



Oklahoma Private Investigators Association, Inc

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CODE OF ETHICAL CONDUCT

(Revised May 2003)

AN INVESTIGATOR WHO IS A MEMBER OF THE OKLAHOMA PRIVATE INVESTIGATORS ASSOCIATION (herein after referred to as a "Member") IS DEDICATED TO THE SEARCH FOR TRUTH IN ANY MATTER IN WHICH HE IS ENGAGED TO PERFORM AN INVESTIGATION. MEMBERS RECOGNIZE THEIR VITAL ROLE IN THE ADMINISTRATION OF JUSTICE AND WILL STRIVE TO MAINTAIN THE HIGHEST PROFESSIONAL STANDARDS IN THEIR PROFESSIONAL CONDUCT. THE MEMBER SHALL AT ALL TIMES ABIDE BY THE ASSOCIATION CODE OF ETHICAL CONDUCT AND IS BOUND BY DUTY TO REPORT ALL KNOWN OR SUSPECTED VIOLATIONS TO THE APPROPRIATE AUTHORITY OF THE ASSOCIATION FOR INVESTIGATION AND/OR ACTION.

SECTION ONE:

RELATIONS WITH THE PUBLIC AT LARGE

1. MEMBERS SHALL DEAL FAIRLY AND HONESTLY WITH THE PUBLIC IN ALL RESPECTS, RECOGNIZING THE WORTH OF ALL INDIVIDUALS AND TREATING ALL PERSONS WITH DUE COURTESY AND RESPECT.
2. MEMBERS SHALL NOT KNOWINGLY VIOLATE ANY FEDERAL, STATE, OR LOCAL LAWS AND WILL ABIDE AND PROTECT THE RIGHTS OF CITIZENS GRANTED UNDER THE CONSTITUTIONS OF THE STATE OF OKLAHOMA AND OF THE UNITED STATES OF AMERICA.
3. MEMBERS SHALL NOT ENGAGE IN FALSE, DECEPTIVE OR MISLEADING ADVERTISEMENTS FOR THEIR SERVICE.
4. MEMBERS SHALL DEFER TO LEGAL COUNSEL ALL MATTERS REQUIRING A LEGAL OPINION, AND NOT ENGAGE IN THE UNAUTHORIZED PRACTICE OF LAW.
5. MEMBERS SHALL NOT PARTICIPATE IN THE SOLICITATION OF CASES FOR ATTORNEYS. THEY MAY OFFER IF ASKED, NAMES OF APPROPRIATE COUNSEL GIVING THE REQUESTER A CLEAR CHOICE OF MORE THAN ONE LAW FIRM.

SECTION TWO:

RELATIONS WITH CLIENTS

1. MEMBERS SHALL TREAT ALL CLIENTS WITH RESPECT AND COURTESY IN AN EFFORT TO ESTABLISH A GOOD WORKING RELATIONSHIP BASED UPON TRUST.
2. MEMBERS SHALL DISCUSS WITH EACH CLIENT THE NATURE AND METHOD OF BILLING AND ANTICIPATED COSTS FOR INVESTIGATION PRIOR TO THE ACCEPTANCE OF AN INVESTIGATIVE ASSIGNMENT. A WRITTEN CONTRACT FOR SERVICES MAY BE EMPLOYED IN ORDER TO FIRMLY ESTABLISH THIS UNDERSTANDING WHEN FEASIBLE, BUT IS NOT MANDATED BY THIS PARAGRAPH.
3. MEMBERS SHALL PERFORM ALL INVESTIGATIONS OR ASSIGNMENTS WITH DUE DILIGENCE AND CARE, USING ALL LAWFUL MEANS TO BRING THE INVESTIGATION TO A TIMELY CONCLUSION.
4. MEMBERS SHALL NOT SUBMIT FALSE REPORTS TO ANY CLIENT REGARDING THE RESULTS OF AN INVESTIGATION. MEMBERS SHALL REPORT FACTS BASED ON APPROPRIATE INFORMATION OBTAINED. SUCH REPORTS SHALL BE PROVIDED AS AGREED TO WITH THE CLIENT.
5. MEMBERS SHALL PROTECT THE CONFIDENTIALITY OF THE CLIENT AND WILL NOT REVEAL THE RESULTS OF ANY INVESTIGATION TO ANYONE EXCEPT THE CLIENT, OR AS FOLLOWS:
 - (A) UPON PROPER ORDER OF A COURT OF LAW.
 - (B) IN ORDER TO PREVENT THE COMMISSION OF A CRIME.
 - (C) AS THE CLIENT MAY OTHERWISE DIRECT OR APPROVE. HOWEVER, GENERAL DISCUSSIONS OF INVESTIGATIVE METHODS AND TECHNIQUES WILL NOT CONSTITUTE A VIOLATION OF THIS PARAGRAPH, PROVIDED THAT THE NAMES OF PARTIES INVOLVED ARE NOT REVEALED IN ANY SUCH DISCUSSION, OR PERMISSION HAS BEEN OBTAINED IN WRITING FROM THE CLIENT.
6. MEMBERS SHALL NOT PERMIT PREJUDICE OR PERSONAL OPINIONS TO INTERFERE WITH THE SEARCH FOR THE TRUTH IN AN INVESTIGATION.
7. MEMBERS SHALL EXERCISE SOUND JUDGEMENT IN ORDER TO AVOID AGAINST ALLEGATIONS OF PARTIALITY AND PREJUDICE IN THE CONDUCT OF AN INVESTIGATION.
8. MEMBERS SHALL REFER THE CLIENT TO OTHER MEMBERS, EXPERTS. OR OTHER PROFESSIONALS ON ANY MATTER OR PORTION THEREOF, WHEREIN MEMBER IS NOT QUALIFIED BY EDUCATION, TRAINING, OR EXPERIENCE TO PROPERLY PERFORM.
9. MEMBERS SHALL NOT ACCEPT ASSIGNMENTS FOR INVESTIGATIONS IN WHICH THERE IS A CLEAR AND PRESENT CONFLICT OF INTEREST.

SECTION THREE:

RELATIONS WITH LAW ENFORCEMENT

1. MEMBERS SHALL NOT ENGAGE IN PUBLIC LAW ENFORCEMENT UNLESS EMPLOYED AND COMMISSIONED AS SUCH AND THE MEMBER IS ACTING WITHIN THE SCOPE AND COURSE OF THAT COMMISSION AND EMPLOYMENT.

2. MEMBERS. SHALL FULLY COOPERATE WITH LAW ENFORCEMENT AGENCIES, SUBJECT TO THE CONFIDENTIALITY OF ALL CASES.
3. MEMBERS SHALL NOT CONDUCT, ENCOURAGE, COUNSEL OR SUGGEST ANY ACTIVITY OF AN ILLEGAL NATURE WITHIN THE SCOPE OF AN INVESTIGATION.
4. MEMBERS SHALL ATTEMPT BY ALL AVAILABLE MEANS, TO DISSUADE A CLIENT OR OTHERS FROM ILLEGAL CONDUCT.
5. MEMBERS SHALL NOT CONDONE, NOR PARTICIPATE IN ENTRAPMENT.

SECTION FOUR:

RELATIONS WITH OTHER INVESTIGATORS

1. MEMBERS SHALL TREAT OTHER MEMBERS AND PROFESSIONAL INVESTIGATORS WITH DUE RESPECT AND COURTESY.
2. MEMBERS SHALL DISCUSS OR CRITICIZE ONLY IN THE PROPER FORUM ALL QUESTIONS REGARDING THE PROFESSIONAL CONDUCT OF OTHER MEMBERS.
3. MEMBERS SHALL NOT DIRECTLY OR INDIRECTLY SLANDER OR INJURE THE PROFESSIONAL REPUTATION OF ANOTHER BUT MAY RAISE TO AN APPROPRIATE FORUM ALLEGATIONS OF MISCONDUCT.
4. MEMBERS MAY ENGAGE THE SERVICES OF OTHER MEMBERS ONLY WITH A CLEAR UNDERSTANDING AND AGREEMENT OF COSTS AND TERMS OF PAYMENT.

SECTION FIVE:

ASSOCIATION & MEMBERSHIP INFORMATION

1. NO MEMBER SHALL ENTER INTO ANY AGREEMENT WITH AN INDIVIDUAL, COMPANY OR ANY OTHER ORGANIZATION, USING THE NAME, LOGO OR OTHER INFORMATION OBTAINED FROM OR GENERATED BY THE ASSOCIATION. MEMBERS SHALL NOT IN ANY WAY OBLIGATE THE ASSOCIATION, IT'S MEMBERS OR CHAPTERS WITHOUT EXPLICIT WRITTEN CONSENT FROM THE BOARD OF DIRECTORS.
2. NO MEMBER SHALL GIVE, SELL OR DISTRIBUTE IN ANY MANNER, OR USE FOR PERSONAL GAIN, ANY MEMBERSHIP LIST OR OTHER DOCUMENTATION, LOGOS OR OTHER ARTICLES OF INFORMATION OF THE ASSOCIATION OR IT'S CHAPTERS.

PERMANENT ETHICS COMMITTEE

OKLAHOMA PRIVATE INVESTIGATORS ASSOCIATION (hereinafter referred to as the “Association”) HAVING ESTABLISHED ETHICAL STANDARDS FOR ITS MEMBERS TO ABIDE BY, IN THE INTEREST OF PUBLIC SERVICE AND JUSTICE HEREBY ESTABLISHES A PERMANENT ETHICS COMMITTEE (hereinafter referred to as the “Committee”).

SECTION ONE:

PURPOSE

1. THE RESPONSIBILITIES OF THE COMMITTEE SHALL BE:
 - (A) TO PERIODICALLY REVIEW THE ETHICS STANDARDS AND PRESENT REVISION RECOMMENDATIONS TO THE BOARD OF DIRECTORS FOR APPROVAL.
 - (B) TO RECEIVE, INVESTIGATE, REVIEW AND RECOMMEND APPROPRIATE ACTION WITH REGARD TO COMPLAINTS AND/OR ALLEGED VIOLATIONS LODGED AGAINST A MEMBER.

SECTION TWO:

COMMITTEE COMPOSITION

1. THE COMMITTEE SHALL BE COMPRISED OF FIVE (5) MEMBERS, THREE (3) OF WHICH THE PRESIDENT OF THE ASSOCIATION SHALL APPOINT, THE FIRST VICE PRESIDENT SHALL SERVE AS THE COMMITTEE CHAIRPERSON, AND THE IMMEDIATE PAST PRESIDENT SHALL BE THE FIFTH MEMBER. IF THE IMMEDIATE PAST PRESIDENT DOES NOT DESIRE TO SERVE, THE OPIA PRESIDENT SHALL APPOINT THE FIFTH MEMBER. ALL ATTEMPTS SHOULD BE MADE TO MAINTAIN EQUAL REPRESENTATION FROM ALL CHAPTERS.
2. THE COMMITTEE SHALL HAVE AS AN AD HOC, NON VOTING MEMBER, THE PRESIDENT OF THE ASSOCIATION, IF THEY SO DESIRE.
3. THE REQUIREMENT FOR AN APPOINTED MEMBER SHALL BE THAT THEY HAVE BEEN A MEMBER OF THE ASSOCIATION FOR A PERIOD OF ONE (1) YEAR PRIOR TO THE APPOINTMENT. A MEMBER MAY DECLINE AN APPOINTMENT AND MUST DO SO IF A CLEAR CONFLICT OF INTEREST EXISTS FOR THAT MEMBER
4. MEMBERS OF THE COMMITTEE SHALL SERVE ON A VOLUNTARY BASIS AND NOT BE COMPENSATED FOR COMMITTEE MEMBERSHIP. COMMITTEE MEMBERS SHALL BE REIMBURSED FOR ANY DIRECT EXPENSES INCURRED SOLEY FOR COMMITTEE BUSINESS BY PRESENTING WRITTEN DOCUMENTATION TO THE STATE TREASURER FOR PAYMENT.

SECTION THREE:

REVIEW OF STANDARDS

1. REVIEW THE ETHICAL STANDARDS OF THE ASSOCIATION. SHALL NOT BE MANDATORY IN ANY GIVEN YEAR, BUT MAY BE INITIATED BY THE COMMITTEE CHAIRPERSON OR THE PRESIDENT WHEN NECESSARY AND/OR APPROPRIATE.
2. THE COMMITTEE UNDERTAKING SUCH A REVIEW SHALL USE ALL REASONABLY AVAILABLE INFORMATION TO DETERMINE IF DELETION, ALTERATION OR ADDITION TO THE ETHICAL STANDARDS IS IN ORDER. THEY SHALL THEN MAKE A WRITTEN REPORT TO THE BOARD OF DIRECTORS OF THEIR RECOMMENDATIONS

SECTION FOUR:

REVIEW OF ALLEGED ETHICAL STANDARDS VIOLATIONS

1. THE COMMITTEE SHALL INITIATE A REVIEW OF A MEMBER UPON RECEIVING IN WRITING ANY COMPLAINT BY ANOTHER MEMBER OR OTHER INTERESTED PARTY.
2. SUCH WRITTEN ALLEGATION NEEDS NOT STATE WHICH ETHICAL STANDARD (S) MAY HAVE BEEN VIOLATED. HOWEVER, IT SHALL CONTAIN SUFFICIENT FACTS SO THAT THE COMMITTEE MAY REASONABLY CONCLUDE THAT ADDITIONAL INVESTIGATION BY THE COMMITTEE IS WARRANTED. IF SUCH SPECIFIC FACTS ARE NOT ALLEGED THE COMMITTEE CHAIRPERSON SHALL NOTIFY THE COMPLAINANT AND REQUEST ADDITIONAL INFORMATION, PRIOR TO INITIATING A FORMAL REVIEW.
3. UPON FIRST NOTICE OF ALLEGED VIOLATION IN WRITING, THE CHAIRPERSON SHALL NOTIFY THE OPIA PRESIDENT, BY CERTIFIED MAIL, WITHIN FIVE (5) WORKING DAYS OF RECEIVING THE COMPLAINT.
4. THE CHAIRPERSON SHALL, WITHIN FIVE (5) WORKING DAYS OF RECEIPT OF SAID COMPLAINT, FORWARD VIA CERTIFIED MAIL, A COPY OF THE COMPLAINT TO THE MEMBER NAMED IN THE ALLEGATION. A REQUEST FOR A WRITTEN EXPLANATION REGARDING THE COMPLAINT WILL BE REQUIRED OF THE MEMBER. THE WRITTEN EXPLANATION FROM THE MEMBER SHALL BE DUE WITHIN FIFTEEN (15) WORKING DAYS FROM THE DATE THE REQUEST WAS RECEIVED BY THE MEMBER.
5. THE COMMITTEE MAY THEN CONDUCT ADDITIONAL INVESTIGATIONS IF THE COMMITTEE DEEMS THEY ARE WARRANTED. THE COMMITTEE MAY CALL FOR A FORMAL REVIEW AND REQUEST THAT THE MEMBER AND COMPLAINANT APPEAR.
6. NOTICE OF THE FORMAL REVIEW SHALL BE GIVEN BY CERTIFIED MAIL. TWENTY (20) WORKING DAYS NOTICE SHALL BE GIVEN TO EACH PARTY, STATING DATE, TIME AND LOCATION OF THE REVIEW.
7. THE COMMITTEE MAY THEN HEAR BOTH SIDES OF THE ISSUE AT THE FORMAL REVIEW AND MAY CONDUCT ADDITIONAL INVESTIGATION PRIOR TO OR AFTER SUCH FORMAL REVIEW.
8. ALL EVIDENCE AGAINST THE MEMBER SHALL BE PRESENTED AT THE FORMAL REVIEW. REQUEST FOR EXTENTIONS OF TIME MAY MADE IN WRITING, AND APPROVED BY A MAJORITY VOTE OF THE COMMITTEE.

9. AFTER HEARING ALL FACTS PRESENTED EITHER BY AFFIDAVIT OR IN PERSONAL TESTIMONY, THE COMMITTEE SHALL HAVE NO MORE THAN TEN (10) WORKING DAYS TO THEN RENDER A WRITTEN REPORT OF FINDINGS TO THE PRESIDENT. THE COMMITTEE MAY RECOMMEND THE FOLLOWING TO THE PRESIDENT:

1. ALLEGATION (S) UNFOUNDED - **NO ACTION REQUIRED.**
2. ALLEGATION (S) FOUNDED - **CORRECTIVE ACTION ALREADY TAKEN BY THE MEMBER -NO FURTHER ACTION RECOMMENDED.**
3. ALLEGATION (S) FOUNDED - **WRITTEN CENSURE OF MEMBER RECOMMENDED.**
4. ALLEGATION (S) FOUNDED - **SUSPENSION UP TO ONE YEAR OF MEMBER RECOMMENDED**
5. ALLEGATION (S) FOUNDED - **MEMBER TO BE EXPELLED RECOMMENDED**

IF THE COMMITTEE FEELS THAT SPECIAL CIRCUMSTANCES EXIST. THE COMMITTEE CAN MAKE ADDITIONAL RECCOMENDATIONS TO THE BOARD OF DIRECTORS. EXPLANATIONS AS TO THE SPECIAL CIRCUMSTANCES MUST ACCOMPANY THESE ADDITIONAL RECCOMENDATIONS.

10. SUCH RECOMMENDATIONS AND REPORT SHALL BE DELIVERED TO THE ASSOCIATION PRESIDENT WHO SHALL THEN REPORT SUCH FINDINGS TO THE BOARD OF DIRECTORS.
11. THE ASSOCIATION PRESIDENT SHALL DIRECT THAT THE MATTER BE PLACED ON THE BUSINESS AGENDA FOR THE NEXT REGULARLY SCHEDULED MEETING FOR DISCUSSION AND A VOTE BY THE EXECUTIVE BOARD REGARDING ANY ACTION.
12. HOWEVER, THE PRESIDENT MAY CALL A SPECIAL MEETING. THE EXECUTIVE BOARD MAY VOTE TO APPROVE THE ACTION RECOMMENDED BY THE COMMITTEE OR RETURN THE MATTER TO THE COMMITTEE FOR FURTHER INVESTIGATION. SUCH A VOTE SHALL REQUIRE A 2/3 MAJORITY VOTE FOR APPROVAL OF ANY ACTION.
13. AFTER A VOTE HAS BEEN TAKEN, THE ACTION IF APPROVED SHALL HAVE IMMEDIATE EFFECT. THE MEMBER NAMED IN THE COMPLAINT MAY THEN REQUEST IN WRITING, WITHIN TEN (10) WORKING DAYS, A SECOND VOTE TO BE HELD AT A LATER DATE, TO PRESENT ADDITIONAL EVIDENCE OR EVIDENCE OF CORRECTIVE ACTION. SUCH SECOND VOTE HAVING THE EFFECT OF AN APPEAL PROCEDURE. THE EXECUTIVE BOARD MAY THEN AFFIRM, MODIFY OR REJECT THE ACTION PREVIOUSLY TAKEN.
14. ALL RECORDS OF THE INVESTIGATION, REPORT INCLUDING RECOMMENDATIONS OF THE COMMITTEE SHALL BE A PERMANENT CONFIDENTIAL RECORD OF THE ASSOCIATION, OPEN ONLY ON A "NEED TO KNOW" BASIS OR UPON PROPER ORDER OF A COURT OF LAW. HOWEVER THE FINDINGS AND ACTION TAKEN BY THE ASSOCIATION SHALL BE PUBLIC RECORD, AVAILABLE TO INTERESTED PARTIES UPON WRITTEN REQUEST.
15. UPON COMPLETION OF THE AFORE MENTIONED PROCESS. THE PRESIDENT SHALL DIRECT THE SECRETARY TO SEND A CERTIFIED LETTER TO THE COMPLAINANT NOTIFYING THEM OF THE FINAL ACTION TAKEN ON THEIR COMPLAINT.
16. IF A COMPLAINT LODGED AGAINST A MEMBER HAS ALSO BEEN FILED WITH C.L.E.E.T. A LETTER FROM THE ASSOCIATION EXPLAINING THE FINDINGS AND ACTION TAKEN SHALL BE FORWARDED TO C.L.E.E.T.
17. IF NO COPY OF COMPLAINT HAS BEEN FILED WITH C.L.E.E.T., BUT EVIDENCE OF VIOLATIONS OF STATE OR FEDERAL LAWS IS DISCOVERED. A LETTER OUTLINING THESE DISCOVERIES WILL BE FORWARDED TO C.L.E.E.T. ADDITIONAL INFORMATION WILL BE PROVIDED IF REQUESTED BY C.L.E.E.T.