

**TYLER POLICE DEPARTMENT
GENERAL ORDER**

LIABILITY PROTECTION

16.300

REVISED 01/12/10

EFFECTIVE JULY 1, 1991

16.301 CITY LIABILITY PROTECTION

The City Attorney's Office, or through approved outside counsel, will defend a Tyler Police Officer in a court action brought against the officer for an act committed in lawful performance of responsibilities as a police officer for and on behalf of the City of Tyler.

1. The City of Tyler is self-insured and has available funds to provide liability protection. Officers may be represented for incidents including the following:
 - a. False arrest, detention, imprisonment, and/or malicious prosecution.
 - b. Libel, slander, defamation, or violation of Constitutional Rights.
2. Depending upon the circumstances of each case, the City Attorney's Office or approved outside counsel will defend actions brought against police officers for punitive damages. Punitive damages are applicable where there is a reckless indifference to the interest of others, and are imposed as a penalty for gross, wanton, and culpable acts. Therefore, if an officer is performing duties in a reasonable and responsible manner, on or off duty, no basis for punitive damages would exist and the City Attorney's Office would defend the action. On the other hand, if an investigation of the facts by the City made it apparent that the officer committed an intentional or wanton malicious act, the City Attorney's Office may recommend to the City Council that the officer not be defended by the City.

16.302 EMPLOYEES AS PARTIES IN LAWSUITS

- A. All employees will notify the Police Chief, through the Chain of Command, in writing anytime they are notified of a civil suit pending against them. One copy of the court summons will be forwarded to the Police Chief's Office and the original will be kept by the employee involved.
- B. All employees will notify the Police Chief, through their Chain of Command, in writing prior to any incidence of bankruptcy or other civil action taken by them. The employee will make the notice prior to suing for, seeking, soliciting, or agreeing to accept, any money or other compensation for damages sustained or expenses incurred in relation to a civil action,

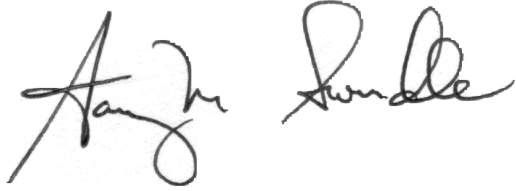
16.303 DRIVERS LICENSE REQUIRED

- A. This Department and City's personnel policies require that certain employees possess a valid State of Texas Drivers License as follows:
 1. Employees who regularly operate a City vehicle to perform their assigned duties.
 2. Employees who occasionally and infrequently operate a City vehicle during the performance of their assigned duties.
 3. Employees who receive a City auto allowance and operate their own vehicle on City Business.
- B. Department requirements:

If an employee, who is required to have a valid Operators License does not possess the same when checked by management, the employee will be suspended from driving until such time as the required license is obtained.

If an employee does not obtain the required license within five (5) working days the employee may receive disciplinary action up to and including indefinite suspension.

Approved: 01/12/10

Two handwritten signatures in black ink. The first signature is written in a cursive style and appears to be 'Angie'. The second signature is also in cursive and appears to be 'Sundell'.