



Sheridan Police Department
Policies and Procedures
8.6
Chapter 8 – Employee Conduct
Section 6 – Court

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Signature:

An employee's appearance in court may result from issuing a parking citation or be the culmination of an extensive investigation. Whatever the reason, employees must represent themselves and the department in a professional manner. Additional information can be located in the City of Sheridan Employee Handbook.

8.6.1 Court Conduct

A. Attendance

Whenever any employee is ordered to appear in court on any matter in which his or her presence is required, he or she shall attend punctually as indicated in the subpoena, or as notified by the court. Requests for permission to omit this duty must be cleared with the prosecuting attorney handling the case or other competent court authority.

B. Personal Appearance

1. Officers appearing in court in response to a subpoena or notification by a court officer shall wear either a department uniform or appropriate business attire.
2. Civilian employees will present a neat and clean appearance in professional attire.

C. Testifying in Court – General Responsibilities

1. Employees shall testify with the strictest accuracy providing concise fact based answers.
2. Employees shall answer all questions in a truthful, professional and courteous manner.
3. Employees will make every effort to be thoroughly prepared for the case in which they will testify.
4. Employees shall ensure audible signals of electronic devices in their possession are turned off so as not to disrupt court proceedings.

D. Testifying in Civil Cases

1. Employees shall not volunteer to testify in civil actions, arising out of their departmental employment, nor shall they testify unless legally subpoenaed.
2. If the subpoena arises out of their departmental employment, they shall notify their commanding officer of the service of the subpoena, and the testimony they are prepared to give.
3. Neither photographs nor any other evidence obtained by employees in the course of their duties is permitted to be used in civil cases, unless subpoenaed by the courts.
4. Officers will be compensated according to policy for testifying in a civil case that is a direct result of their employment.
5. Any fees generated by an employee's appearance in civil court will be turned over to the City of Sheridan.

E. Refusal to Testify

Every employee of the department who, when appearing as a witness, pursuant to his or her official police employment, before any court, hearing board, investigative body or person authorized to take testimony, refuses to testify, shall be subject to termination, if the refusal is subsequently shown to be designed to conceal material matter(s) of fact; or to protect another person from prosecution. The right to immunity from self-incrimination guaranteed by the 5th Amendment to the U.S. Constitution remains absolute, and is not punishable by this provision.

F. Testifying for the Defendant

Any employee subpoenaed to testify for the defense in any trial or against the city or department in any hearing or trial shall notify his or her commanding officer upon receipt of the subpoena. He or she shall also notify the office of the prosecuting attorney.