



Tulsa Police Department

This policy statement and the procedures thereunder are intended for Police Department use only. The policies, procedures, and regulations are for internal Police Department administrative purposes and are not intended to create any higher legal standard of care or liability in an evidentiary sense than is created by law. Violations of internal Police Department policies, procedures, regulations, or rules form the basis for disciplinary action by the Police Department. Violations of law form the basis for civil and/or criminal sanctions to be determined in a proper judicial setting, not through the administrative procedures of the Police Department.

TULSA POLICE DEPARTMENT

RULES & REGULATIONS

Approved by *Wendell Franklin, Chief of Police*

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RULES & REGULATIONS

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INTRODUCTION:

The purpose of these regulations is to provide a basis for the orderly and disciplined performance of duty. These Rules and Regulations and related policies and procedures establish standards of conduct which are demanded of police officers, reserve officers, and employees in the execution of their professional duties, as well as in their private lives. It is incumbent upon each to conform to these standards so the police profession as a whole may enjoy the prestige and respect it deserves. Employees shall conduct themselves at all times and in all circumstances, so their actions do not bring discredit to the Tulsa Police Department. Members of this department are reminded their duties can be and must be carried out in a polite, courteous, and fair manner.

DEFINITIONS:

COMMANDING OFFICER – shall mean an officer designated by the Chief of Police to command a particular division or bureau.

DEPARTMENTAL ORDER – shall mean orders dealing with the general policies, rules, and regulations of the department or a single incident, event, or action.

EMPLOYEE – all individuals, including sworn personnel, employed by, or in the police department, or supervised by police officers or police employees, and is intended to include all persons over whom the Chief of Police has general supervisory powers.

INTOXICANTS – any substance that is ingested to intoxicate. (e.g., alcohol, prescription drugs, illegal drugs, or other controlled substances)

OFFICER – shall mean a duly appointed and sworn police officer, whose duties are to preserve the public peace, protect life and property, prevent crimes, serve warrants, and enforce laws within the corporate limits of the City of Tulsa.

ON-DUTY – a term used when an officer is actually engaged in the performance of police duties. The hours for a member of this department shall, from time to time, be specified by their commanding officer. Officers shall be subject to recall for duty when needed.

PLURALITY OF WORDS – if any of the terms as used in the manual are in the plural sense, they are construed to include the singular also; and if the terms are used in the singular sense, they are to be construed in the plural sense also.

SUPERVISING OFFICER – shall mean an officer who is commissioned to the rank of sergeant or above.

RULES & REGULATIONS:

1. DUTY TO ADHERE TO THE OATH OF OFFICE AND VALUE OATH

All personnel, prior to assuming sworn status, shall take and subsequently abide by the Oath of Office. All employees shall abide by the Value Oath.

2. DUTY TO KNOW AND OBEY DEPARTMENT RULES, REGULATIONS, POLICIES AND PROCEDURES, AND DEPARTMENTAL ORDERS

In accordance with policy 301B *Directives, Departmental Roster, & Administrative Reports* employees shall review and sign for all new policies, procedures, rules, regulations, and departmental orders. Employees are responsible for knowing and obeying all current policies, procedures, rules, regulations, and departmental orders.

3. DUTY TO KNOW, ENFORCE, AND OBEY LAWS AND ORDINANCES

All employees are responsible for knowing and obeying the ordinances of the City of Tulsa, and the statutes of the State

of Oklahoma. All on-duty officers are equally responsible for enforcing statutes of the State of Oklahoma and ordinances of the City of Tulsa. Employees shall not commit a crime.

4. DUTY TO PERFORM.

Employees shall give their entire attention to their duties. On-duty officers shall take appropriate action when any situation requiring police activity is brought to their attention. Whoever shrinks from danger or responsibility shall be considered guilty of cowardice and gross neglect of duty.

5. CONDUCT IN PERFORMANCE OF DUTY

Employees shall be quiet, civil, and orderly in the performance of their duty. They must maintain command of temper and patience and must exercise discretion. On-duty officers and employees shall not participate in practical jokes or horseplay in any manner. Employees shall, at all times, refrain from coarse, boisterous, profane, or insolent language, however, when required, must act with firmness and sufficient energy to perform their duty. Duties must be performed in a timely and competent manner.

6. DUTY TO BE TRUTHFUL

Employees shall be truthful at all times. Employees are also required to answer questions or provide materials to a competent authority when so directed by the Chief or designee. Employees shall not make a false report nor knowingly enter into any department record or report any inaccurate, false, or improper information. Employees shall not knowingly omit material information from any department record or report.

7. DUTY TO BE OBEDIENT

Employees shall obey lawful orders from an officer or employee, verbal or written in nature, including any relayed from a superior officer in rank by an employee of the same or lesser rank. If there is just reason to believe an order or instruction is conflicting, unethical, or illegal, the employee has the right to respectfully call it to the attention of the supervisor. In cases where the employee is still directed to obey an order or instruction, they believe to be conflicting, unethical, or illegal, the employee may call it to the attention of the next highest supervisor available or within their chain of command.

8. CONDUCT UNBECOMING AN OFFICER OR POLICE EMPLOYEE

Employees shall not commit any act or indulge in any behavior, on or off duty, which tends to bring reproach or discredit upon the department. They shall not engage in any conduct that is considered unbecoming an officer or employee which might be detrimental to the service.

9. CRIMINAL ASSOCIATION

Except in the discharge of official duties or when unavoidable because of family ties, employees shall not knowingly associate with individuals known or suspected of current criminal activity or convicted of a felony within the previous five (5) years, or who are currently registered as Sexual or Violent Offenders in other than a strictly professional capacity. This prohibition also applies to informant contacts. Employees are prohibited from engaging in or having business contacts with the above referenced individuals.

10. DUTY TO REPORT VIOLATIONS.

All employees have a duty to report infractions of prescribed conduct by officers and employees. Such conduct shall be brought to the immediate attention of the employee's supervisor. In the event the supervisor is involved in the misconduct, the employee shall bring it to the attention of the next highest non-involved person in the chain of command. In the event the infraction is of a serious nature, the chain of command may be ignored, and the matter may be brought to the direct attention of the Chief of Police.

11. DUTIES OF SUPERVISORS

Supervisors hold positions of responsibility and trust and are held to a higher standard than the employees they supervise. Supervisors shall be responsible for enforcement or execution of all rules and regulations, policies and procedures, and departmental orders. Supervisors are required by virtue of their position to take appropriate action whenever they have knowledge of a violation. Supervisors shall perform their duties in a timely and competent manner.

12. NAME, BADGE NUMBER, IDENTIFICATION REQUIRED WHEN REQUESTED

All sworn personnel shall provide name, badge number, and city issued photo identification to any person upon request. Non-sworn personnel and volunteers shall provide name and city issued photo identification to any person upon request. An officer shall not be influenced in the performance of any duty merely because a citizen has exercised the right to ask for identification or indicates in any way an intention to report the employee to superior authorities. Plainclothes officers shall be prompt in identifying themselves to the public when performing any police task, except when identification would jeopardize an investigation.

13. CRITICISM OF ORDERS AND POLICIES

Employees shall not publicly criticize the department's policies or members by talking, writing, or expression in any manner where such talking, writing, or expression is defamatory, obscene, unlawful, and/or tends to impede the operation of the department by impairing its efficiency, interfering with the ability of supervisors to maintain discipline, or having been made with reckless disregard for truth or falsity.

14. USE OF DEPARTMENT VEHICLES

Employees shall use a department vehicle only as authorized by current policies and procedures. Employees shall not permit unauthorized persons to ride in a department vehicle.

15. CARE AND CUSTODY OF PROPERTY

Employees shall be responsible for the proper care of any property issued to them or entrusted to their care and safekeeping or property coming into their possession in the course of their duties. No employee may use such property for any purpose except as authorized by the Chief of Police. Upon separation from the department for any reason, employees shall promptly return all property in their possession belonging to the City of Tulsa.

16. CIVIL CASES AND PROCESS

Employees shall not, in the performance of official duty, render assistance to any civil case except to prevent a breach of the peace. They shall not serve a civil process except as authorized by the Chief of Police.

Employees shall not testify in civil cases unless legally summoned or unless they are a party to the litigation. An officer or employee appearing in court as a witness in a civil trial, on duty, shall neither solicit nor accept any fee or payment for such appearance or testimony.

17. SUBJECT TO CALL FOR DUTY

Off-duty employees are subject to be called for duty at all times. Employees shall keep their information current in department mass notification databases. Except when officially excused because of sick leave, physical disability, or other reason made known to a supervising officer, employees shall report immediately, properly equipped for duty when officially notified their services are required.

18. ANSWERING TELEPHONES

Employees shall answer telephones promptly, giving unit name, rank if applicable, and last name as a standard greeting for professionalism. All calls shall be answered in a courteous manner, with prompt and efficient attention. In no case shall a citizen's call be ignored. In cases of urgency, an employee shall take the information, even though it is for another command, and promptly relay such information to its proper destination.

19. MEAL PERIOD

Employees shall not be permitted more than one meal period during an eight-hour shift. A meal period may be denied, or assigned, by a supervisory officer as conditions may warrant. A meal period shall not exceed thirty minutes, except where authorized by the Chief of Police.

20. COURTROOM APPEARANCE AND DECORUM

When attending court, employees shall be punctual, professional, and appropriately attired at all times. When a court appearance is required for job-related purposes, officers will abide by the uniform specifications as lined out in policy 201A Attachment – *Specialty Unit, Court, and Training Authorized Attire*.

Testimony shall be given accurately, impartially, and respectfully. Officers shall be responsible for availing themselves of police records resources in order to adequately prepare themselves for any job-related courtroom testimony.

If testifying in a civil non-job-related matter, employees shall not wear a uniform. Prior to testifying for the defense in a non-job-related criminal case, employees shall so notify the prosecutor immediately when learning their testimony is required.

21. ACCEPTANCE OF GIFTS OR GRATUITIES.

Employees shall not solicit any personal benefit in the form of any gift, gratuity, or perquisite of any sort from any person. Employees shall not accept any gift, gratuity, or perquisite of any sort if the gift, gratuity, or perquisite could be construed to influence, or could be construed to be given with the intent to influence, the employee's performance or non-performance of official duty, such as a decision to arrest, prosecute, investigate, or recommend any type of action.

Employees shall not solicit or accept any gift, gratuity, or perquisite for the benefit of the City of Tulsa or the police department without the prior permission of the Chief of Police.

22. PERSONAL INVOLVEMENT IN QUARRELS AND DISPUTES.

Officers shall not affect any personal arrests or conduct investigations in their own quarrels or those of their family or friends. In such cases where officers apply for a warrant, they shall notify the Chief of Police.

23. OFF-DUTY ACTION.

Off-duty officers are not authorized to take police action except in circumstances where human life is in immediate threat, or as otherwise authorized by the policies and procedures of the Tulsa Police Department. Such action shall be limited to the reasonable capability of the officer to take police action. At the conclusion of any such action, an Interoffice Correspondence stating the facts shall be submitted to the officer's division commander. In all other cases, officers shall notify the Police Department, and any necessary action shall be taken by on-duty officers.

24. OFFICIAL BUSINESS AND INFORMATION.

Employees shall consider the official business of the department confidential. Employees shall not disseminate or otherwise make available any attorney-client privileged departmental communications, departmental communications

similarly containing restrictions upon their distribution, or the information contained in such communications, or emergency notifications, to persons not employed by the Tulsa Police Department without the permission of the Chief of Police or attorney who authored the communication. Such communications shall not be shared outside the City of Tulsa without permission of the mayor. Law enforcement sensitive documents pertaining to criminal activities and suspects may be shared with other law enforcement agencies for investigative purposes.

25. CONFIDENTIALITY OF INVESTIGATIONS

Employees tasked with conducting criminal and administrative investigations shall keep those investigations confidential and not share information about those investigations with those outside of their unit and chain of command. All officers interviewed by Internal Affairs shall keep the content of their interview confidential and not discuss it with anyone other than their legal counsel or FOP representative.

26. CHANGE OF ADDRESS AND TELEPHONE NUMBER.

Employees shall maintain a telephone for contact. Each employee shall notify, in writing, their division commander, the Office of the Chief of Police, and Human Resources of any change in their residence address or telephone number within twenty-four (24) hours of such change.

27. ENDORSEMENT OF MERCHANDISE OR SERVICES PROHIBITED.

Employees shall not make any law enforcement endorsement of any kind for any merchandise, service, organization, or persons without permission of the Chief of Police. Employees of the department are prohibited from suggesting or recommending specific attorneys as counsel for the defense to persons charged with a criminal offense except when the person charged is a member of the employee's immediate family.

28. OUTSIDE EMPLOYMENT.

Off-duty police officers, while performing duties for an outside employer, have no official status with the Tulsa Police Department. Such officers, while obligated to obey the laws of the city and state and the rules and regulations, policies and procedures, and departmental orders of the Tulsa Police Department, have no duty regarding law enforcement as a police officer of or for the City of Tulsa. The duties and responsibilities of such off-duty officers shall be limited to enforcement and protection of the private legal rights of their off-duty employer.

A. EMPLOYEES SHALL NOT WORK:

1. In any employment detrimental to the police service, which tends to bring the department into disrepute, or which reduces their effectiveness as a police employee.
2. In any employment requiring affiliation, membership, or allegiance tending to influence their conduct in a manner inconsistent with the proper discharge of their duties as a police officer.
3. For any business, labor union, or employee of same who are engaged in a labor dispute in which a strike is imminent or in progress.
4. In police uniform at the performance of any task other than of a police nature.
5. Off-duty and in police uniform outside the corporate limits of the City of Tulsa except by permission of the Chief of Police.
6. In any employment requiring the service of any civil process.
7. In any non-governmental employment in which an employee makes use of any police information, records, files,

or correspondence.

8. Employees are specifically prohibited from being employed by the following described businesses or in any of the following fields of employment, in any capacity:
 - a. Bar, tavern, beer bar, brewpub, nightclub, pool hall, dance hall, hookah lounge or similar establishment.
 - b. Sexually oriented business establishment.
 - c. Medical marijuana dispensary.
 - d. Liquor store.
 - e. Taxicab driver.
 - f. For any convicted felon.
 - g. For a collection agency.
 - h. Any place where gambling is conducted.
 - i. Any shopping center or area where the only open business is in one of the above categories.

29. INTOXICANTS.

Employees shall not report for duty within four hours after consuming intoxicants without the expressed consent of a supervisor. Officers shall not be allowed to remain on-duty while displaying symptoms of intoxication. An employee shall not ingest any intoxicant while on-duty, except, when necessary, in the performance of duty. An officer: while on-duty or off-duty, in uniform or any part of the uniform, shall not consume any intoxicant in public view or in any place accessible to the public. Drug or alcohol testing may be conducted on any City of Tulsa employee when there is reasonable suspicion of substance abuse in the workplace. The odor of intoxicants on the breath of an employee reporting for regular duty, or while on-duty, is considered enough reasonable suspicion to authorize any supervisor to have drug or alcohol testing conducted on the employee. Supervisors will refer to and follow procedures outlined in the Collective Bargaining Agreement, Appendix (F) Drug Testing Policy. Any such violation shall be a basis for disciplinary action as the Chief of Police may direct, up to and including dismissal.

30. PERSONAL MAIL

Employees shall not use the police department as a return address for personal mail.

31. NOT TO SEEK OUTSIDE AID.

Employees shall not request the aid of any person outside the department to have them transferred to another assignment or beat, to have them restored to any assignment or beat from which they have been removed by a superior officer, or to have them promoted to a higher rank in the service; nor shall they knowingly permit any petition to be prepared or presented by citizens in their behalf requesting such transfer, restoration, or promotion.

32. POLICE OFFICER BILL OF RIGHTS:

1. The Chief of Police shall establish and put into operation a system for the receipt, investigation, and determination of complaints against police officers received by such Chief of Police from any person.
2. Whenever an officer is under investigation and is subject to interrogation by members of his agency, for any reason which could lead to disciplinary action, demotion, or dismissal, such interrogation shall be conducted under the following conditions:
 - a. When an officer is under investigation by the Tulsa Police Department for a complaint received, and is to be interrogated in respect to such complaint by other members of the department when there is a logical possibility that suspension, demotion, or dismissal may result, such interrogation shall be conducted as follows:
 - b. The officer shall be informed of the name of all complainants, if known. The employee may request to be confronted by the complainants. This shall be allowed where deemed necessary by the employee and the

investigating officer.

- c. Preliminary discussions with supervisory personnel within the police department, in relation to a complaint received, shall not be considered an interrogation as used herein.
- d. The officer under investigation shall be informed of the rank, name, and command of the officer in charge of the investigation, the interrogating officer, and all persons present during the interrogation. All questions directed to the officer under interrogation shall be asked by and through one interrogator at any one time.
- e. The officer under investigation shall be informed of the nature of the investigation prior to any interrogation.
- f. Interrogating sessions shall be for reasonable periods and shall be timed to allow for such personal necessities and rest periods as are reasonably necessary.
- g. The officer under interrogation shall not be subjected to offensive language or threatened with transfer, dismissal, or disciplinary action. No promise or reward shall be made as an inducement to obtain testimony or evidence.
- h. The officer under interrogation shall be completely informed of all his rights pursuant to this procedure prior to the commencement of the interrogation and of his responsibility to answer all questions, and this notification shall be included on the tape recording or written record of the session.
- i. At the request of any officer under investigation, he shall have the right to be represented by counsel or any other representative of his choice who may be present at all times during the interrogation.
- j. Interrogation of officers under investigation may be taped or recorded in written form at the discretion of the investigating officer. Officers under investigation may record the proceedings with their own equipment or record at their own expense.
- k. Records and tapes compiled by the department shall be exclusively retained by the department as confidential information but may be used at the discretion of the City in administrative hearings or for other administrative purposes.

- 3. An officer under investigation shall receive written notification from the investigating officer or the Chief of Police as to the determination of the investigation.
- 4. Should an officer be disciplined by suspension, demotion, dismissal, or transfer, or reassignment arising from an investigation, he shall be notified in writing as to the action being taken and the reasons therefor.
- 5. No officer shall be discharged, disciplined, demoted, or denied promotion, transfer, or reassignment, or otherwise be discriminated against in regard to his employment, or be threatened with any such treatment, by reason of his exercise of the rights granted by this regulation.