

TITLE 6

LAW ENFORCEMENT

CHAPTER

1. POLICE AND ARREST.
2. WORKHOUSE.

CHAPTER 1

POLICE AND ARREST^{1, 2}

SECTION

- 6-101. Police officers subject to chief's orders.
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6-101. Police officers subject to chief's orders. (1) All police officers shall obey and comply with such orders and administrative rules and regulations as the police chief may officially issue.

(2) Rules of discipline. Members of the police department shall be subject to reprimand, loss of pay, suspension from duty, reduction in rank or dismissal, according to the nature and aggravation of the offense, for any of the following offenses or violation of any rule, regulation or order governing the police department.

- (a) Intoxication while on duty.
- (b) Drinking any intoxicating liquor while on duty or in uniform or at any time, if such effects the conduct or performance of duties of said member on duty.
- (c) Willful disobedience of lawful orders of a superior officer.
- (d) Indecent, profane, harsh or uncivil language.

¹Municipal code reference

Motor vehicles, traffic and parking: title 15, chapter 7.

Charter reference: § 5(28).

²The policy and procedures manual for the City of Lafayette Police Department is on file in the city recorder's office.

- (e) Disrespect to any member of the department.
- (f) Unnecessary violence to a prisoner or any other person.
- (g) Sleeping while on duty.
- (h) Absence from duty without leave.
- (i) Immoral or indecent conduct.
- (j) Violation of any criminal law.
- (k) Leaving post or assignment without just cause.
- (l) Not properly patrolling post.
- (m) Conduct unbecoming an officer.
- (n) Conduct contrary to good order and discipline.
- (o) Publicly commenting upon official action of a superior officer, city officials and other police personnel.
- (p) Revealing to any unauthorized person not a member of the police department any proposed police action or movements, or provisions of any official order.
- (q) Making a false statement in application for appointment to the police department.
- (r) Neglect of duty.
- (s) Reporting in an unfit condition for duty.
- (t) Neglect or misuse of city property.

(3) General rules. (a) Members of the police department shall conduct themselves in a quiet, civil and orderly manner at all times; shall refrain from the use of indecent, profane, uncivil or threatening language even though there be great provocation; shall be gentlemanly and, respectful; shall use no unnecessary force or violence to prisoners or other persons; shall cheerfully perform all proper duties; answer all proper questions, but avoid unnecessary conversation while on duty. Superiors are required to be courteous to subordinates.

(b) On occasions of riot or any disturbance, it is the duty of the police to restore order and disperse the crowd by moderate means of persuasion, if possible. If these fail, the offenders must be dispersed by force and the principals arrested. Coolness and firmness are expected of officers in all cases, and in times of peril they must be careful to act in concert and protect each other. Shirking from responsibility or danger will be deemed sufficient cause for removal from service.

(c) No member of the police department shall communicate to any person any information which may tend to defeat the ends of justice--enabling any person to escape arrest or punishment or to secret or dispose of goods or property stolen or embezzled. Neither shall any member of said department communicate to any unauthorized person, not a member of the department, any information concerning any order or regulation for the government of the police department or any member or members thereof.

(d) No member of the police department shall directly or indirectly be concerned in making any compromises or arrangement between criminals and persons who have suffered from their acts with a view to permitting the offenders to escape arrest and punishment as provided by law.

(e) Members of the police department shall not interfere in civil matters, except to prevent a breach of the peace or to quell a disturbance actually commenced or under way.

(f) No member of the police department shall be permitted to solicit for, suggest or recommend any attorney, to become a surety for any person arrested nor to release a prisoner from custody, after arrest, except as provided by law.

(g) Members of the police department subpoenaed to give testimony or make an official deposition or statement, shall state clearly and truly all they know respecting the matter inquired of without fear or favor, and with no design to influence the result. (1973 Code, § 1-401, modified)

6-102. Police officers to preserve law and order, etc. Police officers shall preserve law and order within the municipality. They shall patrol the municipality and shall assist the city court during the trial of cases. Police officers shall also promptly serve any legal process issued by the city court. (1973 Code, § 1-402, modified)

6-103. Police officers to wear uniforms and be armed. All police officers shall wear such uniform and badge as the governing body shall authorize and shall carry a service weapon (pistol) and ASP (billy club) at all times while on duty unless otherwise expressly directed by the chief for a special assignment. The provision "while on duty" shall be defined for the purpose of this section to mean that such officer shall be armed with the service pistol at all times while in public both during his regular tour of duty and at all other times. (1973 Code, § 1-403, modified)

6-104. When police officers to make arrests.¹ Unless otherwise authorized or directed in this code or other applicable law, an arrest of the person shall be made by a police officer in the following cases:

(1) Whenever he is in possession of a warrant for the arrest of the person.

(2) Whenever an offense is committed or a breach of the peace is threatened in the officer's presence by the person.

¹Municipal code reference

Traffic citations, etc.: title 15, chapter 7.

(3) Whenever a felony has in fact been committed and the officer has reasonable cause to believe the person has committed it. (1973 Code, § 1-404, modified)

6-105. Police officers may require assistance in making arrests. It shall be unlawful for any male person willfully to refuse to aid a police officer in maintaining law and order or in making a lawful arrest when such a person's assistance is requested by the police officer and is reasonably necessary to effect the arrest. (1973 Code, § 1-405, modified)

6-106. Disposition of persons arrested. Unless otherwise authorized by law, when a person is arrested for any offense other than one involving drunkenness he shall be brought before the city court for immediate trial or allowed to post bond. When the arrested person is drunk or when the city judge is not immediately available and the alleged offender is not able to post the required bond, he shall be confined. (1973 Code, § 1-406)

6-107. Police department records. The police department shall keep a comprehensive and detailed daily record in permanent form, showing:

(1) All known or reported offenses and/or crimes committed within the corporate limits.

(2) All arrests made by police officers.

(3) All police investigations made, funerals convoyed, fire calls answered, and other miscellaneous activities of the police department. (1973 Code, § 1-407, modified)

6-108. Police reserve. There is hereby created an auxiliary or special police force which shall be designated as the "police reserve." The members of said police reserve shall be appointed by the mayor. The duties of the police reserve shall be to assist the regular members of the Lafayette Police Department, provided no member shall in any manner perform any act as a member of the police reserve unless he is specifically designated for duty as such member by the mayor or chief of police. When so designated the member or members shall have the same arrest powers and authority as regular officers of the police department including the authority to carry weapons. (1973 Code, § 1-408) +

CHAPTER 2**WORKHOUSE****SECTION**

6-201. County workhouse to be used.

6-202. Inmates to be worked.

6-203. Compensation of inmates.

6-201. County workhouse to be used. The county workhouse is hereby designated as the municipal workhouse, subject to such contractual arrangement as may be worked out with the county. (1973 Code, § 1-601)

6-202. Inmates to be worked. All persons committed to the workhouse, to the extent that their physical condition shall permit, shall be required to perform such public work or labor as may be lawfully prescribed for the county prisoners. (1973 Code, § 1-602)

6-203. Compensation of inmates. Each workhouse inmate shall be allowed five dollars (\$5.00) per day as credit toward payment of the fines and costs assessed against him. (1973 Code, § 1-603)