

**HIDALGO COUNTY
CRIMINAL DISTRICT ATTORNEY' S OFFICE
H.I.D.T.A. TASK FORCE
CREDIT CARD
USE POLICY**

This bulletin prescribes guidance to the Hidalgo County Criminal District Attorney's Office High Intensity Drug Trafficking Area Task Force (HIDTA) for the use of and management of the credit card. This guidance is in effect for official investigations performed by the HIDTA. The HIDTA Credit Card Policy will be updated to reflect any updates or changes on the Office of Management and Budget Circular A-123, or/and the Texas Code of Criminal Procedure-Chapter 59.06. Disposition of Forfeited Property, A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies and the Hidalgo County Travel Policy. Until these updates are available, the HIDTA will use this bulletin as the source of policy and guidance for the HIDTA Credit Card Policy.

The HIDTA Credit Card Policy was developed to procure expenses incurred during official HIDTA investigations.

HIDTA will obtain and offer to the HIDTA investigators and commander on an authorized investigation, a credit card, only when the procurement of expense would endanger the security and safety of the agents, the investigation or/and the prosecution.

The provisions of this policy apply to all HIDTA investigators who utilize the credit card.

1. POLICY

This policy sets forth a "*Hidalgo County HIDTA Task Force Zero Tolerance Policy*" for any inappropriate charges. Zero tolerance strictly prohibits the following uses of the card:

- a. Unauthorized charges and charges not associated with official investigations.
Such as but not limit to:
 - (1.) Personal and family member use of the card
 - (2.) Books and magazines
 - (3.) Memberships fees
 - (4.) Training and Conference or Registration fees
 - (5.) Theme Parks
 - (6.) Clothing
 - (7.) Hair Services and Cosmetics
 - (8.) Emergency Medical Services
 - (9.) Office Supplies
 - (10.) Computers, Televisions, or digital Equipment
 - (11.) Any other service or product is prohibited for personal, family or household purpose

- b. Charges while not on an official investigation status are strictly prohibited.

The underlying objective of the “*Hidalgo County HIDTA Task Force Zero Tolerance Policy*” is to eliminate misuse and abuse of credit card and to avoid imposing disciplinary procedures on any HIDTA investigator. Proper use of the credit card will preserve the reputation of HIDTA and its investigators and will guide the professional ethos that is the sum of HIDTA’ S abiding principles, core values, and aspirations.

2. SPENDING LIMTS

The HIDTA commander will set spending limits on a case-by-case basis. The expenditures will comply with the Office of Management and Budget Circular A-123, or/and the Code of Criminal Procedure-Chapter 59.06. Disposition of Forfeited Property, A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies and the Hidalgo County Travel Policy.

3. RESPONSIBLITES

- a. **HIDTA Investigator:** The Cardholder who use the credit card assume responsibility to use the card for official investigation expenditures. Use of the card does not relieve the Cardholder of the responsibility to employ prudent practices and to observe rules and regulations as set forth under the “*Hidalgo County HIDTA Task Force Zero Tolerance Policy*” and specific policies and procedures that govern this agency.

With the issue of the credit card, the Cardholder (person who signs out the card) is personally responsible for all items billed to the card, unless the card is reported lost or stolen. The Employee Acknowledgement Statement further explains these responsibilities. In addition, employees are not relieved of their obligation until the return of the card to the HIDTA administration office.

Employees who use the card will:

- (1.) Complete and sign the Acknowledgment Statement recognizing receipt and understanding of the policies and procedures related to the use of the credit card and obtain the signature of the HIDTA commander.
- (2.) Secure the credit card in the same manner as a personal credit card. The card shall not be stored or kept by anyone other than the employee.
- (3.) Return the card within one (1) working day completion of investigation.
- (4.) Submit proper supporting documentation (i.e. original receipts) justifying the charges on investigative credit card to the HIDTA administration office within one (1) working day after completion of the investigation. The

investigative credit card expense must have a HIDTA investigation case number or other identification.

- (5.) As a HIDTA investigator, standards of conduct for public trust positions apply. The standards in *Attachment A* require employee signature and will be placed in the employee's personnel file.
- (6.) Dispute a charge not made by the cardholder. Disputing a charge on the credit card will be the employee's responsibility. All disputes must be filed in writing to the HIDTA commander within fifteen (15) days of the date the charge first appears on the billing statement.
- (7.) Employees will have five (5) business days to respond to official inquiries regarding misuse of the card. Responses to official requests must be in writing (E-mail is acceptable).

b. HIDTA administration office: The HIDTA administration office will monitor monthly charges and keep abreast of any inappropriate use of the credit card. The administration office will identify employees who have violated the "*Hidalgo County HIDTA Task Force Zero Tolerance Policy*" with a detailed report. The report will be forwarded to HIDTA supervisors for appropriate action.

The administration office will also:

- (1.) Provide eligible employees with a copy of the Acknowledgment Statement.
- (2.) Provide eligible employees with a copy of the "Standards of Ethical Conduct of Employees of the Executive Branch,"
- (3.) Provide and assist with the "Hidalgo County Final Travel Expense Claim Form".
- (4.) Ensure completeness and timely submission of the Hidalgo County Final Travel Expense Claim Form.
- (5.) Maintain a file per travel case.
- (6.) Notify the employee of possible misuse, with a carbon copy to the employee's supervisor, of the travel charge card. Provide the employee five (5) business days to respond. If an acceptable response is not received within the five (5) business days, the matter will be referred to the employee's supervisor for resolution.

c. Cardholder's Immediate Supervisor:

- (1.) Notify the employee of any questionable or inappropriate charges and give the employee the opportunity to explain the charge. A record shall be maintained of the notification and the explanation received from the employee.
- (2.) Take appropriate disciplinary action if an explanation is inadequate to support a questionable charge. Maintain documentation and the resolution of the incident.

4. COLLECTION OF INAPPROPRIATE CHARGES

a. In accordance with the “Employee Acknowledgement Statement”, employees are obligated to pay any inappropriate charges.

EFFECTIVE POLICY DATE

This policy shall become effective on _____ of 2016.

Passed, approved, and adopted on this _____ day of _____, 2016.

Hidalgo County Clerk

Hidalgo County Judge

Attachment A

Government Employees Standards of Conduct

The following excerpts pertinent to the Code of Federal Regulations, Part 2635, "Standards of Ethical Conduct for Employees of the Executive Branch":

Section 2635.101, "Basic Obligation of Public Service," state the following:

-Public service is a public trust, requiring employees to place loyalty to laws and ethical principles above private gain.

(For example, do not take advantage of the charge card privileges for your personal use.)

-Employees shall put forth honest effort in their performance of their duties.

(For example, abide by the agency policy in carrying out your responsibilities as a cardholder.)

-Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the government.

(For example, do not make purchases with the travel card if purchases have not been authorized.)

-Employees shall not use public office for private gain.

(For example, do not use the charge card to make a personal unauthorized purchase.)

-Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part.

(For example, do not avoid agency policies and procedures for administrative convenience.)

Accepted on _____, _____, _____
Date Time Employee Signature

Hidalgo County Criminal District Attorney's Office
HIDTA Task Force
Credit Card
Policy

EMPLOYEE ACKNOWLEDGEMENT STATEMENT

I acknowledge I have read, understood and will abide by the Hidalgo County Criminal District Attorney's Office HIDTA Task Force Credit Card Policy. I understand that I may consult the Hidalgo County HIDTA supervisor regarding questions not clarified in this policy.

I further acknowledge that I am in possession of the Hidalgo County HIDTA Task Force Credit Card. While the card is in my possession, I acknowledge that I am personally responsible for all items billed to the card. I understand that the underlying objective of the "*Hidalgo County HIDTA Task Force Zero Tolerance Policy*" is to eliminate misuse and abuse with the credit card and I shall not knowingly abuse this policy with any unauthorized transactions. If any unauthorized transactions do occur, I will immediately reimburse on the Hidalgo County HIDTA Task Force.

I acknowledge that as a HIDTA employee, "standards of conduct for public trust" applies and I understand that misuse and abuse of the credit card will result in one or more of the following:

- Termination of Employment
- Payroll deduction for unauthorized purchases and all associated costs
- Limitations on the use of the credit card, and/or
- Other disciplinary actions set by my supervisor

I certify that I have read, understood, and agree to abide by the above and will comply with the terms and conditions as set forth in the Hidalgo County HIDTA Task Force Credit Card use policy and all other applicable policies and procedures.

Received on _____, _____, _____
Date Time Employee Signature