



**OFFICE OF THE DIRECTOR
THE UNIVERSITY OF TEXAS SYSTEM POLICE
POLICIES AND PROCEDURES MANUAL**



TITLE: THE UNIVERSITY OF TEXAS SYSTEM POLICE CODE OF CONDUCT		
POLICY NUMBER: B-8	EFFECTIVE DATE: October 1, 2007	RESCINDS / AMENDS: 1-79-8
RELATED LAWS:		RELATED STANDARD(S) / RULE(S):

I. PURPOSE:

To establish rules of professional conduct expected of University of Texas System Police Officers.

Attached is the Code of Conduct governing the conduct of officers, as defined by Section 1.3.11 herein, employed by institution Police Departments and the Office of the Director of Police.

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THE UNIVERSITY OF TEXAS SYSTEM POLICE

CODE OF CONDUCT



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CODE OF CONDUCT

CHAPTER 1 - PURPOSE

- 1.1 The Code of Conduct of The University of Texas System Police is designed to promote efficiency, discipline, and good public relations by setting forth rules governing the conduct, both on and off duty, of every officer, as defined by Sec. 1.3.11 herein, employed by a Police Department of an institution of the University of Texas System and the Office of the Director of Police.
- 1.2 All University of Texas System police officers are charged with the duty to enforce state laws as well as the *Rules and Regulations* of the Board of Regents of the University of Texas System and institutions, and with performing certain police services. The manner in which officers carry out those duties greatly affects the attitude of persons contacted. If an officer is intolerant, arbitrary, and officious or abuses authority, such action will be reflected in a state of apprehensiveness and animosity on the part of the citizen, student, faculty, or staff. It is not within the province of an officer within the University of Texas System Police to exercise any punitive action, such as reprimands, harsh criticisms, or sarcastic references.
- 1.3 For the purpose of this policy, the following definitions apply:
 - 1.3.1 Absent Without Leave -- either a failure to report for duty at the time and place specified or the leaving of a place of duty or assignment without proper relief or authorization
 - 1.3.2 Bearing -- the way in which an officer outwardly manifests his or her attitude
 - 1.3.3 Board of Regents -- governing body of The University of Texas System
 - 1.3.4 Chief -- includes the terms Chief of Police as defined in subsection 1.3.5 and the Director of Police as defined in subsection 1.3.10.
 - 1.3.5 Chief of Police -- chief administrative officer or designee of an institution Police Department
 - 1.3.6 Civilian personnel -- every employee of an institution Police Department or the Office of the Director of Police not included in the definition of officer set forth in subsection 1.3.11.
 - 1.3.7 Commissioned Officer, Commissioned Peace Officer, or Police Officer -- any person licensed by the Texas Commission on Law Enforcement Officer Standards and Education and commissioned as a peace officer by the Board of Regents of The University of Texas System who is otherwise qualified pursuant to Section 51.203 of the Texas Education Code and defined as a peace officer under Article 2.12 of the Texas Code of Criminal Procedure.

- 1.3.8 Conduct Unbecoming an Officer -- any conduct which adversely affects the morale, operations, or efficiency of the department or any conduct which has a tendency to adversely affect, lower, or destroy public respect and/or confidence in the department or any officer or employee. Conduct unbecoming also includes any conduct which brings the department or any officer or employee into disrepute or brings discredit upon the department or any officer or employee.
- 1.3.9 Department or Police Department – a Police Department of an institution of the University of Texas System; includes the Office of the Director of Police as applicable
- 1.3.10 Director of Police – the chief administrative officer of the Office of the Director of Police of the University of Texas System Administration
- 1.3.11 Officer -- a commissioned peace officer, police cadet, guard, senior guard, parking controller, telecommunications operator, dispatcher, or any other employee of an institution Police Department or the Office of the Director of Police who wears an approved University of Texas System Police uniform
- 1.4 The Chief shall make available to his or her officers all applicable departmental and institutional policies governing police activity. These policies shall be reviewed and discussed with the officers on a regular basis. Officers are required to establish and maintain a working knowledge of this Code of Conduct and other Policies and Procedures of the Office of Director of Police, The University of Texas System Board of Regents *Rules and Regulations*, institution Handbook of Operating Procedures, and the institution Police Department rules, regulations and written directives. In the event of improper action or breach of discipline, it will be presumed that the officer had knowledge of these policies, rules and regulations, and directives, and the failure to comply with these policies, rules and regulations, and directives may subject the offender to disciplinary action.
- 1.5 Any officer who, by any act, omission, or conduct, attempts to violate or conspires with any other person to violate the Code of Conduct, Policies and Procedures of the Office of the Director of Police, *Rules and Regulations* of The University of Texas System Board of Regents, and the institution Police Department rules, regulations and written directives shall be subject to the same discipline as though the actual violation had been accomplished.
- 1.6 The conduct of departmental civilian employees shall be governed by the personnel rules and regulations of their employing Police Department and institution.
- 1.7 The Chief shall have the right to require any officer in the department to report to a licensed psychiatrist or psychologist for examination, testing or counseling when, in the opinion of the Chief, the behavior of the officer has raised the issue of whether or not the officer is in satisfactory mental health to perform the duties assigned. The psychiatrist or psychologist shall be selected or approved by the Chief and the institution shall pay for the initial consultation and evaluation. The officer shall sign a release authorizing the psychiatrist or psychologist to provide the results of the examination(s) to the Chief. Failure to comply with these requirements on the part of the officer will be deemed insubordination.

- 1.8 No officer shall seek appointment in The University of Texas System Police by means of misrepresentation or intentional omission of any material fact concerning personal history, qualifications for employment, or physical condition.

CHAPTER II - UNIFORM, EQUIPMENT, AND APPEARANCE

- 2.1 Officers shall be subject to and must comply with, the uniform and appearance standards prescribed in Office of the Director of Police Policy B-14.
- 2.2 While wearing an approved uniform, officers shall maintain a professional bearing, avoiding mannerisms such as slouching, shuffling, keeping hands in pockets, or any other act which by its very nature degrades the dignity and esteem of the desired professional bearing.
- 2.3 No officer, while wearing an approved uniform, shall carry an umbrella, cane, or similar object or wear on the uniform any item not specifically authorized by Office of Director of Police Policy B-14 and approved by his or her Chief .
- 2.4 Police officers shall carry their badge and identification card at all times while on duty.
- 2.5 Police officers must be armed at all times during an assigned tour of duty. The firearm and ammunition carried must comply with Office of Director of Police Policy D-1, C-4 and be approved by his or her Chief.
- 2.6 No police officer, when dressed in civilian clothes, shall carry a weapon in a manner that would alarm the public or attract attention to the weapon, and if the weapon is visible to the public, the officer's badge must also be visible.
- 2.7 Officers shall immediately surrender all badges, police identification card and issued weapons to the Chief upon notification of suspension. While under suspension, officers shall not wear any part of the uniform or carry an issued weapon, badge or police identification card.
- 2.8 While under suspension, an officer may not initiate or participate in any law enforcement activity related to detention, arrest or search and seizure and may not work any off duty assignment as a police officer.
- 2.9 An officer who has lost, damaged, or destroyed any equipment or property which has come into the possession of the officer while carrying out official duties or has been issued to the officer, may be required to make restitution if the damage or loss is the result of improper or willful mishandling or negligence on the part of the officer.
- 2.10 Officers shall promptly report to their supervisor, both orally and in writing, the need for repairs of any State-owned property issued to, used, and possessed by them.
- 2.11 No officer shall alter, repair, or in any way modify, add to or remove any parts or accessories from any State-owned property without the written authorization of the officer's Chief. No officer shall authorize or allow another person to alter, repair, or in any way modify, add to or remove any parts or accessories from any State-owned property without the written authorization

of the officer's Chief. This includes but is not limited to; furniture, computers and other office equipment, machines, clothing, badges, firearms, communication equipment, and motor vehicles.

CHAPTER III - PROFESSIONAL CONDUCT AND PERSONAL BEARING

- 3.1 Dereliction of duty on the part of any officer is grounds for disciplinary action. The officer will be punished according to the degree of severity of the violation, the results brought about by the dereliction, including but not limited to, the effect it had upon the discipline, good order and best interest of The University of Texas System Police. Activities that constitute dereliction of duty include but are not limited to:
- 3.1.1 Failure to take immediate action when a violation of rules or regulations is brought to the attention of a supervisor, regardless of the supervisor's or violator's assignment or rank
 - 3.1.2 Failure to observe and give effect to policies
 - 3.1.3 Failure to deliver to the official custodian any property found by, confiscated by, or relinquished to officers without unjustified delay and, in any event, before the tour of duty is ended
 - 3.1.4 Failure to properly handle evidence or to place evidence in its officially designated place for preservation and storage
 - 3.1.5 Failure to give name and badge number to any person upon request
 - 3.1.6 To be under the influence of drugs or to be a user of drugs when such drugs are not prescribed by a physician or dentist or to take prescribed drugs or medication in a manner not recommended by a physician or dentist which may adversely affect the performance of the officer's duties
 - 3.1.7 To use unnecessary force toward any person or the unauthorized tactics toward any person
 - 3.1.8 To use indecent, profane, vulgar, or harsh language while on duty or on any property of the University of Texas System
 - 3.1.9 To solicit or 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 with such employment, when such gift, gratuity, loan, fee, discount, rebate, or special consideration might reasonably tend to influence the officer's discharge of his or her official duties
 - 3.1.10 To display cowardice or fail to perform duties because of danger
 - 3.1.11 To engage in any conduct which constitutes conduct unbecoming an officer. Officers shall conduct themselves at all times, both on and off duty, in such a manner so as to

reflect most favorably upon the institution Police Department, the Office of the Director of Police, and The University of Texas System Police

- 3.1.12 To exhibit disrespect for superior officers, subordinates, or associates, which includes the failure to refer to supervisors by rank when in the presence of the public
- 3.1.13 To publicly criticize or ridicule The University of Texas System Police, or other employees by talking, writing, or expressing in any manner which is defamatory, obscene, or unlawful, or tends to impair the operation of the University of Texas System Police by interfering with its efficiency, or the ability of supervisors to maintain discipline, or by reckless disregard for the truth
- 3.1.14 To engage in any form of gambling or card playing while on duty
- 3.1.15 To solicit any funds without permission of the officer's Chief
- 3.1.16 To receive any money or gift from any type of solicitation except when retiring from an institution police department, the Office of the Director of Police, or for other special circumstances approved by the Director of Police
- 3.1.17 To receive any gift or gratuity from an employee junior in rank without the expressed written permission of his or her Chief
- 3.1.18 To purchase anything from or sell anything to any complainant, suspect, witness, defendant, prisoner, bondsman, defense attorneys or other person involved in any case which has come to the officer's attention through their employment with the University of Texas System Police, nor can they act as an intermediary in the payment of a reward for the return of stolen property. This does not prohibit officers from dealing with legitimate places of business
- 3.1.19 To fail to promptly turn in to the officer's Chief any reward received
- 3.1.20 To fail to render proper honor to the United States flag and national anthem at appropriate times in or out of uniform

CHAPTER IV - RESPONSIBILITIES AND GENERAL CONDUCT

- 4.1 For the purpose of protecting life and property, officers shall always be considered on duty while on the property under the control and jurisdiction of The University of Texas System, and shall be prepared to act according to their prescribed duties anytime circumstances indicate their services are required.
- 4.2 Officers shall, within the scope of their assignment, respond immediately to all calls for police assistance from citizens or other officers. All calls shall be answered as soon as possible consistent with normal safety precautions and traffic laws, with emergency calls taking

precedence. Except under the most extraordinary circumstances or when otherwise directed by competent authority, no officer shall fail to answer any call for service.

- 4.3 Officers on duty on property under the control and jurisdiction of the University of Texas System shall take appropriate action to:
 - 4.3.1 Protect life and property
 - 4.3.2 Preserve the peace (Police Officers)
 - 4.3.3 Prevent crime
 - 4.3.4 Detect and arrest violators of the law (Police Officers)
 - 4.3.5 Enforce all state laws and *Rules and Regulations* of The University of Texas System Board of Regents and University of Texas institutions within their jurisdiction. NOTE: The above shall not be construed to include police officers, when out of uniform or off duty, enforcing Class C Misdemeanors including Transportation Code offenses.
- 4.4 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 police officer present shall be in charge and responsible.
- 4.5 Officers shall, at all times, respond to the lawful orders of supervisory officers and other proper authorities as well as requests for police assistance from citizens.
- 4.6 Failure or deliberate refusal of any officer to obey a lawful order given by a supervisory officer shall be considered insubordination.
- 4.7 Officers are required to take appropriate action to aid a fellow officer exposed to danger or in a situation where danger might be impending.
- 4.8 No police officer, while performing an act related to law enforcement, will discharge a firearm except in the defense of his or her life, or in the defense of the life of another person (Authorized firearms training excluded).
- 4.9 The duty hours of all officers shall be regulated by the officer's Chief, who has the authority to call an officer back to duty, regardless of the regular hours assigned to that officer. Officers shall return to duty when notified. The Chief is the only person who may excuse an officer's call back to duty.
- 4.10 No officer shall be absent without leave.
- 4.11 Officers shall report at the time and place specified, in proper uniform and equipment.

- 4.12 Officers shall furnish the employing institution Police Department or the Office of Director of Police a home telephone number, cellular telephone number and address at which they may be reached in the event of an emergency.
- 4.13 Officers shall report any change in address or telephone number within twenty-four (24) hours of such change. All police officers and telecommunications officers shall notify the Office of Director of Police and the Texas Commission on Law Enforcement Standards and Education within thirty (30) calendar days of any name or address change.
- 4.14 When officers will not be available for more than forty-eight (48) hours at their listed home telephone number, cellular telephone number, or address, they shall notify their Chief of their expected time of return, destination, and, as far as practical, information as to how and where they may be reached in the event of an emergency.
- 4.15 During their tour of duty, officers shall devote their entire time and attention to the business of the institution Police Department or the Office of Director of the Police, and shall remain alert and observant at all times.
- 4.16 During an officer's tour of duty or while in uniform, officers are prohibited from engaging in the following activities:
 - 4.16.1 Sleeping or loafing
 - 4.16.2 Recreational activities, including reading
 - 4.16.3 Conducting private business
 - 4.16.4 Carrying any article which distracts from proper and professional bearing and/or performance of duty
 - 4.16.5 Drinking intoxicating beverages, except as authorized in 4.21
 - 4.16.6 Any romantic or sexual conduct
- 4.17 Officers are prohibited from following any other vocation which might conflict or interfere with their responsibilities to the institution Police Department or the Office of Director of the Police. Police officers are prohibited from holding a deputation or commission from any other law enforcement agency. Guards are prohibited from holding a deputation or commission from any law enforcement agency with concurrent law enforcement jurisdiction with the institution police department. As required by the *Rules and Regulations* of the Board of Regents of the University of Texas System, officers must receive permission from the Chief to engage in any off-duty employment or business activity and shall adhere to Policy B-18.
- 4.18 Officers shall promptly submit reports which are required by the performance of their duties or by competent authority.
- 4.19 Officers shall have prior approval of the Chief before initiating investigations.

- 4.20 Officers shall not consume intoxicants while off duty to the extent of compromising or embarrassing their position as officers or that evidence of such consumption is apparent when reporting for duty or to the extent their job performance is impaired.
- 4.21 No officer shall purchase, possess, be under the influence of, or drink intoxicants while on duty or while in uniform. The ingestion of alcohol while on duty is permitted only for a legitimate law enforcement purpose and only with the written approval of his or her Chief.
- 4.22 Officers shall not bring onto or keep any intoxicating liquor on any property of The University of Texas System except in the performance of their official duty.
- 4.23 Off-duty officers, while in uniform and outside their restricted primary jurisdiction, shall not enter taverns, theaters, or other public establishments or places except to perform a police service in compliance with departmental policies.
- 4.24 No officer shall smoke, use snuff, or chew tobacco while in the performance of duties. Officers shall not chew gum or use tobacco products while in contact with a member of the public.
- 4.25 No expenditure of money shall be made or liability incurred in the name of the State of Texas or an institution of The University of Texas System unless authorized by the officer's Chief.
- 4.26 Officers shall notify their Chief, no later than the first business day or the officer's first working day, which ever comes first, following the act, when any of the following events occur:
 - 1. The officer is arrested or charged with a criminal offense;
 - 2. The officer receives a moving traffic citation;
 - 3. The officer is involved in a motor vehicle accident;
 - 4. The officer or his/her property is the subject of any search related to a criminal investigation; or
 - 5. The officer is the recipient of any civil process.

CHAPTER V- PROTECTION OF PRISONERS

- 5.1 No police officer shall arrest any person or conduct any search except with a warrant of arrest, a search warrant, or under circumstances where such arrest or search is authorized to be conducted without a warrant under the court decisions or laws of the State of Texas or the United States. An officer who is not commissioned by the U.T. System shall not make an arrest or assist with an arrest unless directed to participate by a police officer in need of assistance or under circumstances authorized by the laws of the State of Texas.

- 5.2 All officers shall protect the rights of any person held in custody and no officer shall verbally abuse or use any unnecessary violence against any person.
- 5.3 No officer shall falsely arrest, imprison, or direct any malicious prosecution toward any person.
- 5.4 No officer shall mistreat or give inhumane treatment to any person.
- 5.5 Officers shall use only that amount of force necessary in the performance of their duties.
- 5.6 No officer shall use deadly force except in defense of the officer's life or the life of another person.
- 5.7 All officers shall not initiate any police activity based solely on the race, ethnicity, or gender of the person.

CHAPTER VI - PUBLIC ACTIVITIES

- 6.1 No officer shall become a candidate for nomination or election to public office, unless in strict compliance with Series 30103 of the *Rules and Regulations* of The University of Texas System Board of Regents.
- 6.2 No officer shall seek the influence or intervention of any person for purposes of personal preferment, advantage, transfer, or advancement. Should any officer learn of any intended or attempted intervention, the officer shall notify his or her Chief.
- 6.3 No officer shall knowingly become a member of any organization, association, movement, or group which advocates, approves, or participates in the commission of acts which tend to deny others their rights under the Constitution of the United States or which seek to alter the form of government of the United States by unconstitutional means.
- 6.4 No officer shall participate in any type of disruptive protest 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 demonstration.
- 6.5 Except for official police duties, no officer of The University of Texas System Police shall associate with persons of immoral character, convicted felons, gamblers, or other persons who habitually commit violations of the law. This does not apply to an officer associating with members of his immediate family who fall within the aforementioned category.
- 6.6 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. Officers shall not allow their name or photograph to be used in any commercial testimonial which alludes to their position or employment with The University of Texas System Police.
- 6.7 Debts -- Incurrence and Payment:

- 6.7.1 Officers shall not solicit other officers to cosign or endorse any promissory note or other loan.
- 6.7.2 Officers shall pay all just debts and legal liabilities incurred by them.

CHAPTER VII -CIVIL, CRIMINAL, JUDICIAL, AND INVESTIGATIVE ACTIONS

- 7.1 The University of Texas System Police has jurisdiction in criminal cases only. No officer shall render aid or assistance in 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 officers from informing any citizen as to steps necessary to institute a civil lawsuit.
- 7.2 No officer shall investigate any criminal case or in any official capacity file any criminal charge in a court of law against any person for a criminal offense committed against the officer or any member of the officer's family.
- 7.3 No criminal charges shall be filed for any offense greater than a Class C Misdemeanor without the approval of the officer's Chief or designee.
- 7.4 Officers shall be truthful at all times, whether under oath or not, when conducting any official police business.
- 7.5 When so directed, officers shall answer questions by and/or render material and relevant statements to a competent authority in a departmental personnel investigation.
- 7.6 No officer shall willfully misrepresent any matter, sign any false statement or report, commit perjury, or give false testimony before any court, grand jury, board, commission, official hearing, or departmental hearing.
- 7.7 No officer shall intentionally or knowingly falsify any report, document, or record or cause to be entered any inaccurate, false, or improper information into a report, document, or record of The University of Texas System Police or of any court, or alter any report, document, or record except by a supplemental report, document, or record. No officer shall remove any report, document, or record from a file without authorization from his or her Chief or designee.
- 7.8 Officers must be present and available to provide testimony in any court or before a grand jury when officially notified to appear. In all civil cases, officers shall respond only when legally subpoenaed.
- 7.9 Officers who, for a valid reason, are unable to respond 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 absence shall be reported to the officer's Chief prior to the scheduled appearance.
- 7.10 Any officer who is subpoenaed or volunteers to testify in any criminal or civil trial or hearing in his or her capacity as an officer shall notify his or her Chief in writing upon receipt of the subpoena or upon the officer's decision to testify.

- 7.11 No officer shall accept a fee for appearing as a witness in a criminal case except witness fees associated with cases prosecuted in federal court and then only as prescribed by law. Officers may accept witness fees in any civil case as prescribed by law and approved by the officer's Chief.
- 7.12 Officers shall not engage in any of the following:
 - 7.12.1 Interfering with the service of lawful process
 - 7.12.2 Using coercion, bribery, or any other means to interfere with the attendance or testimony of a witness
 - 7.12.3 Attempting to have any Notice to Appear or traffic citation reduced, voided, or stricken from the calendar without approval of the officer's Chief
 - 7.12.4 Recommending a dismissal, reduction, or other disposition of a criminal case which has been filed in any criminal court or is pending before any grand jury except by written approval of the officer's Chief
 - 7.12.5 Taking any action which interferes with the efficiency or integrity of the administration of criminal justice
 - 7.12.6 Having knowledge of such interference and failing to inform the officer's Chief in writing
- 7.13 Officers shall not suggest, recommend, advise, or otherwise counsel the retention of any specific 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 information. In no case may such advice be given where a fee, gratuity, or reward is solicited or accepted.
- 7.14 No officer shall provide any attorney, bail bond agent, or the agent of either, unauthorized information regarding individuals or property in custody, or records or information contained in records of The University of Texas System Police.
- 7.15 Officers 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 officer's immediate family.
- 7.16 No officer shall reveal any confidential information to anyone unless authorized to do so and then only to a person or persons authorized to receive such confidential information.
- 7.17 No officer shall furnish any information concerning an investigation, a known or reported crime, or planned police action to any person, organization, or media outlet not authorized to receive it.

- 7.18 Officers shall not communicate in any manner, any information which may assist persons guilty of, or accused or suspected of criminal acts to escape arrest or punishment or which may enable them to dispose of or secret evidence of criminal activity.
- 7.19 No officer shall provide any police report, criminal history, prosecution report or other record or report, mug shot photograph, or item of evidence, to any person or agency which does not have a criminal justice function unless ordered by a lawful subpoena or approved by the officer's Chief.

