department shall be subject to the same discipline as though the actual violation had been accomplished.
- H. It shall be the duty of all Commanders, Supervisors, Officers and Employees to take corrective action and/or submit a Personnel Incident Form through their chain of command whenever they learn through personal observation or report of any violation of the Code of Conduct, the City of Corinth Personnel Rules, Departmental rules and regulations, the Charter of the City of Corinth, the ordinances of the City of Corinth, and/or the laws of the State of Texas or the United States by any member of the Department.
 - 1. Should the violation involve an incident of a serious nature, the Supervisor or Commander detecting the violation may relieve the offender from duty and take custody of any credentials and firearms issued by the

Department. Should the observing Supervisor be of lesser rank than the offender, he shall notify a Supervisor of superior rank to that of the offender. The offender will be instructed to report to the office of the Internal Affairs Unit at 9:00 a.m. the following business day.

2. A written report of the incident shall be submitted by the reporting Supervisor or Commander who shall be present at the Internal Affairs Unit at the time the offender reports.
 - I. When a violation involves neither gross misconduct nor moral turpitude but could cause discredit to the Department or any member thereof, a Personnel Incident Form shall be completed in writing outlining the known facts of the case and an investigation initiated to determine the nature and degree of the violation.
 - J. Sworn members of the Police Department holding the position of Probationary Police Officer may be terminated from employment by the Chief of Police when they fail to meet the minimum standards of Employee performance or when they violate the Code of Conduct, the City of Corinth Personnel Rules, the ordinances of the City of Corinth, and/or the laws of the State of Texas or the United States. The probationary period is one (1) year.
 - K. No promotion of any member of the Department shall be deemed complete until a period of six (6) months shall have elapsed following said promotion. At any time during this six-month probationary period, the Chief of Police may rescind the promotion.
 - L. Should any Employee who has successfully completed the entire period of probation be terminated, suspended, or reprimanded because he has violated any rule of the Code of Conduct, the City of Corinth Personnel Rules, Departmental regulations, the Charter of the City of Corinth, the ordinances of the City of Corinth, and/or the laws of the State of Texas or the United States, he may receive an order of termination, suspension, or reprimand that shall set forth the rule violated and the details of said violation. In cases where termination is under consideration, a pre-termination hearing may be conducted. Should the Officer desire to appeal, the following procedures apply:
 1. Upon receipt of written notification from the Chief of Police or his designee, of a reprimand, suspension, demotion, or termination, the Officer may appeal pursuant to General Order 300 – Section XVIII and the City of Corinth Personnel Policies and Procedures Manual.

IV. GENERAL RESPONSIBILITIES

- A. No Employee shall procure appointment in the Department by means of willful misrepresentation or omission of any fact concerning his personal history, qualifications for employment or physical condition.
- B. Police Employees for the City of Corinth must present a neutral image to effectively relate to all segments of the population they serve. Societal interest demands highly trained Officers who demonstrate disciplined conduct, regimentation and strict adherence to regulation and authorized detail. Therefore, Officers shall be subject to, and must comply with the uniform and appearance standards prescribed by General Orders.
- C. Uniforms shall be kept neat, clean, in good repair, and well pressed when reporting to duty. While wearing the uniform, Officers shall maintain a military bearing, avoiding mannerisms such as slouching, shuffling, and keeping hands in pockets. The uniform hat or cap shall be worn when directed by competent authority.
- D. Normally, Officers shall wear the duty uniform on a tour of duty. However, Division Commanders may prescribe other clothing to be worn as required by the nature of the duty to which a particular Officer is assigned.
- E. No Officer, while in uniform, shall carry a sword, cane, or similar object or wear on the uniform any item not specifically authorized by written order of the Chief of Police.
- F. Officers shall carry their badge and identification card with them at all times.
- G. Officers must be armed at all times while on duty in the City of Corinth, unless directed not to carry a weapon by competent authority. When an Officer is on duty, the weapon carried will conform to the standards and required qualifications as set forth in the General Orders.
- H. With the exceptions listed, when an Officer is off duty, he may (optional) be armed with a departmentally approved weapon. If armed, he must be currently qualified with that weapon as set forth in the General Orders.
 - 1. Exceptions: An Officer must, unless directed otherwise by competent authority, be armed with a departmentally approved weapon;
 - a. At any time when in a city vehicle;
 - b. At any time when in uniform; or
 - c. When performing police related off duty employment.

- I. No Employee shall wear the uniform, be armed or carry his badge or identification card while under suspension.
- J. No Officer, while off-duty and dressed in civilian clothes, shall wear or carry a weapon in such a manner that it will attract attention or be in open view in public.
- K. Employees shall not willfully damage any property or equipment belonging to the city, any citizen or other entity unless lawfully required to do so in the performance of their duty.
- L. Employees will not cause damage to any property or equipment belonging to the city, any citizen or other entity by improper handling or negligence.
- M. No Employee shall alter, repair, or in any way change, add to, or remove any parts or accessories of any city-owned property without the permission of the Chief of Police. This includes, without limitations, buildings, office equipment, machines, clothing, firearms, communication equipment, and motor vehicles.
- N. No person will be hired or appointed to the City of Corinth Police Department if they are married or joined in any method recognized by the State of Texas to any current employee. The following relationships prohibited include, but are not limited to the following, siblings, parents, grandparents, great-grandparents, in-laws, uncles, aunts, nephews, nieces, spouses, children, and any step-mother, father, sibling or child.
- O. Employees, when off-duty, who becomes involved in any police-related incident, shall notify an on-duty supervisor of the incident, as soon as possible.
- P. Employees shall, at all times, observe and give effect to the policies of the Department.

V. PROFESSIONAL CONDUCT AND PERSONAL BEARING

- A. Dereliction of duty on the part of any Employee, detrimental to the proper performance of the functions of the Department, is cause for corrective action. The following subsections constitute Dereliction of Duty.
 - 1. Failure of a Supervisor or Commander to immediately take action when a violation of rules or regulations comes to his attention from any source, regardless of the Supervisor's or violator's assignment or rank within the Department.
 - 2. Failure to deliver to the official departmental custodian any property found by, confiscated by or relinquished to Officers of this Department without undue delay and, in any event, before the tour of duty is ended.
 - 3. Failure to place evidence in its officially designated place for preservation

and storage.

4. Failure to give the name and badge number to any person, in writing, when so requested.
5. Failure to provide identification when requested.
6. Failure to take appropriate police action to aid a fellow peace Officer exposed to danger or in a situation where danger might be impending.
7. Cowardice or failure to perform police duties because of danger
8. Any action which places any person in greater danger than is necessary for the proper performance of the Employee's duties.
9. To offer, agree to accept, deliver or solicit a bribe. (A bribe shall be defined as a gift, emolument, money, thing of value, testimonial, appointment, personal advantage, the promise or solicitation of same for the purpose of obtaining special privileges or personal gain by the donor or other person).

This provision does not preclude Employees from accepting discounted services for food and beverages (non-alcoholic), or Police-related services or products while on duty. Under no circumstances will an Employee use their position as a Police Officer to solicit or request a discount on any product or service.

10. Within the City of Corinth, Officers shall at all times take the appropriate action to:
 - a. Protect life and property;
 - b. Preserve the peace;
 - c. Prevent crime;
 - d. Detect and arrest violators of the law; and
 - e. Enforce all federal, state and local laws and ordinances coming within departmental jurisdiction.
11. For the purpose of protecting life and property, Officers shall always be considered on-duty while in the City of Corinth and shall be prepared to act to the extent possible any time circumstances indicate their services are required.
 - a. The above enforcement action will not include, except in

circumstances or conditions allowed under General Order 400, Arrest and Investigative Detention:

1. Officers of this Department while off-duty and out of uniform shall not:
 - a. make arrests in their own quarrels, in those of their families, or in disputes arising between their neighbors unless the arrest is made in self-defense, to prevent injury to another, or when a serious offense has been committed;
 - b. make any arrest after the consumption of alcoholic beverages, except when necessary to prevent death or serious bodily injury;
 - c. make arrests for any Class C misdemeanor, except to prevent injury or to prevent a continuing breach of the peace;
 - d. enforce any traffic law.
 2. Enforcement responsibilities beyond the ability of the officer when he is not armed. (Appropriate action in such cases may include calling 911.)
- B. No Employee shall be convicted of, nor commit any act or omission defined as a criminal act.
- C. No Employee shall engage in any conduct which adversely affects the morale or efficiency of the Department or which has a tendency to adversely affect, lower or destroy the public respect and confidence in the Department or Employee.
- D. No Employee, when acting outside the course and scope of his duties, shall precipitate, cause or escalate a disturbance or police incident to his discredit.
- E. No Employee shall fail or deliberately refuse to obey a lawful order given by a Supervisory member or an Investigator of the Internal Affairs Unit.
- F. Employees shall treat Supervisory members, subordinates and associates with respect. They shall be courteous and civil, at all times, in their relationships with one another.
- G. Employees shall not publicly criticize or ridicule the Department, its policies or other Employees by talking, writing or expressing in a manner which:
1. Is defamatory;

2. Is obscene;
 3. Is unlawful; or
 4. Tends to impair the operation of the Department by interfering with its efficiency, by interfering with the ability of Supervisors to maintain discipline or by a reckless disregard for the truth.
- H. No Employee shall be under the influence of drugs or be a user of drugs, when such drugs are not prescribed by a physician or dentist or take drugs in a manner not prescribed by a physician or dentist.
- I. Employees will notify a Supervisor when they are taking any drug prescribed by a physician or dentist which might impair their ability to operate a motor vehicle or which, the Employee would reasonably believe might affect their judgment.
- J. Employees will not use any unnecessary or inappropriate force against any person.
- K. No Employee shall, at any time, ridicule, mock, deride, taunt or belittle any person.
- L. No Employee shall willfully embarrass, humiliate or shame any person.
- M. No Employee shall willfully harass any person nor take any action in a manner which might incite a person to violence.
- N. No Employee shall use loud or harsh language in performance of official duties except as necessary to gain control of an escalating situation.
- O. No Employee shall use indecent or profane language in the performance of official duties or in the presence of the public.
- P. Officers shall not engage in any conduct which constitutes conduct unbecoming an Officer or neglect of duty.
- Q. No Employee will make any comment or expression, either written or oral, which would deride, demean, condemn or ridicule any person based upon their race, ethnicity, sex, religion or sexual orientation, on or off duty, if such comment or expression will tend to generate controversy and disruption within or outside of the Department, impede upon the Department's general operation and performance and affect working relationships necessary to the Department's proper functioning.
- R. Employees will be courteous and civil to the greatest extent possible when dealing with members of the public or other members of the Department.

- S. No Employee shall solicit any funds for the purpose of buying a gift for any member of the Department. However, Employees may solicit nominal amounts from members of their section or division for gifts for retiring fellow members or for special circumstances with the permission of the Chief of Police or his designee.
- T. No Employee shall receive any money or gifts from any type of solicitation except when retiring from the Department or for special circumstances approved by the Chief of Police or his designee.
- U. 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 authorization of the Chief of Police. This does not prohibit Employees from dealing with legitimate places of business.
- V. No Employee shall conduct himself in the offices and buildings of the Department in a manner that would discredit the police service.
- W. No Employee shall engage in any form of gambling in the police locker rooms, assembly rooms or any other police facility.
- X. No Employee shall engage in horseplay or the playing of pranks while on duty or in police facilities.
- Y. Uniformed Employees will render appropriate honors to the United States flag and national anthem during ceremonial functions by assuming the position of attention and placing the right hand over the heart (indoors) or saluting (outdoors). Employees in civilian clothing will render appropriate honors by assuming the position of attention and placing the right hand over the heart (both indoors and outdoors).

Officers will display the degree of integrity required by the:

Law Enforcement Code of Ethics

"As a **Law Enforcement Officer**, my fundamental duty is to serve mankind; 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 men to liberty, equality, and justice.

"**I will** keep my private life unsullied as an example to all; 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 of the land 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 duty.

"**I will** never act officiously or permit personal feelings, prejudice, 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 or 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 constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession--*law enforcement.*"

VI. GENERAL CONDUCT

- A. Employees shall, at all times, respond to the lawful orders of Supervisory Employees and other proper authorities as well as requests for police assistance from citizens.
 - 1. The administrative delegation of the enforcement of certain laws and ordinances to particular units of the Department does not relieve Officers of other units from the responsibility of taking prompt, effective police action within the scope of those laws and ordinances when the occasion so requires. Officers assigned to special duty are not relieved from taking enforcement action outside the scope of their specialized assignment when necessary. All members shall perform their duties as required or directed by law, departmental rule, policy or by order of a superior member.
- B. Officers shall respond, without delay, to all calls for police assistance from citizens or other members.
 - 1. Emergency calls will take precedence. However, all calls shall be answered as soon as possible, consistent with normal safety precautions and traffic laws.
 - 2. Except under the most extraordinary circumstances or when otherwise directed by competent authority, no Officer shall fail to answer any call for service directed to him.
- C. Officers will investigate those incidents assigned or which come to their attention to the fullest extent within their assigned responsibilities.
- D. Within the City of Corinth, Officers shall at all times take appropriate action to:
 - 1. Protect life and property.
 - 2. Preserve the peace.
 - 3. Prevent crime.
 - 4. Detect and arrest violators of the law.
 - 5. Enforce all federal, state, and local laws and ordinances coming within Departmental jurisdiction.

- E. The ranking on-duty Supervisor at the scene of any police incident shall be in charge and responsible for the proper conclusion of that incident. In the absence of a Supervisor, the Senior Officer present shall be in charge and responsible for the handling of the incident. The Supervisor or Senior Officer shall remain at the scene until such time as the incident is under control, is being properly handled in accordance with existing policies, and sufficient instructions have been issued to result in the proper conclusion of that incident.
- F. Failure or deliberate refusal of any Employee to obey a lawful order given by a Supervisory member, an Investigator of the Internal Affairs Unit or a Field Training Officer shall be considered insubordination.
- G. No Employee shall be absent without leave. (Absence without leave shall mean either a failure to report for duty at the time and place of duty or the leaving of a place of duty or assignment without proper authorization.)
- H. Unless otherwise directed, Employees shall report to daily roll call at the time and place specified in proper dress and equipment. They shall give careful attention to orders and instructions.
- I. The hours of all Employees shall be regulated by the Chief of Police or his designee, who has the authority to call any Employee back to duty, regardless of the hours assigned that Employee.
- J. It shall be the responsibility of Employees who cannot report for duty, due to illness, to notify the on duty Supervisor at least two (2) hours prior to their reporting time. Employees must give a telephone number and address where they can be located during their normal tour of duty.
- K. Employees shall furnish the Department a telephone number and address at which they may be reached in the event of an emergency.
- L. Employees shall report any change in address or telephone number within twenty-four (24) hours of such change in the manner prescribed by the Chief of Police.
- M. When Employees will not be available for more than twenty-four (24) hours at their listed address and telephone number for an emergency call, they shall notify their Supervisor who shall record the time of departure, expected time of return, destination and, as far as practicable, information as to how and where they may be reached in the event of an emergency.
- N. Employees shall not work any outside or extra duty employment on the same calendar day that they fail to report for duty due to illness or injury.
- O. Employees are prohibited from following any other vocation which might conflict or interfere with their responsibility to the Department.

1. Employees must receive permission from the Chief of Police, or his designee to engage in off duty employment or business activities.
 2. Officers are prohibited from holding a deputation or commission from any other law enforcement agency, except where authorized by law.
- P. Employees shall remain alert, observant and occupied with police business, during their tour of duty. When on duty, Officers shall devote their entire time and attention to the business of the Department.
- Q. Employees are prohibited from engaging in the following activities while on duty:
1. Sleeping, loafing or idling;
 2. Recreational reading, except as follows;
 - a. During meals while in plain clothes;
 - b. During meals while in uniform and out of public view;
 3. Conducting private business;
 4. Carrying any articles which distract from the proper performance of police duty;
 5. Drinking intoxicating beverages (except in the performance of a police duty and then, only with the specific consent of a commanding Officer and never in uniform.)
 6. Legal or illegal gambling (except in the performance of a police duty and then, only with the specific consent of a commanding Officer and never in uniform.)
 7. Any sexual conduct.
- R. Employees shall promptly submit reports that are required by the performance of their duties or by competent authority. Any required report shall be completed and approved by an on-duty Supervisor before the end of that tour of duty.
- S. Officers shall have prior approval of their Supervisor before initiating undercover investigations. In cases where Officers are already deployed, in an undercover capacity and they begin another assignment unrelated to the existing assignment, they shall notify their Supervisor as soon as practical or within twenty-four (24) hours.
- T. Employees shall not consume intoxicants, while off duty, to the extent that evidence of such consumption is apparent when reporting for duty or to the extent

their job performance is impaired.

- U. Employees shall not be intoxicated while on duty. They shall not at any time, on or off duty, be intoxicated in public view.
- V. No Employee, while in uniform, shall purchase, possess, be under the influence of or drink intoxicants, on or off duty.
- W. Employees shall not bring or keep any intoxicating liquor on departmental premises, except for the following purpose;
 - 1. Liquor brought on to departmental premises in the furtherance of a police task shall be properly identified and stored according to policy.
- X. Employees on duty or in uniform shall not enter taverns, theaters or other public places except to perform a police service.
- Y. When on duty in the presence of other members or the public, Officers shall be referred to by rank.
- Z. Employees shall not smoke tobacco, chew tobacco or gum while making personal contacts with citizens in the performance of duties. Employees will not use any tobacco products while in City owned vehicles or any City building.
- AA. No expenditure of money shall be made or liability incurred in the name of the City of Corinth or the Department unless authorized by the Chief of Police.
- AB. Employees are prohibited from using city equipment, whether the equipment is owned or leased, for any purpose other than departmental or city business.

This prohibition applies to both on and off duty conduct. Exceptions to this policy will require the prior approval of the Chief of Police or his designee. Appropriate use of home storage vehicles will be governed by the General Orders, specifically, General Order 4500 – Agency Owned Vehicles. This rule does not preclude the limited use of equipment or supplies deemed in the best interest of the department, as determined by the Chief of Police or his designee.

VII. PROTECTION OF PRISONERS: THEIR RIGHTS AND PROPERTY

- A. No Employee shall arrest any person or search any premises or person except with a warrant of arrest, a search warrant or where such arrest or search is authorized without a warrant under the laws of the State of Texas or the United States.
- B. All Employees shall protect the rights of any person held in custody.
- C. All Employees shall protect, to the extent reasonably possible, any person being

taken into custody from physical injury.

- D. No Employee shall knowingly falsely arrest, imprison or direct any malicious prosecution against any person.
- E. No Employee shall willfully mistreat or give inhumane treatment to any person.
- F. Employees shall use only such force as is necessary in effecting an arrest and maintaining the custody of prisoners.
- G. Officers shall use deadly force in effecting an arrest only as allowed by applicable to law.
- H. Employees shall take all reasonable steps necessary to prevent loss or damage to property or equipment belonging to a person in custody or which has come into the possession of the Employee by reason of his office. NOTE: If loss or damage is the result of willful action or negligence on the part of the Employee, the Employee may be required to make restitution in addition to any corrective action under this code.

VIII. PUBLIC ACTIVITIES

- A. Employees of the Police Department who wish to engage in partisan political activity will observe the following restrictions:
 - 1. While in uniform or on duty, an Employee may not engage in a political activity relating to a campaign for an elective office, including any public election;
 - 2. An Employee engages in a political activity if he:
 - a. Makes a public political speech supporting or opposing a candidate or issue;
 - b. Distributes a card or other political literature relating to a campaign of a candidate or issue;
 - c. Wears a campaign button;
 - d. Circulates or signs a petition for a candidate or issue;
 - e. Solicits votes for a candidate or issue;
 - f. Solicits campaign contributions for a candidate or issue; or
 - g. Voluntarily appears either on duty or in uniform, in any type of news related or advertising photographs with or for a candidate for

public office.

3. While out of uniform and off duty, an Employee may engage in the political activities as listed in Subsection 2, with the following exceptions;
 - a. An Employee may not solicit campaign contributions for a candidate other than from members of an Employee organization of which he is a member;
- B. An Employee of the Department may not become a candidate for elected office except as allowed by applicable General Orders and as prescribed by the City of Corinth personnel policies and procedures;
- C. No Employee shall seek the influence or intervention of any person, outside the Department for the purposes of personal preferment, advantage, transfer or advancement. Should any Employee learn of any such intervention on his behalf, he shall immediately notify the Chief of Police in writing, providing the name, position (if applicable) and any other information available of the person intervening or planning to intervene on the Employee's behalf.
- D. No Employee shall become a member of any organization, association, movement or group which advocates or approves the commission of acts of force or violence to deny others their rights under the Constitution of the United States or which seeks to alter the form of government of the United States by unconstitutional means.
- E. No Officer shall participate in any type of disruptive protest demonstration nor shall any Officer act as a spokesman, representative, or agent for any group engaged in or planning to engage in any type of disruptive protest demonstration.
- F. Officers 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 permission of the Chief of Police. Officers shall not, without the permission of the Chief of Police, allow their name or photograph to be used in any commercial testimonial which alludes to their position or employment with the Department.

IX. 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 other civil cases 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 steps necessary to institute a civil lawsuit.
- B. No Employee shall investigate any criminal case or personally file any 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 to the division of the Department having responsibility for the investigation of such offenses. The personnel of that division shall investigate and file such charges as may be proper.
- C. Employees shall be truthful at all times when conducting any official police related business.
- D. Employees shall answer questions or render material and relevant statements to a competent authority in a departmental personnel investigation, when so directed.
- E. No Employee shall willfully misrepresent any matter, sign any false statement or report, commit perjury or give false testimony before any court, grand jury, board, commission, administrative investigation, official or Departmental hearing.
- F. 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.
- G. Employees must be present and available to testify in any court or before any grand jury in any county in which the City of Corinth is located when officially notified to appear. In criminal cases outside those counties and in all civil cases, Employees shall respond to a legal subpoena only.
- H. 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 time they are scheduled to appear. The reason for the excused absence shall be reported according to procedures set forth in the General Orders.
- I. Any Employee who is subpoenaed or volunteers to testify for the defense in any criminal or civil trial or hearing against the City of Corinth or the Department, in

any hearing or trial, shall notify the Chief of Police in writing upon receipt of the subpoena or of his intention to testify prior to his appearance as a witness.

- J. No Employee shall accept a fee as a witness in any criminal or civil case if the matter relates to the exercise of the Employee's official duties.
- K. Employee's 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 his designee;
 - 4. Recommending a dismissal, reduction of charges or other disposition of a pending criminal case which has been previously filed in any criminal court or before any grand jury, except by written approval of the Chief of Police or his designee;
 - 5. Taking any other 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 superior Officer immediately in writing.
- L. 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 police operation to any person not authorized to receive same.
- M. Employees shall not communicate in any manner, either directly nor indirectly, any information which may assist persons guilty or accused of criminal or quasi-criminal acts to escape arrest or punishment or which may enable them to dispose of or secrete evidence of an unlawful activity, money, merchandise or other property unlawfully possessed or obtained.
- N. No Employee shall release any police report, police record, arrest report, prosecution report, criminal history file, mug shot 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 first approved by the Chief of Police or his designee.
- O. Employees shall not communicate in any manner, either directly or indirectly, any

information regarding personnel issues, 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 approved by the Chief of Police.

- P. Only those Employees designated by the Chief of Police are custodians of Corinth Police Department records, for purposes of dissemination outside the department.

X. CONFLICT OF INTEREST

- A. Definition: 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 his official duties impartially or chooses not to perform them 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 citizenry demands that an Employee take no action which would constitute the use of City employment to advance personal or private interests.
- B. An Employee will avoid any action, whether or not specifically prohibited by law, which may reasonably tend to affect his 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.
- C. Employees while in uniform, on or 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 Corinth Police Department toward any group in the performance of the Department's public responsibilities.
- D. All Employees will avoid situations which give rise to an actual or apparent conflict between their professional responsibilities and their relationships with other Employees.
- E. Members of the Department will not enter into an on-going, 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, members will immediately notify the Chief of Police or his designee in written memorandum form.

1. The memorandum should detail the nature and extent of such relationship.
 - a. It then becomes the responsibility of the Chief of Police or his designee to take action appropriate to eliminate the conflict, keeping the best interests of both the Department and the involved Employees in mind.
 - b. The Chief of Police or his designee may determine that no significant conflict exists. If conflict does in fact exist, he may require:
 1. Changes in assigned duties;
 2. Changes in assignment;
 3. Disqualification from a particular assignment; or
 4. Divestment by the Employee of his conflicting interest.
- F. Employees shall not, under any circumstances, solicit any gift, gratuity, loan or fee where there is any direct or indirect relation between the solicitation and their departmental membership except as provided by law and approved by the Chief of Police.
- G. Employees shall not accept, either directly nor indirectly, any gift, gratuity, reward, loan, fee discount, rebate or special consideration arising from or offered because of police employment or any activity connected with such employment that might reasonably tend to influence the Employee in the discharge of his official duties.
- H. 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, or these policies.
- I. 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.
- J. 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 departmental Employees derive benefits.

- K. Employees shall not suggest, recommend, advise or otherwise counsel the retention of any attorney or bail bond broker to any person coming to their attention as a result of police business. This does not apply when a relative or personal acquaintance of the 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.
- L. No Employee shall give any lawyer, bondsman or agent of either or any other person not authorized, any information regarding prisoners in confinement, property in custody or records of the Department.
- M. 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 members of their immediate family.
- N. Except for official police duties, no Employee of this Department shall 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. This does not exclude an Employee of the Department from associating with members of his immediate family if they should fall within the aforementioned category.
- O. 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. Employees shall not, without the permission of the Chief of Police, allow their name or photograph to be used in any commercial testimonial which alludes to their position or employment with the Department.
- P. No Employee while in uniform, on or off-duty, shall endorse or participate in any activity which would result in the perception of actual or tacit approval of that activity by the Department without the expressed, written permission of the Chief of Police.
- Q. Debts - incurrence and payment.
 - 1. Employees shall not solicit subordinate members to co-sign or endorse any promissory note or other loan.
 - 2. Employees shall pay all just debts and legal liabilities incurred by them.

XI. EFFECTIVE DATE

- A. Any previous directive, rule, order or regulation that pertains to this subject matter and its amendments shall remain in full force and effect for any violation(s) which occur prior to the effective date of this General Order.
- B. If any section, sentence, clause or phrase of this General Order is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this General Order.
- C. All training on this General Order will be in accordance with General Order 100, Written Directive System, Chapter VIII, Training.
- D. The effective date is stated in the header block of this General Order.