



ARGYLE POLICE DEPARTMENT

Policy 4.1 Hiring and Selection

Effective Date: 21MAY21

Replaces: 06Sep16

Approved:

Eritt R. Jones
Chief of Police

Reference: 2.23, 3.17, 4.01, 4.02, 4.03, and 4.04.

I. POLICY

The Argyle Police Department strives to employ the most qualified law-enforcement officers possible in order to achieve the department's policing goals. To that end, the department shall practice a regimented, rigorous selection procedure while simultaneously affording equal opportunity to everyone regardless of race, creed, color, sex, national origin, sexual orientation, or age. The department does not discriminate against people with disabilities and affords them the same access to employment provided to all persons. All personnel who participate in screening applicants shall do so in a fair and consistent manner.

II. PURPOSE

The purpose of this order is to outline minimum hiring requirements and selection process for police officers and non-sworn members of the department.

III. QUALIFICATIONS FOR EMPLOYMENT

A. The minimum qualifications that all applicants for the position of police officer must meet to apply include the following:

1. 21 years of age.
2. High school graduate/GED and/or 12 hours of college.
3. Possess a valid Texas Driver's license.
4. Possess a Texas Peace Officer License.

B. Basic/Other qualifications:

1. Pass a background investigation which includes the following:
 - a. Personal and family history;
 - b. Credit history, including current creditors;
 - c. Education, including all schools attended and degrees or certificates obtained;

- d. All residences for the past ten years;
 - e. Comprehensive employment history;
 - f. A fingerprint-based criminal history search, including all arrests, locations, dates, and dispositions;
 - g. Traffic summonses and accidents, and
 - h. An inquiry of family, friends, and associates as to character and reputation, plus an informal interview with the applicant's spouse or "significant other," as well as ex-spouses.
2. Pass an oral interview.
 3. Pass a polygraph test
 4. Pass a physical examination, psychological screening, and drug test.
 5. Be of good moral character.
 - a. Good moral character is determined by a favorable report following the comprehensive background investigation and oral interview. Good moral character ensures compatibility with the department's community-oriented policing goals.
 6. Any other standards required by law or by policy of the Texas Commission on Law Enforcement.

IV. DISQUALIFIERS FOR EMPLOYMENT

The following are absolute disqualifiers for employment as a sworn police officer.

1. Any misstatement of fact, significant admission or omission during the application or background process shall be grounds for disqualifying action, including inconsistent statements made during the initial background interview, personal history statement or polygraph examination.
2. Adult conviction (including a deferred disposition) or admission of any felony, adult conviction (including deferred disposition) of a Class A or certain B misdemeanors, or any family violence conviction.
3. Admission of any hallucinogenic drug use within the past five (5) years.
4. Admission of any other felony illegal drug use within the past five (5) years.
5. Having engaged in marijuana (to include synthetic) usage within thirty-six (36) months of application.
6. Admission of any drug use or possession while employed in any law enforcement capacity.
7. Termination or disciplinary action for any of the following:
 - a. Untruthfulness;
 - b. Any sustained pattern of acts constituting a bias in any prohibited category including, but not limited to racial, ethnic or sexual harassment or discrimination;
 - c. Fighting in the workplace as an adult;

- d. Gross insubordination, dereliction of duty or persistent failure to follow established policies and regulations.
8. Dishonorable discharge from the U.S. military service.
9. Having undergone personal bankruptcy more than once.
10. Being convicted of three (3) moving violations and/or accidents in the preceding two (2) year period or five (5) moving violations and/or accidents in the preceding three (3) year period.
11. Two or more chargeable collisions within three years prior to the application.
12. Tattoos, Body Art, and Piercing
 - a. Tattoos must be socially acceptable and lack shock or offensive qualities that would not be acceptable to community standards. Tattoos cannot extend past the wrist onto the hands and cannot extend up onto the neckline or above, to include the face.
 - b. With the exception of pierced ears, body piercing(s) are not authorized for wear by any agency personnel while representing the Department. Body piercing(s) must be removed or must be able to be covered by the official uniform or plainclothes apparel when agency personnel are representing the Department.

V. APPLICATION PROCESS FOR SWORN

A. The applicant must complete the following:

1. Complete a written application and submit it to the Chief of Police or designee. Copies of the following documents will also be submitted:
 - a. Texas Peace Officer License.
 - b. Driver's License.
 - c. Information Release Form(s).

VI. SELECTION PROCESS FOR SWORN (TBP: 4.01)

- A. The Chief of Police or designee will review the application and documents for basic qualifications. If basic qualifications appear to be met and an opening exists, the Chief of Police or designee will move the application to the next step in the process. If no opening exists, the application will be placed in a file pending an opening (applications will be retained for no more than 90 days in order that data remains current). When an opening occurs, the applicant will be contacted to determine if they are still interested in the position.
- B. The employee assigned to conduct a preliminary review of the applicant shall perform the following:
 1. Obtain the applicant's driving record from TLETS/NLETS.
 2. Obtain an NCIC/TCIC criminal history check.
- C. The hiring process shall consist of the following steps:

1. Scripted telephone interview
 2. Submission of first writing prompt
 3. Ride-along with current Argyle Police Officer
 4. Submission of Personal History Statement
 5. Background investigation
 - a. Background packets returned to the Department by the due date will be assigned to a background investigator
 - b. The officer conducting the background investigation shall have had training in conducting backgrounds. The background investigation shall include contact with all former law enforcement employers. (TBP: 3.17)
 - c. The officer will then conduct a detailed background investigation in accordance with the Background Investigation Manual.
 - d. Background investigation results are assembled and submitted to the oral interview board.
 6. Oral Board
 - a. The applicant is graded on the interview and either passes or fails the interview.
 7. If oral board passed, second writing prompt
 8. Those passing all steps to this point may then be considered for conditional offers of employment. The applicant's packages will be forwarded to the Chief for the offering of employment.
- D. The Chief of Police will meet with the applicant who best meets the need of the department and conducts a detailed interview with the applicant. If the Chief approves a conditional Offer of Employment a copy will be given to the applicant. The Offer of Employment is conditional upon passing:
1. A polygraph examination;
 2. A post-offer background investigation including a national criminal history check through FAST;
 3. A physical and drug screen, and
 4. A psychological screen test.
- E. After a conditional offer of employment is made, the officer assigned to conduct the background investigation may question the applicant regarding his or her prior medical problems including any worker's compensation claims and conditions. He/she shall also schedule the applicant for any further testing. (TBP: 4.03)

- F. The polygraph examination will be conducted by an operator certified and licensed by the State of Texas to conduct polygraph examinations. (TBP: 4.02)
- G. Upon completion of all testing and the background investigation, the applicants file will be returned to the Chief of Police for the final decision.
 - 1. Following a medical examination, an offer of employment may be withdrawn if the applicant is incapable of performing the core job functions for the position or poses a "direct threat" in the workplace per EEOC guidelines.
 - 2. Following polygraph, drug screen and psychological screens, an offer of employment may be withdrawn if the applicant does not achieve the standards associated with each exam.
- H. If approved for hire, the Chief of Police or designee will make all the necessary arrangements for processing a new employee with the Human Resources Department. Individuals not selected will be notified in writing that the conditional Offer of Employment has been withdrawn.
- I. Unsuccessful applicants, that do not have permanent disqualifiers, will be placed on a hiring eligibility list for a period of 180 days. After that, an updated application will be required.

VII. APPLICATION PROCESS FOR NON-SWORN MEMBERS

- A. The applicant must complete the process as set out in Chapter 3 of the Town of Argyle Employee Handbook.
- B. The applicant must also complete the following:
 - 1. Complete a written Town of Argyle application and submit it as outlined above. Copies of the following documents will also be submitted:
 - a. Driver's License.
 - b. Information Release Form(s).

VIII. SELECTION PROCESS FOR NON-SWORN MEMBERS (TBP: 4.01)

- A. The Human Resources Department and the Chief of Police or designee will review the application and documents for basic qualifications. If basic qualifications appear to be met and an opening exists, the Chief will assign an officer to conduct a preliminary review of the candidate. If no opening exists, no applications will be accepted.
 - 1. Minimum qualifications for non-sworn positions are dependent upon the current job description for the open position.



- B. The employee assigned to conduct a preliminary review of the applicant shall perform the following:
1. Obtain the applicant's driving record from the Department of Public Safety.
 2. Obtain an NCIC/TCIC criminal history check.
- C. An applicant shall be disqualified from consideration if he or she:
1. Does not meet the minimum qualifications necessary for performance of the duties of the position;
 2. Has made false statements of fact on the applications, based upon the seriousness, willfulness and applicability of the false information to the position;
 3. Is not lawfully authorized to work in the United States;
 4. Would be in violation of the nepotism policy or laws; or
 5. Can be disqualified from consideration based upon other reasonable grounds relating to job requirements.
- D. The Human Resources Director and the Chief of Police will meet with the applicant that best meets the requirements of the department and conduct a detailed interview with the candidate. During the interview, the Chief of Police shall consider the applicant's appearance (for neatness and cleanliness), mannerisms, judgment, maturity, resourcefulness, and compatibility with departmental goals. If the applicant successfully completes the interview process and meets all other preliminary requirements a Conditional Offer of Employment may be made. The Offer of Employment is conditional upon passing:
1. An background investigation including a national criminal history check through the Fingerprint Applicant Services of Texas (FAST)
 2. Drug screen
- E. After a conditional offer of employment is made, the officer assigned to conduct the background investigation may gain additional information from the applicant regarding his or her prior medical problems including any worker's compensation claims and conditions. The officer will then conduct a detailed background investigation in accordance with the Background Investigation Manual. He/she shall also schedule the applicant for the necessary medical testing. (TBP: 4.03)
- F. The officer conducting the background investigation shall have had training in conducting background investigations and shall conduct the background in compliance with the Background Investigation manual. (TBP: 3.17)
- G. Upon completion of all testing and the background investigation, the final decision will be made by the Chief of Police.
- H. If the individual is approved for hire, the Chief of Police or designee will make all the necessary arrangements for processing a new employee with the Human Resources Department. If the individual is not selected, a letter will be sent to the

applicant advising him or her that the Conditional Offer of Employment has been withdrawn.

- I. Unsuccessful applicants, that do not have permanent disqualifiers, will be placed on a hiring eligibility list for a period of 180 days. After that, an updated application will be required.

IX. PERSONNEL RECORDS

- A. For each employee, the town maintains a personnel file. This file contains all evaluations, disciplinary action amounting to a written reprimand or higher, leave/attendance record, and assignments. This file is maintained in the Office of the Town Secretary as outlined in Chapter 11 of the Town of Argyle Employee Handbook. (TBP: 2.23, 4.04)
- B. The Argyle Police Department maintains a file on each employee that contains the background investigation package and all TCOLE required forms. These files are secured in the records room. (TBP: 2.23)
- C. The Town Secretary maintains and controls all personnel records. The department complies with the records retention schedule set by state law and town policy. (TBP: 4.04)
- D. Personnel records are permanent property of the Town.
- E. Officers from the department may terminate employment and seek a lateral hire with another agency. Requests for employment information on these officers shall be referred to the Human Resources Department. The HR Department shall disclose the employee's performance record consistent with current law.
- F. All records of unsuccessful applicants shall be maintained, including all test results, in a confidential file by the Chief of Police for a period of two years. These records are releasable to other law enforcement agencies when requested and a properly executed release form is obtained from the subject of the records. (TBP: 4.04)

	ARGYLE POLICE DEPARTMENT	
	Policy 4.2 Appointment and Probation	
	Effective Date: 17Feb12	Replaces:
	Approved:  Chief of Police	
	Reference: 1.09.1 and 2.03.1	

I. POLICY

The Argyle Police Department is committed to ensuring the standards of the department are maintained and that the people of our town are served by a competent and professional police department.

II. PURPOSE

To provide for a systematic process for the appointment of sworn and non-sworn personnel.

III. PROCEDURES FOR SWORN PERSONNEL

- A. Applicants that have been through the hiring process and have been approved for hire will complete the following steps prior to being retained as full time police officers.
 - 1. The applicant will meet with the Chief of Police or designee and determine a starting date.
 - 2. On the day selected for employment, the applicant will report to the police department for completion of all initial paperwork and the issuance of the appropriate equipment. The employee shall sign for the issued equipment.
- B. The new employee shall be issued a complete and up to date copy of the Argyle Police Department Manual along with any General Orders and Field Manuals.
- C. The Chief of Police or his designee shall set a time and place where the new officer shall swear the Oath of Office. The new officer must take and sign the Oath of Office before performing any law enforcement duties. (TBP: 2.03.1)
- D. The Chief of Police or his designee shall also assign the new employee to a senior training officer for initial Field Training. The new employee will work the same hours and days off as the Field Training Officer.
- E. The new officer must possess a valid Texas Peace Officer License before performing any law enforcement functions. If the officer begins work before

attending a basic academy and obtaining a license, he or she shall perform non-police duties only and shall accompany experienced officers as an observer only.
(TBP: 1.09.1)

IV. PROCEDURES FOR NON SWORN PERSONNEL

- A. Applicants that have been through the hiring process and have been approved for hire will complete the following steps prior to being retained as full time employees.
 - 1. The applicant will meet with the Chief of Police and determine a starting date.
 - 2. On the day selected for employment, the applicant will report to the police department for completion of all initial paperwork.
- B. The new employee shall be issued a complete and up to date copy of the Argyle Police Department Manual along with any General Orders and Field Manuals.
- C. The employee will be assigned to another employee for training as required.

V. PROBATION

- A. All new employees are on probation. Non-sworn personnel are on probation for six months from the date of their employment. All newly-hired police officers shall be considered on probation for one year. The same probationary period applies to officers hired through lateral entry.
- B. An employee may be released from employment at any time during their probationary period for any reason. Supervisors who believe a probationary employee's job performance is unsatisfactory should provide evidence of the unsatisfactory performance to the Chief of Police for consideration at any time.
- C. A new employee's supervisor shall rate the new employee using the Employee Evaluation Form at the three, six, and nine month anniversary dates from employment for non-sworn employees. Sworn officers will be rated as required by the Field Training Manual during the first year. Two weeks prior to the one year anniversary, the supervisor shall complete and forward a final evaluation form to the Chief of Police recommending the employee either be retained or terminated. If the recommendation is for termination, the supervisor shall document the specific work related performance that is deficient. The work performance of each probationary employee shall be evaluated using valid, non-discriminatory procedures.
- D. Prior to the end of the probationary period, the Chief of Police shall review the performance evaluation. The Chief may approve their permanent appointment or discharge the employee for failure of probation.

E. Probationary employees who wish to protest their performance ratings have no grievance rights except to request an interview with the Chief of Police.



ARGYLE POLICE DEPARTMENT

Policy 4.3 Career Development, Promotions and Transfers

Effective Date: 6NOV24

Replaces: 16APR21

Approved:

[Signature]
Chief of Police

Reference: 4.06 and 4.07

I. POLICY

The department encourages employees to seek opportunities to develop their knowledge, skills, and abilities. Promotions are based on performance, demonstrated leadership competencies, and the growth of skills through training and experience. Although promotional opportunities are rarer in a smaller department, this department values the opportunity to advance officers' careers.

II. PURPOSE

To establish guidelines for career development of employees to include training and promotions.

III. PROCEDURES

A. Responsibilities of the Chief of Police

1. Annually, the Chief of Police, or designee, will meet with each employee for career counseling. This counseling shall occur at the same time as the employee's annual performance evaluation. The counseling shall include an examination of:
 - a. The employee's performance record.
 - b. A review of training programs applicable to the employee's duties.
2. The Chief shall ensure that at least one department employee:
 - a. Achieves and maintains certification as a firearms instructor.
 - b. Receives advanced instruction in evidence collection techniques.
3. The Chief shall ensure the availability of a trained armorer, either through training a department employee, contracting with an armorer in another jurisdiction, or contracting with a private armorer. The armorer shall inspect all firearms and ammunition at least annually for safety, reliability, and functionality. The armorer shall also repair broken or malfunctioning weapons.

4. The Chief of Police shall ensure that any employee, upon receiving a promotion or a new assignment, attends training specific to that position within 12 months of promotion or assignment.

B. Promotions (TBP: 4.06)

1. When a vacancy exists for the positions of corporal or sergeant, the Chief of Police, or his designee, shall post an internal advertisement for the position, the qualifications required, and a description of the selection process to be used for a minimum of two weeks prior to any selection process. During that time, officers may request, in writing, consideration for the position.

C. Eligibility for Promotion

1. Employee must meet the following minimum requirements to be eligible for promotion to any increased level of responsibility or compensation.
2. In order to compete for Corporal, a candidate must have a minimum of two years police experience as a member of the Argyle Police Department and possess a Basic Certification from the Texas Commission on Law Enforcement.
3. In order to compete for Sergeant, a candidate must have a minimum of four years police experience and possess an Intermediate Certification from the Texas Commission on Law Enforcement. Candidates are not required to hold the rank of Corporal prior to consideration for the rank of Sergeant.
4. In order to be appointed to the rank of Captain, a candidate must have a minimum of seven years police experience and possess a Master Certification from the Texas Commission on Law Enforcement. Internal candidates must hold the rank of Sergeant.
5. Performance evaluations overall score of at least satisfactory for the 12 months prior to the promotional examination process.
6. No discipline above a written reprimand for the 12 months prior to the promotional examination process.
7. Candidate must submit a memorandum entitled "letter of intent" to the office of the Chief of Police, which requests participation and consideration in promotional selection process.
8. The Chief of Police may go outside the department to fill the ranks of Sergeant or higher if circumstances dictate.

D. Process for Promotions Process

1. Candidates for promotion to the rank of Corporal must do the following:

- a. Meet eligibility requirements;
- b. Submit a "letter of intent";
- c. Pass written examination

- d. Final Ranking
 - i. Each candidate's promotional score will be based on performance on the written examination.
 - ii. A ranked eligibility list based on the promotional scores will be made and forwarded to the chief.
 - iii. In the event of two or more officers with identical promotional scores, the following tie breakers will be used in order until the tie is broken.
 - a. Time with the department
 - b. Total time in law enforcement

- e. Review by Chief of Police
 - i. The Chief shall promote candidates in order of promotional score, unless there is sufficient justification to pass over a candidate.
 - ii. The decision by the Chief of Police to pass over any officer on the list must be based on compelling reasons (egregious misconduct, extensive disciplinary history, etc).
 - iii. The Chief has the sole discretion to determine whether a sufficient justification exists to pass over a candidate.

- f. The eligibility list will be valid for one year from the date of the written test. (TBP: 4.07)

2. Candidates for promotion to the rank of Sergeant must do the following:

- a. Meet eligibility requirements;
- b. Submit "letter of intent";

- c. Pass written examination (The candidate must pass the written examination to move to the next step which is an assessment center);
- d. Assessment Center Exercises
 - i. The assessment exercises may consist of one or more of the following: a structured in-box, tactical scenario, personnel problem, or oral resume.
 - ii. The exercises will be designed to measure specific, defined, behavioral dimensions.
 - iii. A panel of at least three assessors will grade the assessment exercises. These assessors will be supervisors, from outside of the department, who will hold a rank equal to or higher than the one being competed for.
 - iv. The assessors will observe the assessment center exercises and score the candidates based on the established behavioral dimensions.
- e. Final Ranking
 - i. Each candidate's promotional score will be determined using the following equation:
$$(\text{Written Exam Score} \times 0.4) + (\text{Assessment Center Score} \times 0.6) = \text{Total Promotional Score}$$
 - ii. A ranked eligibility list based on the total promotional scores will be made and forwarded to the chief.
 - iii. In the event of two or more officers with identical promotional scores, the following tie breakers will be used in order until the tie is broken.

Time with the department
High score on the assessment center exercises
- f. Review by Chief of Police
 - i. The Chief shall promote candidates in order of promotional score, unless there is sufficient justification to pass over a candidate.
 - ii. The decision by the Chief of Police to pass over any officer on the list must be based on compelling reasons (egregious misconduct, extensive disciplinary history, etc).

iii. The Chief has the sole discretion to determine whether a sufficient justification exists to pass over a candidate.

g. The eligibility list will be valid for one year from the date of the written test. (TBP: 4.07)

3. Candidates for the rank of Captain must do the following:



- a. Meet eligibility requirements;
- b. Submit "letter of intent"
- c. Review by Chief of Police
- d. Captain is a position that reports directly to the Chief of Police. The Chief of Police therefore has latitude in how the candidate is selected.

4. Promotional Probation

- a. The Chief of Police will announce promotions along with the effective date. All promotions are conditioned upon the employee satisfactorily completing a six-month probation period.

E. Transfers

1. The Chief may assign or transfer any employee to a duty assignment that the Chief deems to be in the best interest of the department.
2. Employees who request a transfer shall write a memorandum to the Chief to that effect.
3. Occasionally, some job assignments require minimum assignment periods so that the department may sufficiently benefit from investments in specialized training or education. Minimum periods of assignment shall be determined by the Chief and specified in a departmental order. The Chief reserves the right to establish minimum and maximum terms of service for selected duty assignments he/she deems to be in the best interest of the department.

	ARGYLE POLICE DEPARTMENT	
	Policy 4.4 Performance Evaluations	
	Effective Date: 17Feb12	Replaces:
	Approved:  Chief of Police	
	Reference: 4.08.1 and 4.09.1	

I. POLICY

The department bears an obligation to the public and its own personnel to hire and retain the best qualified officers. Further, the department's community-oriented policing philosophy demands that officers exhibit not only competent investigative skills but also succeed in communicating with many different individuals in a variety of contexts. To that end, the department regularly and formally evaluates the performance of officers and other employees. The evaluation system discussed herein serves both the interests of management and employees. The purposes of the evaluation system are to (1) allow fair and impartial personnel decisions; (2) maintain and improve performance; (3) provide a basis and a medium for personnel counseling; (4) assist decisions about the tenure of probationary employees; and (5) identify training needs.

II. PURPOSE

The purpose of this order is to outline and describe the departmental evaluation process.

III. PROCEDURES


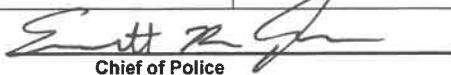
A. General

1. All employees shall be evaluated using the departmentally approved and town issued form. Supervisors will be trained in the evaluation process prior to conducting the evaluations. (TBP: 4.08.1, 4.09.1)
2. Evaluations reflect observations and perceptions by rating personnel and personnel shall be rated as having demonstrated unacceptable, acceptable, or superior behavior.
3. After completion of probation, each officer shall be evaluated annually. To constitute a satisfactory evaluation, an officer must receive an overall of 60% or higher. Officers who fail to receive an overall of 60% or higher will be placed on probation for a period of 90 days. Within the probation period, an officer shall receive remedial training in deficient areas, demonstrate proficiency (or satisfactory improvement) in deficient areas, the training and improved behavior documented on the evaluation form.

4. With the exception of probationary employees, all performance evaluations will cover a calendar year and shall be completed, signed by the employee and rating supervisor and turned in to the Chief of Police by the end of August of each year.
5. All evaluations shall be reviewed with the employee and placed in employees' personnel files.
6. Officers shall be evaluated formally by their immediate supervisor.
7. An officer who receives an unsatisfactory rating he or she perceives to be unjust may appeal to the next level of the chain of command up to the Chief of Police. The officer concerned must rebut the comments or rating in writing and submit them through the chain of command to the next level.

B. Evaluation of non-sworn employees and supervisors

1. Non-sworn employees shall be evaluated, by their supervisor, on forms approved by the town.
2. Supervisors shall be evaluated by their next level supervisor using forms approved by the town.

	ARGYLE POLICE DEPARTMENT	
	Policy 4.5 Uniforms, Appearance and Equipment	
	Effective Date: 01SEP23	Replaces: 16SEP20
	Approved:  Chief of Police	
	Reference: 1.11, 1.12, 2.13, 7.17, and 7.23.	

I. POLICY

Proper uniforms and equipment are necessary to perform our law enforcement duties and present a professional image to the community we serve. It is imperative we present a professional presence in our community to inspire respect. All employees must strive to present a clean, well-groomed image when wearing the departmental uniform or representing the department in any manner.

II. PURPOSE

To provide officers with a list of uniform and equipment items that are provided or required and provide a departmental dress code for all employees.

III. UNIFORMS AND EQUIPMENT

- A. New employees will be issued equipment needed to perform their job function. Employees may purchase and carry additional items that are approved and authorized in writing by the Chief of Police. Employees will not wear, carry, or use any personally owned equipment without the written approval of the Chief of Police, a copy of which will be maintained in the employee’s departmental file. (TBP: 1.11)
- B. The Department will provide officers with uniforms and equipment essential to the performance of the officer’s duties. The Town will provide the Department with a uniform and clothing budget to assist in the purchase and maintenance of these uniform and equipment items.
- C. Each employee must sign an inventory or quartermaster sheet listing all equipment issued to the employee or purchased through the Department uniform and clothing budget. The inventory and quartermaster sheets will be maintained in the employee’s departmental file.
- D. Employees are responsible for the equipment issued or purchased through the Department uniform and clothing budget. The employee’s supervisor shall ensure all equipment is returned to the department upon resignation, termination or retirement.

- E. When an employee terminates employment, all equipment issued or purchased by the Town shall be returned prior to the day the termination is effective. Failure to return all items of town property may result in taking legal action. (TBP: 1.12)
- F. Employees shall have as a part of their issued equipment a copy of the rules and regulations and general orders manual, and shall maintain and make appropriate changes or inserts as directed.
- G. With the approval of the Chief of Police, employees are allowed to purchase a flat wallet badge, after completing their probationary period.

IV. UNIFORMS AND EQUIPMENT PROVIDED BY THE TOWN

- A. Uniforms and equipment provided to Police Officers by the Town of Argyle shall include:
 - 1. One (1) shirt badge
 - 2. One (1) name plate
 - 3. One (1) winter jacket
 - 4. One (1) protective vest (body armor)
 - 5. One (1) traffic vest
 - 6. One (1) Duty Handgun, holster and Magazines
 - 7. One (1) Patrol Rifle and Magazines (1-20, 2-30)
 - 8. One (1) Pair handcuffs and handcuff holder.
 - 9. One (1) Bailout bag
 - 10. One (1) Taser and holster.
 - 11. One (1) Cannister Oleoresin Capsicum (OC) spray and holder.
 - 12. One (1) Expandable Baton and holder.
 - 13. One (1) Handheld portable radio
 - 14. Rank insignia as needed.
- B. Uniforms and equipment that are excessively worn or damaged shall be replaced through the Department's uniform and clothing budget.
- C. Uniforms or civilian business attire (coat and tie for men or equivalent for women) shall be worn for all court appearances.

V. LIST OF ITEMS AUTHORIZED FOR DEPARTMENT PURCHASE

- A. Officers may request that the Department purchase additional uniforms and equipment, as needed or desired. Uniforms must be purchased from one of the Department's authorized vendors.
- B. Individually purchased equipment may be purchased from any vendor but must comply with current uniform or equipment standards.
- C. Uniform items and equipment meeting departmental specifications and provided by individual officers shall include:

1. Black, Navy, or White Undershirts
 2. Black or Navy Blue Socks
 3. Footwear which meets department regulations
- D. The following is a list of items that officers may request for purchase by the Department.
1. Uniform shirts, pants, shorts, coat, or department approved hat.
 2. Uniform shoes or boots.
 3. Uniform duty leather.
 4. Duty equipment (includes flashlight, handcuffs, baton, knife, clipboard, pistol magazines, raincoat, etc.).
 5. Other equipment which is essential to the performance of the officer's duties.

VI. PROTECTIVE VESTS (TBP: 7.23)

- A. Body armor is purchased by the department for all sworn officers. Body armor will be replaced in accordance with guidelines and protocols established by the National Institute of Justice.
- B. Uniformed officers, regardless of rank, will wear departmentally issued protective vests when in contact with the public. Officers working assignments where public contact is unlikely will maintain their vests where they are readily accessible in the event they are needed. Any officer participating in any search warrant execution or other high-risk activity will wear protective vests.
- C. Officers will wear departmentally issued protective vests while in uniform and working any off-duty employment.
- D. Officers shall routinely inspect personal body armor for signs of damage and for general cleanliness. As dirt and perspiration may erode ballistic panels, each officer shall be responsible for cleaning personal body armor in accordance with the manufacturer's instructions.

VII. LOAD BEARING VESTS

Officers shall have the option of wearing a Load Bearing Vest (LBV) as part of their regular duty uniform. A load bearing vest is an external ballistic panel carrier designed to allow an officer's duty equipment to be carried on the upper torso as opposed to on the leather duty belt.

- A. Officers shall wear only Load Bearing Vests approved by the Chief of Police.
- B. Ballistic panels, rated to Level IIIA, shall be worn inside of the vest carrier.
- C. Duty equipment carried on the Load Bearing Vest shall be in pouches, holders, or holsters that are:
 1. Uniform in appearance, and

2. Affixed to the vest's molle webbing, and
3. Either issued by the Department or approved by the Chief of Police prior to being worn.

D. The Load Bearing Vest will be dark/navy blue in color and will have affixed to it:

1. The name of the officer, including first initial and last name, on a name plate or stitched onto the right breast area of the vest, and
2. An Argyle Police Department badge or badge patch on the left breast area of the vest.
3. A Department issued patch on the back bearing the word "POLICE" on a black background.
4. An officer's equipment will not obscure the view of any of the above items.

E. Equipment authorized to be carried on the Load Bearing Vest (LBV) includes:

1. Handcuffs
2. Oleoresin Capsicum (OC) Spray.
3. Expandable Baton.
4. Police Radio.
5. Flashlight.
6. Conducted Energy Weapon (CEW)
7. Gloves.
8. Tourniquet.
9. Mobile Phone.

F. The following items will **not** be carried on the Load Bearing Vest (LBV):

1. Firearms, either Department-issued or personally owned.
2. Firearm magazines.
3. Patrol Rifle Magazines.
4. Knives.

G. The Load Bearing Vest will not be worn at any formal occasion including, but not limited to, ceremonies or funerals. The Chief of Police may specify occasions where the Load Bearing Vest will not be worn.

H. The Load Bearing Vest may be worn at authorized off-duty employment, subject to the desires of the off-duty employer.

VIII. REFLECTIVE VESTS

Agency personnel are issued and shall wear the high-visibility reflective vest as soon as practical when either directing traffic or working at the scene of an accident.
(TBP: 7.17)

IX. DEPARTMENTAL APPEARANCE REQUIREMENTS (TBP: 2.13)

A. Uniform Employees

1. When wearing the uniform, employees will be in full uniform, including all items that are integral parts of the uniform. All uniforms and accessories must be maintained in a clean and well pressed condition. The formal hat is optional except at formal occasions. No part of the uniform shall be worn with civilian clothing or vice-versa.
2. Shirrtails will be worn tucked in at all times. Employees may wear a black turtleneck or mock turtleneck with long sleeve shirts during cold weather.
3. Uniform Shirt
 - a. The uniform shirt will be dark blue/navy in color and only shirts approved by the Chief of Police shall be worn.
 - b. A department-issued shoulder patch shall be sewn onto each shoulder of the shirt.
 - c. Shirts may be button up or zipper front, but must have the appearance of a button up shirt.
 - d. All buttons on the shirt will be buttoned at all times, with the exception of the collar button. Sleeves shall not be rolled up or turned under on any uniform shirt.
 - e. Shirts shall not have a dirty, wrinkled, torn, stained, or faded appearance.
 - f. A long sleeve shirt and black uniform tie shall be worn when officers are attending a funeral, formal ceremony, or when ordered by the Chief of Police.

4. Undershirt

The undershirt must be one solid color including stitching and trim, and may be white, black, or dark blue. The sleeves of the undershirt may not extend beyond the sleeves of the uniform shirt.

5. Pants

- a. Uniform pants shall be in a color identical to the uniform shirt. Only pants approved by the Chief of Police shall be worn.
- b. Class A pants (pants with no visible "cargo pockets") shall be worn when officers are attending a funeral, formal ceremony, or when ordered by the Chief of Police.
- c. Pants shall not have a dirty, wrinkled, torn, stained, or faded appearance.

6. Shorts

- a. Uniform shorts shall be in a color identical to the uniform shirt. Only shorts approved by the Chief of Police shall be worn.
- b. Uniform shorts shall NOT be worn when officers are attending a funeral, formal ceremony, or when ordered by the Chief of Police.
- c. Wearing of uniform shorts shall be noted on Requests for Off-Duty Employment.

7. Coat

- a. Coats or jackets must be specifically designed as police duty gear and must have a metal grommet badge holder or an embroidered badge on the left breast area of the outside of the jacket.
- b. Coats or jackets must be of the same color as the uniform and must display Department-issued patches on both shoulders.
- c. No coat or jacket shall be worn unless it was issued by the Department or specifically approved by the Chief of Police.

8. Tie

- a. A tie shall be worn along with the long sleeve shirt at any formal occasion including, but not limited to, ceremonies or funerals. The Chief of Police may specify other occasions where a tie shall be worn.
- b. Ties shall be clip-on, solid black in color, and shall not have a "shiny" or metallic appearance.
- c. At tie may have a metal tie clip which must be a solid silver color, except that those at or above the rank of Sergeant may wear a solid gold color metal tie clip.

9. Belt

- a. Officers shall wear a duty belt made of leather, synthetic leather, or nylon.
- b. The belt must be smooth and plain black in color. No glossy or basket weave belts shall be worn.
- c. The belt will be held in place on the officer's waist by either keepers or a velcro underbelt system. All keepers must be black in color and shall be leather if worn with a leather belt.
- d. All items placed on the duty belt must be inside a holder/holster secured to the belt or have a clip attached to the item that attaches to the belt. The following items are approved to be worn on the duty belt.
 1. Department issued firearm
 2. Handcuffs
 3. Expandable baton
 4. Radio
 5. Ammunition magazines

6. Oleoresin Capsicum (OC) spray
 7. Flashlight
 8. Mobile phone
 9. Electronic Control Weapon (ECW)
 10. Glove pouch
- e. All holders/holsters used to carry equipment on the duty belt shall be:
1. Black in color
 2. Made of leather or hard plastic if the duty belt is made of leather or synthetic leather
 3. Made of nylon or hard plastic if the duty belt is made of nylon
10. Rank Insignia - Employees holding the rank of Captain will wear ½” gold Captain bars (two gold bars) on both collars ½ inch from the front edge of the collar centered between the neck line and the bottom edge of the collar. Employees holding the rank of Sergeant will wear three (3) embroidered chevrons approximately ¼” below the department issued shoulder patch with the single point up. Employees holding the rank of Corporal will wear two (2) embroidered chevrons approximately ¼” below the department issued shoulder patch with the single point up.
11. Name Plates/Tapes - Each employee, regardless of rank, will wear a departmental issued nameplate or nametape, centered ½ inch above the right shirt pocket seam. The nameplate will have the officer’s first initial and last name. Officers holding the rank of Corporal or higher will wear gold and the rank of Police Officer will wear silver.
12. Department Shirt Badges
- a. All sworn personnel, when in the Standard Duty Uniform, will wear their department badge, prominently displayed above the left shirt pocket.
 - b. The badge shall always be displayed on the outer most layer of clothing. If the officer wears a jacket or coat, the badge or a badge patch must be displayed on the left breast of the jacket or coat.
13. Footwear
- a. Footwear will be solid black in color and will be made of leather, patent leather, or Corfam.
 - b. Heels of footwear may not exceed 1 ½ inches in height, from the top of the sole to the bottom of the heel.
 - c. Boots may be worn as long as every part of the boot, including stitching, is black.
 - d. Boots must have a rounded toe
 - e. The heel of the boot must be flat with not buckles or straps.

- f. All-leather sports shoes may be worn if all outer portions of the shoe are black, including the laces, and do not prominently display a manufacturer's name or logo.
- g. Any lettering on the outside of a sports shoe must be black, and no larger than one quarter inch in height.
- h. Sports and athletic type shoes are prohibited from wear at any formal occasion including, but not limited to, ceremonies or funerals. The Chief of Police may specify occasions where athletic type shoes will not be worn.

14. Socks

- a. Socks worn with the uniform shall be solid black or navy blue in color.
- b. Socks worn with uniform shorts shall not extend above the ankle.

15. Sunglasses

- a. Sunglasses that are mirrored or one-way are not permitted for on-duty use.
- b. Officers should not routinely contact or speak with a member of the public while wearing sunglasses. The exception to this regulation is those officers who wear prescription glasses which darken automatically when in direct sunlight.

16. Hats and headgear

- a. No hat or headgear will be worn unless it has been approved by the Chief of Police
- b. The departmental approved formal hat will be of the round military style. The brim and base will be polished black.
 - 1. The wearing of these hats will be optional for standard duty assignments.
 - 2. These hats will be worn while officers are outdoors and attending formal events including, but not limited to, ceremonies or funerals.
- c. Officers are only authorized to wear baseball style caps during inclement weather, during the summer months, or in conjunction with a utility uniform during specialized assignments or outdoor training. Baseball style caps shall be solid black in color and may bear only the following imagery on the **front** of the cap:
 - 1. The word "Police", or
 - 2. The words "Argyle Police", or

3. An image of the Argyle Police Department badge.
- d. Winter headgear may consist of solid navy blue or black knit cap and may bear only the following imagery on the **front** of the cap:
 1. The word “Police”, or
 2. The words “Argyle Police”, or
 3. An image of the Argyle Police Department badge.

B. Award Ribbons or Medals

Commendation ribbons and medals approved for wear by the department will be worn, centered, above the nameplate on the uniform shirt, no more than three across and three up, and will be worn in order of importance. The wearing of commendation ribbons and medals is optional for those officers who are recipients of such awards while wearing the standard duty uniform and while assigned to standard duty assignments.

In order to recognize employees for their performance, the department will issue uniform medals based on prescribed criterion as described below.

1. MEDAL OF HONOR - The highest award in the Department. To be awarded to an officer who voluntarily distinguishes himself/herself conspicuously by gallantry and extraordinary heroism. The act must be in excess of normal demands and of such a nature that the officer was fully aware of the imminent threat to his or her personal safety, and acted above and beyond the call of duty at the risk of his or her life. The term above and beyond the call of duty in the qualifications for the Police Medal of Honor disqualifies all acts of courage, no matter how great, performed in the course of carrying out verbal or written orders.
2. MEDAL OF VALOR - To be awarded for exceptional bravery at imminent risk of serious bodily injury, with the recipient having demonstrated exceptional courage by performing a voluntary course of action in an extremely dangerous situation. The term voluntary course of action in the qualification for the Police Medal for Valor disqualifies all acts of courage, no matter how great, performed in the course of carrying out verbal or written orders.
3. MERITORIOUS CONDUCT - Ranked next in prominence to the Police Medal for Valor. To be awarded for a heroic deed and exceptional meritorious conduct involving exemplary courage, risk and danger to an officer's personal safety. May be awarded to an officer for meritorious service in a duty of great responsibility, the duty reflecting excellence in such performance, and whereby the officer distinguishes himself or herself

and the Department in carrying out such performance.

4. LIFE SAVING - Awarded to an officer who has been instrumental in saving the life of another person. It must be shown that the actions of the officer were life sustaining, and the individual would have perished but for the actions of the officer.
5. PURPLE HEART - Awarded to an officer who, while making an arrest or attempting to make an arrest, sustains an injury which requires treatment by a physician.
6. CERTIFICATE OF MERIT - For excellence in police work. To be awarded to Police Officers of any rank for outstanding performance of duties under unusual, complicated, or hazardous conditions over any period of time. To be awarded to non-sworn police personnel, as well as officers, for outstanding or superior performance of any assignment over a prolonged period of time, but such performance to be clearly defined as exceptional, placing them well above other officers or civilians of equal rank or grade.
7. COMMUNITY SERVICE - Awarded for participation in a community project, service, organization, or special event which further enhances a positive relationship between the community and the Department. This award may be recommended by any officer or immediately awarded by the Chief of Police.
8. BABY DELIVERY – Awarded to an officer who has been instrumental in the delivery of a child in the course of the performance of their duties.
9. OFFICER OF THE YEAR - Awarded to a full-time police officer who best demonstrates the conduct, proficiency and attitude that reflects the department's ideals in a given year.
10. GOOD CONDUCT - Awarded at three-year intervals for good conduct. Good conduct shall mean conduct which excludes any disciplinary actions involving suspension, additional probation, or demotion for cause.
11. BACHELOR'S DEGREE - Awarded to an officer/employee who completes the requirements for and is awarded a Bachelor's Degree from an accredited university.
12. MASTER'S DEGREE - Awarded to an officer/employee who completes the requirements for and is awarded a Master's Degree from an accredited university. If worn, the ribbon for Bachelor's Degree will not be worn.
13. NATIONAL ACADEMY – Awarded to officers who successfully complete and graduate from the Federal Bureau of Investigations National Academy.

14. LEMIT - Awarded to officers who successfully complete and graduate from the Law Enforcement Management Institute of Texas.
15. MASTER PEACE OFFICER - Awarded to officers who complete the requirements for and are awarded a Master Peace Officer Certification from the Texas Commission on Law Enforcement (TCOLE). If worn, the ribbons for advanced certification and/or intermediate certification will not be worn.
16. ADVANCED CERTIFICATION - Awarded to officers who complete the requirements for and are awarded an Advanced Certification/License from TCOLE. If worn, the ribbon for intermediate certification will not be worn.
17. INTERMEDIATE CERTIFICATION – Awarded to officers who complete the requirements for and are awarded an Intermediate Certification from TCOLE.
18. MENTAL HEALTH OFFICER – Awarded to officers who have successfully completed the required training and tested as mandated by TCOLE and have been awarded a Mental Health Officer certificate from TCOLE.
19. FIELD TRAINING OFFICER – Awarded to officers who are certified as a Field Training Officer and are actively being utilized in that capacity by the Argyle Police Department. The award may still be worn even if the Department does not currently have an officer in training. This award shall not be worn by an officer who has opted out of a field training role or who has been removed as a field trainer by the Department.
20. FIREARMS INSTRUCTOR – Awarded to officers who have successfully completed the required course of instruction and are actively being utilized in that capacity by the Argyle Police Department.
21. ACCIDENT RECONSTRUCTIONIST – Awarded to officers who are certified as a police accident reconstructionist and are actively being utilized in that capacity by the Argyle Police Department.
22. INSTRUCTOR CERTIFICATION - Awarded to officers who have successfully completed the required training and testing as mandated by TCOLE and have been awarded an Instructor's Certificate through TCOLE.
23. INTOXILYZER – Awarded to officers who are certified as an intoxilyzer operator and is actively being utilized in this capacity by the Argyle Police Department.
24. SAFE DRIVER - Awarded at three-year intervals to officers who have not been involved in a chargeable fleet accident during the previous thirty-six

months.

25. LAW ENFORCEMENT SERVICE - Awarded to officers at five-year intervals, for their service as full-time law enforcement officers.
26. MARKSMAN – Awarded to the two officers each calendar year who exhibit the most accurate shooting during the Spring pistol qualification. Determination of accuracy will be based upon number of shots placed within the “9 box” on the standard pistol target. In the event that two or more shooters have an identical number of shots placed within the “9 box”, the shooter with the greatest number of shots placed within the “X ring” will be declared to be the more accurate shooter. Officers who receive this award in subsequent years will be awarded numerals commensurate with the number of Marksman awards achieved to place on the Marksman bar (Ex: An officer who receives this award in consecutive years would wear a Marksman bar with the numeral “2” affixed to it).
27. MILITARY SERVICE – Awarded to officers who have completed, at a minimum, their first service obligation in the US Army, US Navy, US Marine Corps, US Air Force, or US Coast Guard. Also awarded to officers who are currently enlisted in the Reserve forces of any of the aforementioned military branches.

C. Plain Clothes Assignments (Sworn and Non-Sworn Employees)

1. With the exception of officers working in a covert capacity, clothing worn by employees in any departmental non-uniform assignment will conform with accepted business practices. Acceptable clothing includes:
 - a. 5.11 or similar style pants or slacks with golf shirt, dress shirts (long or short sleeved), ties (excluding Bow ties), socks, shoes and appropriate head wear.
 - b. Head wear must be appropriate to business dress attire and previously approved by the Chief of Police or his/her designee.
 - c. Business or sports jackets are optional unless required for court or a specific event or task.
2. Socks should coordinate with the pants. White socks are prohibited unless worn with boots where the socks are hidden.
3. Footwear should be clean and polished, with heels and toes in good repair. Normal business shoes include slip-ons (loafers) or lace-ups are acceptable. Boots are acceptable, provided they are in good taste and are fashionable.
4. Female business attire will include the previously mentioned clothing and blouses, skirts, dresses and appropriate footwear.

5. If a sidearm is worn on the waist, the officers' department badge must be prominently displayed next to the sidearm.
6. Plain clothes officers may wear a vest or jacket that readily identifies the wearer as a police officer during call-outs, specific assignments, or extra-duty assignments when appropriate.
7. Plain clothes sworn personnel are required to maintain at least one complete standard uniform at all times in case they are called upon for uniformed duties.

D. Special Assignments

Employees placed in special assignments including covert or undercover assignments, special events, or other special operations will wear clothing approved by the Chief of Police or supervisor of the operation.

E. Court Attire

Officers attending court will be in uniform or civilian clothes to include a shirt and a tie for male employees and appropriate business attire for female employees.

F. Physical Appearance

1. Employees shall maintain their physical appearance in accordance with good taste and professionalism. Hair shall not be dyed, colored, or styled in a manner which would draw undue attention to the employee. Female employees' makeup shall be tastefully applied. Male employees shall not appear for work needing a haircut.
2. Hair length
 - a. Male employees shall wear their hair so as to present a groomed appearance. Hair will not extend past the collar at the back of the neck. Hair on the sides will not extend below the top of the ear and must be mildly tapered.
 - b. Female employees shall wear their hair so as to present a groomed appearance. They shall not be restricted as to the length of their hair. However, hair must be secured so that it does not extend below the bottom of the collar. It shall not be allowed to hang into the employee's face, either in front or on the sides.
 - c. In accordance with Texas House Bill 567 (88th Legislative Session, 2023-2024), employees shall not be restricted from displaying hairstyles based on hair texture or protective hairstyle associated with race.

3. Mustaches, Sideburns, Beards and Goatees

Mustaches are allowed and shall be neatly trimmed and shall not extend below or beyond the corners of the mouth nor over the defined line of the upper lip.

Sideburns shall be neatly trimmed and shall not extend below the bottom of the ear nor be wider at the bottom than at the top.

Beards and goatees are permitted. Employees may not wear a beard or goatee without a mustache and may not extend the length of the mustache without connecting it to a beard or goatee. Beards and goatees must remain neatly trimmed and the bulk of the beard (distance that the mass of facial hair protrudes from the skin of the face) shall not exceed one-half inch. The length of the individual hair shall be limited to three-quarters of an inch. Goatees and beards must be kept trimmed above the neckline (above the Adam's apple). In the event the Chief of Police or Command Staff deem a beard, mustache or goatee to be unsightly, the employee will trim the beard, mustache or goatee when requested to do so.

Employees will be clean shaven other than the allowed mustache or beard. Consistent stubble is not acceptable.

Artwork shave in facial hair is unacceptable. Cuts such as thin lines along the cheekbones and around the chin are not allowed.

Officers assigned duties that require wearing Self-Contained Breathing Apparatus (SCBA) or a gas mask, will be clean shaven other than the allowed mustache.

4. Jewelry

- a. Female employees may wear earrings that do not distract from the professional appearance or constitute a safety hazard. Earrings shall comply with the following:
 1. One per ear
 2. Matching pair
 3. On the ear lobe
- b. Male employees shall not wear earrings while on duty.
- c. Jewelry, if worn around the neck, shall not be visible above the shirt collar.
- d. To present a uniform and objectively neutral appearance to the public, non-departmental jewelry or pins shall not be worn on the uniform at any time or in plain clothes while on duty unless


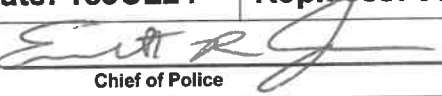
specifically authorized by the Chief of Police. Stop Stick awards and United Way pins are so authorized.

5. Personal Hygiene

Employees shall practice good personal hygiene at all times, including the use of soap, water, and deodorant.

6. Tattoos, Body Art and Piercing

- a. While representing the Department in an official capacity, no Department personnel shall exhibit any visible tattoos, body art or branding that is socially unacceptable, offensive, or that would not be acceptable to community standards. The Chief of Police reserves the right to determine whether a tattoo, body art, or branding is unacceptable, and officers may cover the tattoo, body art or branding with the official uniform, a black nylon arm sleeve, or plain clothes apparel.
- b. Officers desiring to obtain a new tattoo, body art, or branding which would be visible while in uniform must submit a sketch of the new tattoo, body art, or branding to the Chief of Police for prior approval.
- c. No tattoo, body art or branding shall be visible on the head, scalp, face, neck, hands, or fingers.
- d. This regulation does not apply to undercover officers when acting in that capacity.
- e. With the exception of pierced ears, body piercing(s) are not authorized for wear by any agency personnel while representing the Department. Body piercing(s) must be covered by the official uniform or plainclothes apparel when agency personnel are representing the Department.

	ARGYLE POLICE DEPARTMENT	
	Policy 4.6 Off-Duty Employment	
	Effective Date: 15JUL24	Replaces: 06OCT20
	Approved:  Chief of Police	
	Reference: 4.05.1	

I. POLICY

The nature of the law enforcement task requires department employees to have the ability to work irregular duty schedules that are subject to change in meeting deployment needs. Additionally, it is necessary that an employee have adequate rest to be alert during his or her tour of duty. The Chief of Police must ensure the continued efficiency of the Department while simultaneously reducing or eliminating conflicts of interest.

For these reasons and because certain occupations inherently conflict with an employee's primary responsibility to the department, outside employment shall be governed by the restrictions below. Employees should understand that working off-duty jobs is a privilege and not a right.

II. DEFINITIONS

- A. **Department** – The Argyle Police Department
- B. **Off-Duty Employment** – Work not done as part of regular employment by this department, but which is available, and which provides compensation (a fee or otherwise), due to employment as an Argyle police officer. This includes self-employment which is related to law enforcement, or derives credibility from the individual's status as a law enforcement officer. Volunteer charity work is excluded unless it involves law-enforcement duties.
- C. **Off-Duty Police Employment** – Off-duty employment that may entail the use of law-enforcement powers granted by the State of Texas or Town of Argyle.
- D. **Outside Employment-Other Than Police Duty** – Any off-duty work for pay that is not related to law enforcement. Secondary employment positions shall not require sworn enforcement powers as a condition of employment, and the work does not provide implied law-enforcement service.
- E. **Probationary Period-** Any period when an officer is on probation, including when initially hired or anytime an officer is placed on probation for any disciplinary action or fitness for duty evaluation. The initial probationary period for a new hire is twelve months, but the officer shall be eligible for off-duty employment 90 days past the successful completion of the field training program.
- F. **Sexually Oriented Business** – a business that is part of the sex industry, such as sites of erotic performance and erotic paraphernalia stores.

G. Town- The Town of Argyle

III. PROCEDURES

A. General

1. All employees are eligible to work off-duty employment, subject to the requirements of this policy.
2. No employee shall work off duty during a probationary period. Any exceptions are subject to approval by the Chief of Police.
3. Employees on medical or sick leave, temporary disability, or light duty due to injury are ineligible for off-duty employment.
4. An employee engaged in off-duty employment may be called to duty in an emergency.
5. An employee engaged in off-duty employment shall be subject to the Argyle Police Department Response to Resistance policy (Policy 6.1).
 - a. Any use of force, above compliant handcuffing, by the employee shall require the completion of an incident report and an Argyle Police Department Response to Resistance online form prior to the completion of the off-duty work shift. If necessary, officers shall return to the Argyle Police Department following the off-duty shift to complete the necessary documentation.
 - b. Notification will be immediately made to the officer's chain of command, up to the Chief of Police, when any incident involving the use of force during an off-duty assignment occurs.
6. An employee engaged in off-duty employment shall carry on his/her person all equipment required for regular police duty, to include a body worn camera.

B. Restrictions on All Off-Duty Employment

1. Work hours are defined as a combination of all hours worked, which includes an officer's regular duty hours, court and grant overtime, and any off-duty employment.
 - a. Total work hours are limited to 16 hours in a 24-hour period, and not to exceed 112 hours in a given work week (a work week is defined as 12:01am Sunday to 11:59pm Saturday).
 - b. Work performed at the direction of the Chief of Police is the sole exception to the above guideline.
 - c. Officers will be held accountable for monitoring their total hours worked in a given day. When submitting an Off-Duty Request, officers will be cognizant the off-duty employment does not conflict with any scheduled court and/or grant overtime causing the officer to exceed the 16 total work hours permitted. If so, officers will adjust their total hours worked by either reducing the time spent working off-duty employment or using their personal leave time.

- d. Supervisors will monitor an officer's work hours to ensure the permitted work hours are not exceeded.
2. Employees cannot use earned leave to work off-duty employment when the employment is on a regularly scheduled daily, weekly, or monthly basis or any time it splits their workday. Officers may use earned leave to work non-recurring, one-time only off-duty employment.
3. Employees cannot work at any off-duty employment within 24 hours from the beginning of the shift in which they fail to report for duty due to personal illness or injury.
4. Supervisors will not work in any off-duty capacity where they report directly to a departmental subordinate.
5. Serving as a recruiter, and receiving compensation for, procurement of law-enforcement related jobs for other department employees is prohibited.
6. No employee shall solicit any person or business for the purpose of gaining off-duty employment.
7. Officers engaged in law-enforcement related employment shall be subject to the order of the on-duty law-enforcement supervisor.
8. When testifying in court on matters arising from off-duty employment, officers shall not receive any compensation from an off-duty employer. Officers will be compensated only by the Town of Argyle.
9. No employee shall engage in off-duty employment when the duty or activity would be undignified or would tend to lower the prestige of the department.
10. Permission for off-duty employment may be revoked where it is determined pursuant to written directives that such outside employment is not in the best interest of the department.
11. Officers will not perform off-duty employment in areas outside of Denton County without prior approval from the Chief of Police.
12. Officers will perform only the following types of activity:
 - a. Traffic control and pedestrian safety
 - b. Crowd control
 - c. Security
 - d. Routine law enforcement duties for public or private concerns.
13. The acceptance of gifts, gratuities, bonuses, tips, or merchandise in any form from any enforcement related off-duty employer is strictly prohibited. If an off-duty employer is insistent that the gift be accepted, it shall be accepted and within seventy-two (72) hours turned over to the Chief of Police for distribution to an appropriate charity. Meals and lodging provided to participating officers during the detail are considered part of the compensation for that job and not considered a bonus or tip, etc.

IV. REQUESTING APPROVAL TO WORK OFF-DUTY

A. Non-recurring Off-Duty Jobs

1. This portion of this policy applies to non-recurring, one-time only, jobs only.
2. Employees wishing to work off-duty employment shall submit an Off-Duty Request form to the Chief of Police, through the chain of command, for approval **prior** to working the off-duty job.
 - a. Submission to the supervisor should be at least 24 hours prior to working the off-duty job.
 - b. Supervisors shall note, on the Off-Duty Request form, circumstances requiring approval of off-duty jobs with less than 24 hours' notice.
3. If an officer works any dates or work hours not listed on the approved Off-Duty Request form, he/she must submit a separate form for these dates and/or hours.
4. Each unique address where off-duty work is to be performed shall require a separate Off-Duty Request form.

B. Recurring or Regular Off-Duty Jobs

1. A memo requesting to establish the job location as an approved off-duty location shall be submitted to the Chief of Police, through the chain of command, at least **one week** prior to the first day on which the job is to be worked. On this form the officer shall record the following in order for the location to be considered:
 - a. Name of job location including full business name
 - b. Full street of address of job location
 - c. Contact person for location with current phone number
 - d. Full description of duties to be performed at job location
 - e. A statement acknowledging review of this policy (4.6 Off-Duty Employment) prior to requesting establishment of the off-duty location
2. Supervisors shall review the memo requesting the establishment of a job location as approved and will fully research the suitability of this location before initialing the memo and writing either "Recommend Approval" or "Do Not Recommend Approval" on the memo prior to forwarding through the chain of command.
3. The Argyle Police Department utilizes the Roll Kall online platform to approve, schedule, and process payment for recurring off-duty jobs. Supervisors shall ensure that the employer has been established within Roll Kall prior to officers beginning work at that location.
4. Establishment of approval to perform off-duty employment at a given location is not permanent and may be revoked at any time by a supervisor of this Department
5. Each unique address where off-duty work is to be performed shall require a separate memo to request employment at that location.
6. Copies of memos requesting the establishment of a location as an approved off-duty location shall be maintained by the Chief of Police.

- C. Under no circumstances shall an officer perform off-duty police employment in plain clothes prior to receiving written authorization from the Chief of Police.

D. Approval to work off-duty shall not be granted if:

1. The work involves collecting bills or checks, re-possessing property, or acting as a process server.
2. The work involves domestic difficulties.
3. The work requires performance of non-law enforcement tasks in department uniform.
4. The work requires performance of any activity that supports case preparation for the defense in any criminal or civil action.
5. The work is for any person or entity engaged in a labor dispute or in a political or ideological controversy where the officer's off-duty employment may reasonably be construed as an endorsement or condemnation by the Department of a position taken by either party to the dispute or controversy.
6. A supervisor is placed in a position of working for any lower ranking officer.

E. Other Provisions

1. An officer providing off-duty service in uniform shall not:
 - a. Enforce company policies or *house rules* unless the enforcement would constitute a law enforcement activity.
 - b. Drink alcoholic beverages, nor drink refreshments in public view that appear to be alcoholic beverages.
 - c. Remain present when a private security and/or investigative agency or private individual is conducting either a civil or criminal investigation.
 - d. Assist in any investigation by a private security and/or investigative agency or private individual.
2. All officers performing off-duty security or traffic control services are subject to the same rules and regulations (including the General Orders and Code of Conduct) as if they were performing on-duty service.
3. An officer must immediately report to the Chief of Police in writing any incident arising from off-duty service that might adversely affect the Department or the Town. This includes any incident that would require the presence of a police supervisor if it had occurred while the officer was on-duty.
4. Whenever an officer performs any off-duty police service, the officer will ask the off-duty employer to submit a Tax Form 109 or a W-2 Form to the U.S. Internal Revenue Service for the duty performed.
5. Employees accepting any off-duty employment opportunity are required to fulfill their responsibilities as if they were on-duty. This includes, but is not limited to:
 - a. Arriving on time.
 - b. Completing the scheduled shift.
 - c. Performing required duties.

- d. Making proper notification by calling the job coordinator and finding a replacement, when employees cannot work their shift.
- e. Failure to show up for accepted scheduled shifts may subject the officer to loss of approval to work off-duty at the employer.

V. OFF-DUTY RESPONSE PROCEDURES

- A. As in all on-duty situations, officers will be required to take immediate action to protect life and property. Officers must therefore respond to crimes in progress or to prevent breaches of the peace. If time and opportunity permit, this should be done after ensuring on-duty officers are called for assistance.
- B. When officers receive requests for assistance concerning non-emergency situations occurring away from their off-duty job location, they will provide assistance by the most practical means available, whether it is assisting a citizen in calling 9-1-1 or personally handling the situation. The officer's guiding principle in any situation will be to ensure that the citizen receives proper and prompt assistance.
- C. Officers working off-duty jobs are responsible for ensuring that all reports required for offenses occurring while they are at their off-duty employment location are completed. On-duty officers shall transport prisoners. The off-duty officer is responsible for any arrest and offense reports unless otherwise approved by an on-duty supervisor of the jurisdiction where the arrest was made.
- D. Per Texas Code of Criminal Procedure Article 14.03, officers shall, as soon as practicable after making an arrest, notify the law enforcement agency having jurisdiction where the arrest was made. On-duty officers shall transport prisoners.
- E. Officers will not enforce by arrest, request, or threat, the provisions of any civil agreement or contract, nor become involved in any other matter which is solely civil in nature.
- F. Off-duty arrests shall not be made when the officer's actions further only the interests of the private employer.

VI. SUPERVISOR RESPONSIBILITIES

- A. Supervisors, upon receiving an Off-Duty Request, shall:
 - 1. Verify that all information on the form has been completed and is legible.
 - 2. Verify that the request for approval is received prior to the officer beginning work at the off-duty employer.
 - 3. Ensure that the request complies with all sections of this policy.
 - 4. Approve or deny the request.
 - 5. Forward approved requests to the Chief of Police for final authorization.

- B. Supervisors shall provide for safety while officers are working on or off-duty. In order to do so, supervisors who are reviewing requests for off-duty employment will consider whether:
1. The number of work hours involved is in accordance with Section III, B, 1.
 2. The work would interfere with the employee's assigned duties with the Department.
 3. The employee's productivity records are satisfactory.
 4. The employee has a high frequency level of complaints.
 5. The place of work is frequented by convicted felons.
 6. It is suspected illegal activities are being conducted at the place of work.
 7. The nature of the activity at the place of work would bring discredit upon the Department.
- C. Periodically, or at the request of the Chief of Police, supervisors shall conduct verifications, either via telephone or in person, of off-duty employment to ensure compliance with General Orders.
1. All verification of off-duty employment shall be recorded on the Off-Duty Employment Audit Spreadsheet. This spreadsheet can be found on the computer at: *PDShare/PDSup/Off-Duty Employment Audit Spreadsheet*.
 2. The supervisor conducting the verification shall:
 - a. Complete the Off-Duty Employment Audit Spreadsheet with the date and time the check was conducted. Include the name of the supervisor conducting the verification, as well as the name of the business or individual for whom the employment is performed.
 - b. Personally speak to an individual at the off-duty job and record his/her name.
 - c. Determine if the dates worked coincide with the employee's Off-Duty Request form on file.
 - d. Indicate whether officers were operating within the guidelines of this policy and not any observed violations.
 - e. If observing a violation, notify the Chief of Police of any corrective actions taken or recommended.

VII. OFF-DUTY EMPLOYMENT WITH PRIVATE BUSINESSES AND INDIVIDUALS, AND PRIVATE INVESTIGATIVE AND SECURITY AGENCIES

- A. No member of the Department will engage in any work involving surveillance for any private business or agency, or any private investigative or security company, or any private individual.
1. In this context, *surveillance* means the act of following a person(s) or vehicle(s) for the purpose of tracking or recording their movement for a possible criminal or civil case or matter.
 2. *Surveillance* as used here does not prohibit:
 - a. An officer from monitoring, either personally or via television camera, an individual's movement within a place of business where the officer has been hired to provide theft, burglary, robbery, or vandalism protection.
 - b. An officer hired to house sit a residence by a private individual from monitoring any movement on the grounds of the residence.
- B. No member of the Department will own or accept employment with any private investigative or security company which is or would be governed by the Private Investigators and Private Security Agencies Act, except that officers may accept off-duty employment to work at businesses to prevent theft, burglary, robbery, vandalism, or to provide traffic control services.
- C. Reserve officers whose primary employment is governed by the Private Investigators and Private Security Agencies Act are allowed, as a condition of their employment, to work at businesses to prevent theft, burglary, robbery, vandalism, or to provide traffic control services. Reserve officers are prohibited from conducting private investigations or engaging in any work outlined in section (A) above as their means of primary employment. Reserve officers are prohibited from providing private security services as a security guard, patrolman, watchman, or extra job coordinator.
- D. When working in the capacities allowed by (B) above, officers will not wear the uniform of any private security company.
- E. No member of the Department will assist in any manner, for pay or gratis, in an investigation, interrogation of witnesses or suspects, or in the recording of any conversations by private investigative agencies, except as an authorized agent of the Argyle Police Department.
- F. Unless serving as a representative of the Argyle Police Department, no member of the Department will be present, either on-duty or off-duty, when any private investigative agency is conducting any criminal or civil investigation, interrogating any witnesses or suspects, or recording any conversations.
1. Prior to working with a private investigator or investigative agency as an Argyle Police Department representative and, if time permits, members will first obtain consent from the Chief of Police.

2. If circumstances prevent obtaining pre-approved consent from the Chief of Police, members will notify the Chief of Police verbally or by memorandum immediately after the activity is concluded.

G. Members of the Department are specifically prohibited from using their employment with the Town of Argyle to obtain for off-duty employers any information to which normally the general public would not have access, or for which the general public would be required to make a formal request through Departmental channels.

H. Should an off-duty employer request a member of the Department provide information or services which could reasonably be construed to create the appearance of a conflict of interest, the officer will:

1. Advise the employer of the potential conflict and that the officer cannot provide the information or services requested.

2. Refer the requestor to a Sergeant or Chief of Police.

VIII. OFF-DUTY POLICE EMPLOYMENT AT LOCATIONS WHERE ALCOHOLIC BEVERAGES ARE DISPENSED OR SOLD

A. Officers may not provide off-duty police service in the employ of a business which derives 51% or greater of its gross receipts from the sale of alcoholic beverages.

B. This prohibition includes, but is not limited to:

1. Working at the front door or inside.

2. Working the business parking lot.

3. Performing traffic control for the location.

C. This policy applies to businesses which dispense or sell alcohol, either on or off premises.

IX. OFF-DUTY POLICE EMPLOYMENT AT SEXUALLY ORIENTED BUSINESSES PROHIBITED

No member of the Department will be allowed to perform off-duty security and/or traffic control services inside, on the parking lot, or in the proximity of establishments that could be classified as a Sexually Oriented Business in nature. In cases where the nature of the business is in question, supervisors shall request clarification from the officer prior to approving off-duty employment applications.

X. OFF-DUTY EMPLOYMENT AT APARTMENT COMPLEXES

A. Officers shall not be allowed to work as *Managers, Assistant Managers, Night Managers,* or *Security* for apartment complexes, including the complex where they may reside.

B. Enforcement Action

1. Officers may act as *Courtesy Officers* for the apartment complex where they reside.
 - a. Officers acting as *Courtesy Officers* shall not perform off-duty enforcement activities while in the Argyle Police Department uniform.
 - b. When contacted by apartment management or other tenants regarding incidents where a law enforcement response is necessary, officers shall ensure a response by on-duty personnel by either instructing the individual to dial 9-1-1 or personally dialing 9-1-1.
 2. Officers, when not on-duty, shall take action only against felony offenders to prevent burglaries, auto thefts, thefts, sexual assaults, and other crimes against persons which, by their very nature and appearance, are a threat to society.
 3. Officers shall not enforce Class C Misdemeanors, become involved in family disputes or minor disturbances unless loss of property or bodily injury seems imminent, nor will they enforce on-premise traffic violations. Officers will report those minor infractions and breaches of the peace (not involving bodily injury) that require police action to on-duty police personnel by calling 9-1-1.
- C. Officers shall not enforce property management policies (house rules) acting under the color of law (using their badge of police authority or in police uniform).

XI. OUTSIDE EMPLOYMENT – OTHER THAN POLICE DUTY

- A. Any member of the Argyle Police Department who owns or operates any private business, works on a commission, percentage, or salary, or receives compensation of any kind from any person, firm, or corporation other than the Town of Argyle, will submit a request to his/her immediate supervisor to engage in the business. The request must be approved or denied by the employee's chain-of-command through the Chief of Police. The form used for this purpose is the *Request for Permission for Outside Employment Other Than Police Duty* (A copy of this form is attached to the end of this policy).
 1. An application requesting permission to operate a business or perform services not pertaining to police duty will be filed prior to entering into such business and must be renewed each January 1 and July 1 thereafter.
 2. A copy of the approved form will be placed in the employee's personnel file.
- B. As a general rule, no member of the Department will be allowed to own or operate a place of business in any off-duty capacity where the principal specialty is the dispensing or sale of alcoholic beverages for off-premises consumption, or where alcoholic beverages are dispensed or sold for on-premise consumption. Any exception to this general rule will be by special written permission of the Chief of Police.
- C. No officer or employee will engage in any private business or employment where his/her official position might be used to advance personal private interests or to damage the Department's credibility.

- D. No officer or employee will engage in any off-duty employment or voluntary capacity as an expert witness for a litigant in a civil case or for a criminal defense attorney or defendant in a criminal case in any jurisdiction without approval from the Chief of Police.
- E. The use of Departmental identification/forms which include, but are not limited to: Departmental letterhead, records, insignia, badges, and logos will not be used to seek off-duty employment. This does not prevent an officer from stating that they are an Argyle Police Officer and providing his/her experience/training when providing their information to a prospective off-duty employer.
- F. Any officer who teaches law enforcement courses in an off-duty capacity will give a verbal disclaimer prior to any instruction that the subject matter being taught does not necessarily constitute the views and opinions of the Argyle Police Department or Town of Argyle, but the personal opinion and experience of instructing officer.
- G. Off-duty employers are permitted to provide Argyle Police Officer's biographical information on official correspondence as it relates to law enforcement course instruction. This information can include the officer's name, title, and position on the Department.

XII. VIOLATION OF OFF-DUTY POLICY

- A. Officers and non-sworn personnel are required to notify a supervisor whenever they learn, through personal observation or report, of any violation of the off-duty employment policy by any Departmental employee. The supervisor will immediately:
 - 1. Conduct a review of the circumstances.
 - 2. Initiate an investigation into the alleged violation.
 - 3. If necessary, complete a *Complaint Referral* form and forward it through the chain-of-command to the Chief of Police.
- B. Supervisors personally observing a violation will:
 - 1. Take the appropriate action to address the infraction.
 - 2. Determine if the employee needs to immediately discontinue the off-duty job.
 - 3. If necessary, complete *Complaint Referral* form and forward it through the chain-of-command to the Chief of Police.
- C. In addition to any appropriate disciplinary action, a Sergeant or the Chief of Police may suspend all of an employee's off-duty employment privileges for any of the following reasons:
 - 1. Any failure to comply with the requirements of the policy on off-duty police employment at locations where alcoholic beverages are dispensed or sold.

2. Depending on the severity of the violation, failure to comply with the off-duty job policy.
3. The officer has received notice from the Chief of Police that, due to related suspension or demotion, he/she is currently prohibited from working off-duty employment.
4. Prior to any act of suspension of an employee's off-duty employment privileges, the Sergeant or Chief of Police will hold a hearing with the employee to allow the employee to present his or her point of view.

XIII. UNIFORMS AT OFF-DUTY POLICE EMPLOYMENT

- A. Officers performing off-duty work at locations within Denton County shall wear the regular Argyle Police Department uniform.
 1. Officers shall wear the full uniform. No officer shall wear portions of the Argyle Police uniform in conjunction with other apparel. This includes the Argyle Police Department badge.
 2. Officers shall not wear or display any insignia, markings, or logos which are not part of the regular Argyle Police Department uniform.
- B. Officers shall be required to wear their ballistic vest as part of their uniform.

XIV. USE OF DEPARTMENTAL VEHICLE AT OFF-DUTY EMPLOYMENT

- A. Departmental vehicles shall only be utilized at off-duty employment locations within the Town of Argyle, not to include portions of the Town's extra-territorial jurisdiction.
- B. Prior to use at any off-duty employment location, approval from the Chief of Police shall be obtained.
- C. When vehicles are utilized at off-duty employment within the Town of Argyle, the vehicle shall be:
 1. Driven only directly to, and directly from, the off-duty employment location.
 2. Parked, with the ignition off, for the entirety of the off-duty employment period.



**REQUEST FOR PERMISSION FOR OUTSIDE EMPLOYMENT
OTHER THAN POLICE DUTY**

Date _____

Employee's Name _____

Title (employee's role in company) _____

Name of Outside Employer _____

Address _____

Type of Business _____ Phone _____

Duties to be performed (Complete and In Detail)

Approximate number of hours to be worked each week: _____

Hours of Employment (Explain how proposed work fits into regular police work schedule):

Is this position temporary? _____ If so, until when? _____


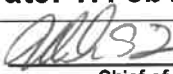
I certify that the above information is true; that I have read the Argyle Police Department rules, regulations, and policy governing outside employment and agree to abide by them; that I will use this permission only for the position and employer stated above; and that the employer named above knows I am an employee of the Argyle Police Department.

Signature of Employee: _____

Approved:

Immediate Supervisor: _____

Chief of Police: _____

	ARGYLE POLICE DEPARTMENT	
	Policy 4.7 Grievance Procedure	
	Effective Date: 17Feb12	Replaces:
	Approved:  <div style="text-align: center;">_____ Chief of Police</div>	
Reference: 2.08.1		

I. POLICY

The department's goal is to provide fair, equitable, and clearly defined means for the resolution of grievances, to ensure employees and their supervisors are accorded reasonable opportunity to present the facts bearing on a grievance, and to guarantee the opportunity to exercise the rights set forth in this order. Every employee has the right to fair treatment in all matters arising from employment and to this end each employee has the right to be heard whenever he or she alleges mistreatment. A grievance process that affords employees the opportunity to air a complaint helps reduce dissatisfaction, identify organizational problems, and increase morale.



The department retains the right under applicable laws and regulations to direct employees in the performance of their duties; to take the necessary means to achieve the proper ends under emergency situations; and to hire, promote, transfer and assign employees as well as to suspend, demote, discharge or take disciplinary action against such employees for just cause.

II. PURPOSE

The purpose of this order is to establish grievance procedures for departmental employees to resolve disputes or complaints concerning the terms or conditions of employment.

III. PROCEDURES

Grievance Procedures are outlined in Chapter 8 of the Town of Argyle Employee Manual.

	ARGYLE POLICE DEPARTMENT	
	Policy 4.8 Reserve Officer Program	
	Effective Date: 26OCT20	Replaces: 7Dec17
	Approved:  Chief of Police	
	Reference: TBP 3.07 and 7.27	

I. POLICY

It is the policy of the Argyle Police Department to maintain the highest standards of professional law enforcement services. The Argyle Police Department shall select reserve police officers based on the same stringent standards which are used to choose full-time officers. Persons who fill reserve officer positions will be expected to perform in a professional manner and will be held accountable to all directives of this department.

Reserve Police Officers should fulfill two primary functions. First, Reserve Officers serve as auxiliary manpower in situations as needed. Second, they provide an additional interactive link between the community and the Police Department.

II. PURPOSE

The purpose of this order is to establish the Police Reserve Unit, and outline its objectives, responsibilities, and operation.

III. RESERVE PROGRAM STANDARDS (TBP: 7.27)

A. Requirements and Certification

1. Requirements for age, education, and experience are the same as that for regular sworn personnel.
2. Applicants must meet all minimum requirements set forth by the Texas Commission on Law Enforcement (TCOLE), and shall report any suspension, revocation, or lapse in their TCOLE license to the Chief of Police.
3. The selection process for Reserve Officer applicants are the same as regular officers outlined in Policy 4.1 and 4.2.

B. Training and Performance Standards

1. Reserve Police Officers serve at the discretion of the Chief of Police and may be called into service at any time the Chief of Police or his designate considers it necessary to have additional officers.
2. All Reserve Police Officers are subject to the same rules, regulations, and orders as regular sworn personnel.
3. All active Reserve Police Officers must successfully complete the Police Training Officer Program under the supervision and evaluation of a departmentally approved Field Training Officer.
 - a. Reserve officers who have prior law enforcement experience shall work a minimum of 40 hours with an approved field training officer (FTO) within the first two months after appointment.
 - b. Reserve officers who have no prior law enforcement experience shall work a minimum of 64 hours with an approved field training officer (FTO) within the first two months after appointment.
4. All Reserve Officers will be required to attend periodic department In-Service training to complete:
 - a. The same training as required of regular sworn officers including courses mandated by TCOLE for certification requirements; and (TBP: 3.07)
 - b. Departmentally required qualifications on firearms and baton and any other equipment deemed necessary.
 - c. During the field training program, all reserve officers shall be evaluated during each work shift on the same form as regular full-time officers.
 - d. At any time during training, a reserve officer may be referred to the Chief of Police for termination from reserve status with the department due to documented unsatisfactory performance. The final decision to terminate the officer from reserve status shall be made by the Chief of Police. Any reserve officer who is terminated by the Chief of Police shall have no appeal rights and the decision of the Chief of Police is final.

C. Organizational Function

1. The primary function of Reserve Police Officers will be to supplement Patrol Operations personnel.

2. Additionally, Reserve Officers will be on call for assistance in emergency situations such as disasters, riots, etc. and to provide additional manpower for special enforcement assignments.

IV. NOTIFICATION REQUIREMENTS WHEN REPORTING FOR DUTY

Before beginning a tour of duty, reserve officers shall notify the dispatcher that he/she has reported for work and will specify which full-time officer the reserve will be riding with. In cases of emergency where the reserve officer has been pressed into service before he/she can report (e.g., accident scene, disturbances, etc. where the reserve officer happened upon the scene) that officer shall report his/her presence to the dispatcher and the on-duty officer as soon as practicable.

V. RESERVE OFFICERS ON-DUTY STATUS

- A. Reserve officers are considered in an "on-duty" capacity:
 1. While within the jurisdiction of the Department.
 2. Performing "assigned duty".
 3. Representing or identifying himself/herself as a Peace Officer for the purpose of taking enforcement action or discharging legal duties.
- B. Reserve officers shall always be prepared to act whenever circumstances indicate that their services are required to protect life or property.
- C. Argyle Police Department reserve officers serve at the discretion of the Chief of Police and may be called to serve at any time the Chief of Police considers it necessary to preserve the peace and enforce the law.
- D. While not in uniform, a reserve officer shall not seek to make an arrest based on minor traffic offenses or Class "C" misdemeanors.

VI. REQUIREMENT TO RIDE WITH FULL-TIME OFFICER

Reserve officers do not regularly work call-answering shifts within the Town of Argyle, are not paid employees of the Town of Argyle, and do not attain the same level of experience and training as full-time officers. For these reasons, no reserve officer shall be assigned to a call answering shift as a single person unit. Reserve officers shall be assigned to patrol as part of a two-person unit with a full-time Argyle Police Officer. This requirement does not apply to assignments that consist of traffic control only.

VII. ISSUANCE OF POLICE UNIFORMS AND EQUIPMENT

- A. Reserve officers shall be provided one (1) uniform, which consists of one (1) pair of pants and one (1) shirt. Reserve officers are responsible for the purchase of all other uniforms and equipment necessary to perform police duties. All uniforms and equipment must conform to the Argyle Police Department standards and must be approved prior to purchase.
- B. Reserve officers shall not be issued firearms by the Department, but may purchase their own firearms and ammunition, with the following requirements.
 - 1. Reserve officers shall be governed by Argyle Police Department General Order 6.2 – Firearms.
 - 2. Reserve officers shall only carry firearms chambered in 9mm while on duty.
 - 3. Prior to being carried on duty, any weapon shall be approved by the Department firearms instructor and the weapon's serial number shall be recorded by the Department.
 - 4. The approved pistol round for the Argyle Police Department is the Hornady 135 grain Critical Duty +P bullet.
- C. Reserve officers shall be responsible for any damage to city-owned equipment which is used during their duty hours, where the damage is due to purposeful misuse or employee negligence. This includes police radios, vehicles, or any other items which are made available for use by the Argyle Police Department.

VIII. MONTHLY HOURS REQUIREMENT

Each Argyle Police Department reserve officer must work a minimum of 16 hours per month.

- A. A reserve officer may choose to work two 8-hour shifts, or may break his/her time into several smaller shifts of at least 4 hours during the month.
- B. To avoid a situation where reserve officers are on duty at the same time, each reserve officer shall schedule their duty hours with an Argyle Police Department supervisor at least 7 days in advance.
- C. These requirements may be waived for officers who provide other, specific services to the department, as approved by the Chief of Police.

IX. DISCIPLINARY ACTION FOR FAILURE TO MEET REQUIRED HOURS

Any reserve officer who does not maintain the minimum requirements of a reserve officer as set forth in Section VIII for any two consecutive months may be suspended from the department pending an administrative review. Possible actions resulting from an administrative review are:

- A. Officer is exempted due to emergency circumstances or the discretion of the Chief of Police, or
- B. Officer is placed on probation for 90 days, or
- C. Termination of reserve status with department, or
- D. Other discipline as determined by the Chief of Police.

X. REINSTATEMENT FOLLOWING TERMINATION



- A. Reserve officers who have been terminated for violation of Section VIII shall not be eligible for reinstatement with the department for a period of one year, beginning on the date of their termination. At the conclusion of this one year period, officers who reapply for a position with the Department may be required to go through all or part of the hiring process and shall be considered only if a position is available.
- B. Officers who are reapplying for a position following a termination for violation of Section VIII shall be required to pay for all medical examinations, drug tests, and psychological testing that may be required by the State.
- C. This policy applies only to officers terminated due to violation of Section VII and does not apply to officers terminated under any other circumstances.

XI. PROBATIONARY PERIOD

Individuals appointed as reserve officers shall serve an 18-month probationary period. The purpose of this probation is to allow the department to evaluate the work of the officer, and to allow the reserve officer time to become familiar with the operational policies of the department. The Chief of Police may extend any portion of the probation period if he/she feels that the officer shows a need for further training. No probation period may be extended unless the reserve officer has been notified in writing of the terms of the extended probation, and of the specific problems or areas in need of improvement.

XII. OFF-DUTY EMPLOYMENT

Reserve officers shall not work any police-related off-duty employment. This includes employment as uniformed or plain clothes security, or any other employment which is dependent upon the officer's status as a member of the Argyle Police Department.

	ARGYLE POLICE DEPARTMENT	
	Policy 4.9 Chaplain Program	
	Effective Date: 04APR21	Replaces:
	Approved:  Chief of Police	

I. POLICY

It is the desire of the Argyle Police Department to provide all necessary support for all employees. This support will include providing officers emotional and/or spiritual support, where desired by the employee, in the form of the police chaplain.

The Argyle Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

II. PURPOSE

This policy establishes the guidelines for Argyle Police Department chaplains to provide counseling or emotional and/or spiritual support to members of the Department, their families, and members of the public.

III. ELIGIBILITY

The requirements for participation as a chaplain for the Department include, but are not limited to:

- A. Character that is above reproach with the traits of temperance, integrity, prudence, courteousness, discretion, reliability, and freedom from dependence on alcohol or other drugs.
- B. Managing his/her household, family and personal affairs well.
- C. Having a good reputation in the community.
- D. Successful completion of an appropriate-level background investigation.
- E. Prior experience counseling or guiding others.
- F. Possession of a valid driver's license.
- G. The Chief of Police may allow exceptions to these eligibility requirements based on organizational needs and the unique qualifications of the individual candidate.

- E. Chaplains will serve as a resource for Department members who are dealing with the public during significant incidents (e.g., accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse).
- F. A Police Chaplain will be assigned to the Chief of Police in such cases of an Officer involved shooting, death, or serious bodily injury. A Police Chaplain will accompany the Chief of Police when making any family notifications concerning the death or serious injury of an officer.
- G. Attending Department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.
- H. Participating in in-service training classes.
- I. When requested, attending and participating in funerals of active or retired Department members.
- J. Chaplains, when engaged in a service call, will identify themselves verbally and by displaying identification provided by the Department.
- K. Chaplains shall be permitted to ride with officers during any shift and observe Argyle Police Department operations, provided a supervisor has been notified and the appropriate waiver has been signed and notarized.
- L. While riding along or when on the scene of a police incident, Chaplains shall display the police chaplain identification card conspicuously on the exterior of their clothing. As representatives of the Department, Chaplains shall present a professional image to the community.


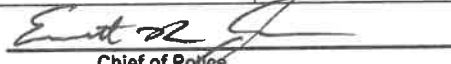
VI. RESTRICTIONS

- A. Chaplains shall become involved in domestic situations only when the investigating officer's supervisor feels the Chaplain's services may be of help to the family involved.
- B. Chaplains shall not attempt to convert, proselytize, or bring into their religious affiliations members of the Department, or the general public while they are assisting or riding along with the Department, unless a person requests information about the particular faith of the Chaplain.
- C. When responding to a service call by vehicle, the Chaplain will observe all traffic regulations.
- D. When responding to incidents, a Chaplain shall never function as an officer.
- E. When responding to an in-progress call for service, Chaplains may be required to stand-by in a secure area until the situation has been deemed safe.

IX. TRAINING

The Department will establish a training program and minimum number of training hours for Department Chaplains. The training, as approved by the Chief of Police or designee, may include:

- A. Stress Management
- B. Death Notifications
- C. Symptoms of post-traumatic stress
- D. Burnout for members of law enforcement and chaplains
- E. Legal Liability and confidentiality
- F. Ethics
- G. Responding to crisis situations
- H. The law enforcement family
- I. Substance abuse
- J. Suicide
- K. Officer injury or death
- L. Sensitivity and diversity
- M. The location of basic life saving tools in the police vehicle and basic application of these tools

	ARGYLE POLICE DEPARTMENT	
	Policy 4.10 On-Duty Exercise	
	Effective Date: 22APR21	Replaces:
	Approved:  Chief of Police	
	Reference:	

I. POLICY

The Argyle Police Department knows that physically fit officers are more efficient, less likely to become injured, and more healthy during their careers. The Department believes in providing the tools necessary to keep each of its officers in peak condition to perform their job functions so we may provide first-rate service to citizens. To this end, the Department will allow officers time on-duty to exercise. Exercise provided for and performed in accordance with this policy is **not mandatory**.

II. PURPOSE

The purpose of this order is to establish the regulations governing voluntary on-duty exercise by officers.

III. OFFICER READINESS

- A. Officers shall, at all times, maintain a level of readiness to respond to police incidents or any other call/request for service from citizens. Officer shall respond immediately to calls for service and will not postpone their response to complete a workout.
- B. Officers shall not completely remove their uniform or find themselves in a state of dress where they cannot quickly return to a fully uniformed and ready posture. Officers must wear a shirt at all times when working out.
- C. Officers shall remain in constant contact with dispatch, including notifying dispatch that they are engaged in working out under this policy. Officers shall be alert and able to hear their police radio at all times.
- D. Officers shall place themselves on a “Station” (STA) mark out either on their MCT or via radio with dispatch prior to beginning their work out.

IV. LIMITATIONS

- A. Officers who wish to exercise during the workday may be granted up to thirty (30) minutes per shift. Allotted workout time is non-cumulative and may not be carried

over onto another shift and may not be combined with other breaks or taken during the first or last hour of the officer's assigned shift.

1. Officers responding to a call for service or citizen request for service during their workout may return to complete the workout once the call or request has been handled in accordance with Argyle Police Department policies and procedures.
- B. Except where a field training officer (FTO) and his/her trainee work out together, only one (1) officer may workout at a time during a shift.
- C. On-duty workouts may only be completed at the Argyle Police Department at either the designated exercise room or behind the police station in the sally port area.
- D. No additional compensation will be provided for officers who engage in exercise off-duty and Town provided exercise facilities are reserved for on-duty use only.
- E. Under no condition should on-duty exercise be used to accumulate overtime or compensatory time unless first approved by the Chief of Police or his designee.
- F. Access to the designated exercise room and use of the provided exercise equipment is restricted to Argyle Police Department officers.

V. OFFICER SAFETY

- A. Equipment Use – Officers are to use the provided workout materials and equipment in the manner they are intended. Officers are to read and follow any instructions that may be posted with the exercise equipment. Officers have a duty to report broken or non-functional equipment.
- B. Officers are to use the provided disinfecting wipes and/or paper towels and disinfectant before and after exercising at each location/station/piece of equipment.



ARGYLE POLICE DEPARTMENT

Policy 4.20 Mental Health Leave

Effective Date: 01SEP21

Replaces:

Approved: 
Chief of Police

Reference:

I. POLICY

The Argyle Police Department understands that the police profession can take a toll on the well-being of officers, both physically and mentally. The Department will provide mental health leave to officers to promote and support the maintenance of officers' healthy state of mind while at work and at home.

II. PURPOSE

The purpose of this order is to establish mental health leave as mandated by Section 614.015, Government Code.

III. DEFINITIONS

- A. **Law Enforcement Agency** – An agency of the state, or an agency of a political subdivision of the state, authorized by law to employ peace officers.
- B. **Peace Officer** – An individual having met all requirements established by law, possessing a valid license through the Texas Commission on Law Enforcement (TCOLE), and having been appointed by the Argyle Police Department as a police officer.
- C. **Scope of Employment** – An activity of any kind or character that is associated with and originates in the work, business, trade, or profession of the employer and that is performed by an employee while engaged in, or about the furtherance of, the affairs or business of the employer.
- D. **Identified Traumatic Event** – A traumatic event means exposure to actual or threatened death, serious injury or sexual violence which is experienced by a peace officer in the scope of the officer's duties by:
 - 1. directly experiencing the event.
 - 2. witnessing, in person, the event as it occurred to others.
 - 3. experiencing repeated or extreme exposure to aversive details of the event.

IV. ELIGIBILITY AND APPLICABILITY

- A. This policy is applicable to all individuals who are employed as peace officers within the Argyle Police Department and allows for the use of mental health leave for employees who experience a traumatic event in the scope of employment.
- B. Examples of traumatic events occurring within the scope of employment which might have an adverse effect on a peace officer's mental health include, but are not limited to, the following:
 - 1. An officer involved shooting.
 - 2. An investigation by a peace officer concerning the death of an individual.
 - 3. An investigation by a peace officer concerning the abuse of an individual.
 - 4. The death, serious injury, or catastrophic illness of a co-worker.
 - 5. Repetitive or prolonged exposure to events involving violence, injury, or emotional stress.

V. PROCESS

- A. A peace officer, or the peace officer's supervisor on their behalf, may request mental health leave in writing via the "Request for Mental Health Leave" form on the intranet.
 - 1. The employee must specify on this form the nature of the traumatic event leading to the request for mental health leave.
 - 2. This form shall be submitted electronically or printed once completed and shall be submitted directly to the Chief of Police.
 - 3. This form shall be forwarded to the Director of Human Resources and/or the Town Administrator and members of the officer's chain of command and the Town's administrative staff as necessary to effectuate the leave.
- B. Peace officers are eligible for up to three regular workdays (36 hours) of mental health leave, per identified traumatic event, as approved by the Chief of Police and the Director of Human Resources when based on the advice of a medical professional. Leave requested under this policy cannot be taken intermittently and does not accrue.
 - 1. The Department shall make available resources such as an Employee Assistance Program (EAP) or a psychologist and may refer the peace officer to one of these resources on a voluntary basis.
 - 2. Any leave beyond the initial three workdays will require the use of the peace officer's accrued leave and will require a written request to the Town Administrator accompanied by a recommendation or directive from the employee's health care provider. The Town Administrator may extend or deny the mental health leave request based on whether the additional leave creates an unreasonable hardship to the department or organization as a whole.

- C. A denial of a mental health leave request must be made in writing. If an employee wishes to appeal the denial of a mental health request by the Chief of Police, they may do so in writing to the Director of Human Resources within three (3) business days. An employee may appeal the decision of the Director of Human Resources to the Town Administrator in writing within three (3) business days of receiving the denial.
- D. Approved leave will be paid leave which will not cause a deduction in salary or utilize accrued leave balances.
- E. As a requirement of returning to work, the Town may request the employee to submit to a fitness for duty evaluation.



VI. SUPERVISOR RESPONSIBILITIES

- A. Supervisors should remain aware of the nature of calls and incidents responded to by the peace officers under their charge. Supervisors should identify potential traumatic events and ensure that peace officers are supported after experiencing these events.
- B. Supervisors should meet regularly with officers to gauge their physical, emotional, and mental well-being consistent with that of a reasonable peace officer. If a peace officer has experienced a potential traumatic event, supervisors should meet as soon as practicable with that officer to determine whether mental health leave under this policy would benefit the peace officer. For example, Supervisors who observe an officer's speech or behavior to indicate the officer may be a danger to themselves or others may recommend leave under this policy. In the event a supervisor determines the peace officer would benefit from mental health leave under this policy, the Supervisor may make a recommendation to the Chief of Police. Recommendations should be in writing and consistent with the directives and definitions included in this policy.
- C. Supervisors should also assist officers, if necessary, in completing the "Request for Mental Health Leave" form and in seeking the assistance of Town provided resources or members of the Department chaplain program.

VII. ANONYMITY

- A. Status of the peace officer, if mental health leave is granted, will only be conveyed to necessary members of the Human Resources Department for processing, the Chief of Police, the officer's chain of command and the Town Administrator.
- B. Approved leave and the nature of the requested leave will not be reflected, expressed, or conveyed to employees outside of those listed above, except as necessary to process the mental health leave request.

- C. Mental health leave by a peace officer will be kept confidential to the extent required by law. Employees may waive the confidentiality of leave by electing to discuss, disclose or share details of their leave with members of the department or Town's staff or with members of the general public.

	ARGYLE POLICE DEPARTMENT	
	Policy 4.30 Medical and Psychological Examination of a TCOLE Licensee	
	Effective Date: 11DEC24	Replaces:
	Approved:  Chief of Police	
Reference:		

I. POLICY

This department strives to provide a safe and productive work environment to ensure that all members of this department can effectively perform the essential functions of their jobs. Under limited circumstances, the department may require a professional examination of a member's physical or mental capabilities to determine the ability to perform essential functions.

II. PURPOSE

Ensuring that each member of this Department's mental and physical fitness for duty is essential for the safety and welfare of the members of this department and the community we serve. The purpose of this policy is to ensure that all members of this department remain medically and psychologically fit for duty and able to perform their essential job duties.

III. MEMBER RESPONSIBILITIES

- A. It is the responsibility of each member of this department to maintain physical stamina and psychological stability sufficient to effectively perform the essential duties of the position.
- B. Any member who feels unable to perform their duties shall promptly notify a supervisor. In the event any member of this department believes that another department member is unable to effectively perform their duties, such an observation or belief shall be promptly reported to a supervisor.

IV. SUPERVISOR RESPONSIBILITIES

- A. All supervisors should be alert to any indication that a member may be unable to safely perform their duties due to an underlying physical or psychological impairment or condition
- B. Such indications may include, but are not limited to, the following:
 - 1. An abrupt and negative change in the member's usual or normal behavior;
 - 2. A pattern of irrational conduct, hostility, or oppositional behavior;

3. Personal expressions, either verbally or in writing, of instability;
4. Reports from other member(s) of the department or general public of irrational conduct or instability;
5. Inappropriate use of alcohol or other substances, including prescribed medication;
6. A pattern of questionable judgment, impulsive behavior, or the inability to manage emotions; or
7. Any other factor or combination of factors causing a supervisor to believe the member may be suffering from an impairment or condition requiring intervention.

- C. Supervisors shall maintain the confidentiality of any information consistent with this policy or applicable law.

V. REPORTING

- A. A supervisor who, through direct observation or other reliable evidence, has reason to believe the member is unable to effectively perform their duties shall promptly document all objective information or observations.
- B. The supervisor should attempt to meet with the member privately to inquire about the conduct or behavior giving rise to the concerns.
- C. If a meeting does not resolve the supervisor's concerns, or does not take place, the supervisor shall promptly document observations and actions in writing and inform the member's direct supervisor and the Chief of Police.

VI. DUTY STATUS FITNESS-FOR-DUTY EXAMINATION

- A. Supervisors within the member's chain of command, up to the Chief of Police, should make a preliminary determination regarding the member's duty status.
- B. If a determination is made that the member can effectively perform essential job functions, the member should be returned to duty and arrangements made for appropriate follow-up.
- C. If a preliminary determination is made that there is reason to believe the member's conduct or behavior represents an inability to effectively perform essential job functions, the appropriate supervisor should immediately relieve the member of duty pending further examination.
- D. Members relieved of duty shall comply with the administrative leave provisions as set out by department policy.
- E. The Chief of Police shall be immediately notified if any member is relieved of duty.

VII. FITNESS-FOR-DUTY EXAMINATION

A fitness-for-duty examination (FFDE) may be ordered whenever circumstances reasonably indicate that a member is unfit for duty.

VIII. DEFINITION OF A FFDE

- A. An FFDE is a formal, specialized examination of an incumbent member that results from:
 - 1. Objective evidence that the member may be unable to effectively perform a defined job function; and
 - 2. A reasonable basis for believing that the cause may be attributable to a medical or psychological condition or impairment.
- B. An FFDE is considered a “medical” examination under the terms of the Americans with Disabilities Act. The central purpose of an FFDE is to determine whether the member is able to effectively perform his or her essential job functions.

VIX. THRESHOLD CONSIDERATIONS FOR AN FFDE

- A. A fitness-for-duty examination (FFDE) may be ordered whenever circumstances reasonably indicate that a member is unfit for duty.
- B. Referring a member for an FFDE is appropriate whenever there is an objective and reasonable basis for believing that the member, as a result of a medical or psychological condition or impairment:
 - 1. May be unable to perform one or more essential job functions; or
 - 2. Poses a direct threat to themselves or others.
- C. **An objective basis is one that is not merely speculative but derives from direct observation or other reliable evidence.**
- D. When deciding whether to conduct an FFDE, both the employer and examiner may benefit from considering its potential usefulness and appropriateness given the specific circumstances, and the employer may consider whether other remedies (for example, education, training, discipline, physical FFDE) are appropriate.
- E. The examiner should strive to remain impartial and objective and to avoid undue influence by any of the parties involved in the case.
- F. Mental health professionals should refrain from rendering fitness-for-duty opinions when they are not conducting an FFDE

X. PROCESS FOR NON-SWORN PERSONNEL

- A. The Chief of Police, in cooperation with the Town personnel department, may order a member to undergo an FFDE whenever a question arises as to whether the member is medically or psychologically fit to continue in their duties. The examination shall be conducted by the member's personal physician, psychiatrist, or psychologist, as required by department policy.
- B. To facilitate the examination of any member, the department will provide all appropriate documents and available information to the person or entity responsible for conducting the examination.
- C. The examining practitioner will provide the department with a report indicating whether the member is fit for duty. If the member is unfit for duty, the practitioner will include the existing restrictions or conditions in the report.
- D. The initial report constitutes the final determination, unless the member or the Chief of Police questions the practitioner's report. A second examination may be ordered by the appropriate authority if the member, or the Chief of Police, questions the practitioner's report within 30 days of the date the initial report is issued. The second examination will be conducted by a physician, psychiatrist or psychologist appointed in accordance with the procedure adopted by the governing body. If the report of the practitioner performing the second examination agrees with the report of the initial practitioner, no additional examination will be performed, and the second report is the final determination. If the report of the practitioner performing the second examination disagrees with the report of the initial practitioner, the final determination as to the member's fitness shall be decided in accordance with Town policy.
- E. All reports and examinations submitted by the examining practitioner shall be part of the member's confidential medical file.
- F. Determinations regarding duty status of members who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with the personnel department.
- G. Any member ordered to undergo a fitness-for-duty examination shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the member to discipline, up to and including termination.
- H. The results of a fitness for duty evaluation may not be used to escape responsibility for improper behavior, as defined by the Argyle Police Department Policy Manual and Standard Operating Procedures, Town of Argyle Employee Handbook, Town Ordinances, and state or federal law.

XI. PROCESS FOR PEACE OFFICERS

- A. The chief of police, in cooperation with the Town personnel department, may order an officer to undergo an FFDE whenever a question arises as to whether the officer is medically or psychologically fit to continue in their duties. The examination shall be conducted by the officer's chosen physician, psychiatrist, or psychologist, as appropriate and in accordance with applicable laws or policies.
- B. The chief of police shall provide written notice of the examination to the officer not later than the tenth business day before the deadline to submit to the examination. Written notice shall include the reasons for the examination.
- C. To facilitate the examination of any member, the department will provide all appropriate documents and available information.
- D. The examining practitioner will provide the department with a report indicating whether the officer is fit for duty. If the officer is unfit for duty, the practitioner will include the existing restrictions or conditions in the report.
- E. A second examination may be ordered by the appropriate authority if the officer or the chief of police questions the practitioner's report. The examination will be conducted by a physician, psychiatrist or psychologist appointed in accordance with the procedure adopted by the governing body. If the report of the practitioner performing the second examination disagrees with the report of the initial practitioner, the final determination as to the officer's fitness shall be decided in accordance with Town policy.
- F. All reports and examinations submitted by the examining practitioner shall be part of the officer's confidential medical file.
- G. Determinations regarding duty status of officers who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with the personnel department.
- H. Any officer ordered to undergo an FFDE shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the officer to discipline, up to and including termination.
- I. The results of a fitness for duty evaluation may not be used to escape responsibility for improper behavior, as defined by the Argyle Police Department Policy Manual and Standard Operating Procedures, Town of Argyle Employee Handbook, Town Ordinances, and state or federal law.

XVII. DEPARTMENT'S RESPONSIBILITIES TO NOTIFY TCOLE

- A. **License Holder:** A Texas County Jailer, Peace Officer, or Telecommunicator.

- B. The chief of police shall notify the Texas Commission on Law Enforcement (TCOLE) upon a final determination that a license holder is unable to effectively perform essential job functions. This notification shall be in writing and submitted to TCOLE within 30 days of the final determination that the license holder is unable to effectively perform essential job functions.
- C. The chief of police shall notify TCOLE if a license holder fails to submit to an examination within the deadline set by the department. This notification shall be in writing and submitted to TCOLE within 30 days after the deadline set by the department has expired.
- D. The chief of police shall notify TCOLE as soon as practicable if a license holder has completed the required examination or received notice that the license holder's circumstances have been successfully resolved.

XVIII. FITNESS-FOR-DUTY EXAMINATION MINIMUM STANDARDS

- A. Given the nature of these examinations and the potential consequences to the employer, the examinee, and the public, it is important for examiners to perform FFDEs with maximum attention to the relevant legal, ethical, and practice standards and guidelines. Such standards include, but are not limited to, the American Psychological Association's Ethical Principles of Psychologists and Code of Conduct. Consequently, it is recommended that these examinations be conducted by a psychologist, psychiatrist, or medical doctor with the appropriate qualifications.
- B. Depending on the referral question and the examiner's professional judgment, an FFDE examiner strives to utilize multiple methods and data sources to optimize the accuracy of findings. Examiners integrate the various data sources, assigning them relative weight according to their known reliability and validity. The range of methods and data sources used by an FFDE examiner can vary, but such suggestions and further information about this process can be found in the International Association of Chiefs of Police (IACP) 2018 Psychological Fitness-for-Duty Examination
- C. When conducting the FFDE, it may be necessary for the examiner to receive background and collateral information regarding the member's past and recent performance, conduct, and functioning. The information may include, but is not limited to, job class specifications or job description, performance evaluations, previous remediation efforts, commendations, testimonials, internal affairs investigations, formal citizen or public complaints, use-of-force incidents, reports related to officer-involved shootings, civil claims, disciplinary actions, incident reports of any triggering events, health care records, prior psychological examinations, and other supporting or relevant documentation related to the member's psychological fitness for duty. In some cases, an examiner may ask the examinee to provide relevant medical or mental health treatment records and other data for the examiner to consider. It is important that all collected information be related to job performance issues or the suspected job-impairing mental condition. Where possible and relevant, it may prove helpful to gather information from other collateral sources.

XIX. RESOURCES FOR MEDICAL AND PSYCHOLOGICAL EXAMINATIONS

- A. *2018 Psychological Fitness-for-Duty Evaluation Guidelines from the International Association of Chiefs of Police (IACP)*
- B. *The American Psychological Association (APA) Professional Practice Guidelines for Occupationally Mandated Psychological Evaluations*
- C. *2017 American College of Occupational and Environmental Medicine Guidance for the Medical Evaluation of Law Enforcement Officer*