

DEPARTMENT GENERAL ORDER 11-07

OFFICE of the CHIEF OF POLICE
REPLACES: General Order 06-20

DATE: October 11, 2011

STANDARDS OF CONDUCT

I. PURPOSE.

To sustain the necessary level of public trust, Police Department employees must adhere to a higher standard of integrity and deportment in their professional and private lives. As such, certain standards of conduct have been developed to provide a basic foundation of behavior that department employees are expected to follow. Standards of Conduct/Ethics training to occur at a minimum biennially.

II. GENERAL.

Certain standards of conduct have been established which Police Department employees are required to obey. Any employee who fails to adhere to the proper standards of conduct will be liable for disciplinary action, up to, and possibly including discharge. However, in recognition of the fact that each instance differs in many respects from other situations, the department retains the right to judge separate events on their individual merits, without creating a precedent for the treatment of future violations or incidents.

A. Absence From Duty Without Leave

A department member shall not withdraw, leave, or absent himself from duty without the knowledge and/or consent of a supervisor or commander.

B. Abuse of Authority

Department employees shall not abuse the power and public trust vested in them, and are prohibited from using their credentials or position in any unauthorized manner or capacity.

C. Abuse of Department Equipment

Employees will utilize department equipment only for its intended purpose in accordance with established procedures and shall not abuse, damage, or lose such equipment. All department issued equipment shall be maintained in proper order.

Employees shall report damaged or lost departmental equipment and/or property to their immediate supervisor or commander in a timely manner.

Any employee found responsible for the willful or negligent damage or destruction of department property, whether fixed or movable, may be required to pay the cost of repairs or replacement thereof.

D. Abuse of Subordinate

Command and supervisory rank personnel will exercise their authority in a firm, professional and impartial manner. Superiors shall not abuse those serving under them by tyrannical conduct, personal bias, or abusive language.

Whenever possible, superior officers will avoid censuring a subordinate in the presence of others.

E. Alcoholic Beverages

Employees shall not possess, store, or transport alcoholic beverages in any police vehicle or within the confines of police headquarters except in the performance of their official duties.

No sworn or non-sworn member of the department shall consume any alcoholic beverage while on duty, except as necessary in the performance of their official duties.

No member of the department shall be on duty under the influence of alcohol or be unfit for duty from use of same.

Employees shall not use intoxicating beverages off duty to the extent that it may render them unable to report for their next scheduled shift or to bring

discredit upon the department.

F. Appearance and Bearing

Employees shall wear uniforms or other clothing in accordance with established procedural guidelines. Except when acting under proper and specific orders from a superior, personnel on duty shall maintain a neat, well-groomed appearance.

In the performance of their duties, all personnel shall maintain a neutral and detached attitude without indicating disinterest or that a matter is petty or insignificant. Employees shall not use coarse, violent, profane, or insolent language or gestures and shall not express any prejudice concerning race, religion, politics, national origin, life style, or similar personal characteristic.

Department members shall exercise patience and discretion, and shall control their temper and refrain from argumentative discussions or malicious physical retaliation, even in the face of extreme provocation.

In addition, employees shall obtain information in an official and courteous manner and act upon it in a proper and judicious manner within the scope of their duties and consistent with department procedures.

Employees shall never act officiously or permit personal feelings, animosities, or friendships to influence their decisions.

Employees shall give their name, rank, and department service number to any person requesting it during duty hours or while acting in an official capacity.

G. Bribes

Department employees shall stringently decline to accept monetary or other inducements that may be offered to influence their actions or behavior, and shall immediately respond to such offers in accordance with existing law.

H. Cell Phone Ear Piece

While on duty, sworn employees may not utilize ear-based cellular telephone receivers/microphones unless such usage is sanctioned by the department.

I. Chain of Command

Employees shall adhere to the established chain-of-command to transmit any verbal and/or written communication either up, down, or laterally through the department hierarchy, except when circumstances may necessitate the

immediate transmittal of orders or information.

J. Conduct Unbecoming an Officer

Every member of the department shall, at all times, conduct themselves in such a manner that no discredit will be brought upon the department in general, or to themselves in particular.

K. Criminal Law Violation

Employees shall obey all criminal laws of the United States of America and of the state and local jurisdiction in which they are present. A conviction for the violation of any criminal law shall be prima facie evidence of a violation of this section.

Department employees shall cooperate fully in any criminal investigation unless to do so would violate a constitutional right.

L. Criticism of Department

Employees shall not publicly criticize or ridicule the department, its policies, or its members, where such statements are defamatory, obscene, or untruthful.

M. Criticism of Fellow Officers

Employees shall not criticize or ridicule other personnel in a manner which is defamatory, obscene, unlawful, undermines the effectiveness of the department, interferes with the maintenance of discipline, or is made with reckless disregard for the truth.

N. Debts

Employees shall pay, within a reasonable time, all just indebtedness or financial obligations incurred while an active member of the department.

O. Demeanor Toward Superiors

Employees shall treat supervisory and command rank officers with the respect due their position and shall not use coarse, profane or insolent language toward a superior nor be otherwise insubordinate. Employees shall not speak critically or derogatorily regarding orders or instructions issued by command or supervisory personnel. Should sound reason exist to believe that an order or instruction may be unjust or inconsistent, the employee shall respectfully call it to the attention of the issuing officer in private.

P. Divulging Criminal Records

The contents of any criminal record filed in the Police Department or available by computer shall not be exhibited or divulged to any person or group, other than during the course of a criminal investigation, to a duly-authorized peace officer, or under due process of law, except for such legitimate purpose as directed by a command officer.

Q. Drug Usage

Employees shall not possess, store, or transport narcotic or controlled substances in any police vehicle or within the confines of police headquarters except in the performance of their official duties or as legally prescribed.

No employee shall use, consume, or have present in their system any controlled substance or narcotic drug while either on or off duty, except as legally prescribed by a physician.

Should prescription medication qualify as a controlled substance, employees shall notify their supervisor of any actual or intended on-duty usage.

R. Duty Hours

Employees shall report for duty at the time and place required by assignment or order, and shall remain at their assigned duty station until properly relieved or their regularly scheduled tour of duty ends.

Employees shall be physically and mentally fit to perform their duties and will also be properly dressed and equipped so that they may immediately assume such duties.

Absence without leave shall be construed as any absence in which the employee has failed to secure prior approval, or in the case of illness or emergency circumstances, has failed to notify his/her immediate supervisor of such absence no later than one (1) hour from the commencement of their assigned duty shift, except in extenuating circumstances.

S. Falsifying Report Information

Employees shall not alter, misrepresent, or otherwise make any false statement on any report or other written document in the course of their official duties. Written document refers to reports, citations, public records or documents,

vouchers, overtime slips, affidavits, or any other written instrument.

T. Feigning Illness/Injury

Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the department or the city as to the condition of their health.

U. Improper Influence

Employees shall not use their official position or official identification cards or badges for personal or financial gain, for obtaining privileges not otherwise available to them except in the performance of duty, to improperly influence the conduct or behavior of others, or for avoiding the consequences of illegal acts.

Employees shall not lend to another person their identification cards or badges, nor permit them to be photographed or reproduced without the express approval of the Chief of Police.

Department employees shall not authorize the use of their names, photographs, or official titles in connection with testimonials or advertisements of any commodity or commercial enterprise without the approval of the Chief of Police.

In addition, employees shall not recommend or suggest in any manner except in the transaction of personal business the employment or procurement of a particular product, or professional or commercial service (Ex: attorney, ambulance service, towing service, bondsman, mortician, security company, etc.).

V. Impeding an Investigation

Employees shall not knowingly interfere with criminal or administrative investigations, assigned tasks or duty assignments of another, and shall not directly or indirectly, by threat or bribe, attempt to secure the withdrawal or abandonment of a complaint or charges.

Sworn personnel shall not, without previous authorization from the Chief of Police or his designate, conduct criminal or administrative investigations outside the scope of their normal duty assignment, or to delay and/or negate the results an official investigation.

W. Incurring Department Expenses

Employees shall not knowingly and intentionally incur unauthorized departmental expenses without the approval of a supervisor or commander, except in cases of an emergency.

Department employees who initiate long-distance personal telephone calls shall be responsible to reimburse the city for the monetary cost of the calls in question. Personal long-distance and/or excessive cellular phone charges shall also be reimbursed.

X. Internal Investigations

Employees shall cooperate fully with the investigators in any internal investigation and shall be afforded all rights and protections provided by law, department directives, and the city personnel and policy manual.

Employees shall be required to provide information regarding their own internal affairs file only when ordered by a court of competent authority or the Chief of Police. When in doubt, personnel should seek advice of counsel, the court, or the Chief of Police.

Y. Language

Department personnel shall not use coarse, profane, or insolent language to a citizen, a superior officer or to any other member of the department or city staff. Employees shall treat others civilly and respectfully at all times.

Z. Legal Proceedings

Employees shall, upon receipt of proper notice, attend such trial, hearing or proceeding before a court, board, bureau, or tribunal of the United States, the State of Missouri, or any political subdivision thereof, and shall remain in attendance until the conclusion of the proceedings or until duly excused.

The Chief of Police shall be promptly advised of any legal service where an employee or employees may be named in a lawsuit as a result of an official act or conduct.

AA. Littering

Employees shall discard trash such as paper, glass, and metal products in the proper receptacles. However, in those instances where an emergency may dictate the rapid and immediate disposal of food, drink items, etc., the employee may dispose of same in the most expeditious manner possible.

Department facilities and work areas will be kept as clean and serviceable as practical.

BB. Loitering

Sworn uniformed members of the department shall not linger, loiter, or lounge, either individually or in a group, within police headquarters or any other establishment except in case of a legitimate meeting or formation, meals or personal relief, or as required in the performance of their duty.

CC. Neglect of Duty

Employees shall maintain sufficient competency to properly perform their duties, fulfill the responsibilities of their positions, and constantly direct their best efforts to accomplish departmental tasks in an intelligent and efficient manner. Department personnel shall not engage in any activity or personal business which may cause them to neglect or be inattentive to duty.

DD. Obedience to Orders

Employees shall promptly obey all lawful orders of a superior or orders broadcast via police radio. This will include orders relayed from a superior by personnel of the same or lesser rank.

Those who may be given an otherwise proper order which is in conflict with a previous order, rule, regulation, or directive shall respectfully inform the superior of the previous conflicting order. If the superior officer issuing the order does not alter or retract same, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior officer, and while subordinate personnel shall be expected to obey the order, they shall be absolved of any charge of disobedience to the prior directive.

Department personnel shall not obey any order which they know, or should know, is illegal or would require them to commit an illegal act. If in doubt as to the legality of an order, employees shall request the issuing authority to clarify the order or to confer with a higher level command officer.

EE. Official Business Confidential

Employees shall treat the official business of the department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended in accordance with established department procedures.

FF. Organizational Memberships

Employees shall not affiliate with or become a member of any organization where such affiliation or membership may interfere with the performance of the employee's duty, or otherwise adversely impact the operation and reputation of the Police Department. In addition, employees shall not associate with, except in the performance of their duty, any organization or member of an organization that advocates hate or prejudice.

GG. Personal Associations

Employees shall avoid regular or continuous associations and/or dealings with persons whom they know are under active criminal investigation or indictment, or who have a reputation in the community or department for personal involvement in felonious or criminal behavior. However, contacts initiated in the performance of official duties or where unavoidable due to personal/family relationships are exempt from the provisions stated herein.

HH. Private Business

Employees shall devote their time and attention to department business during scheduled duty hours. Excessive telephone usage for personal calls, or conducting secondary business during working hours or on department premises shall be prohibited. Unless specifically authorized by the Chief of Police or his designate, department facilities and equipment shall not be used for any purpose other than official business.

II. Representing Department

Members of the department shall obtain prior approval of the Chief of Police or his designate before any personal appearance, speaking engagement, interview, training session, etc. where the employee will be perceived by a reasonable person as an official representative of the Police Department.

JJ. Residence Information

Employees shall provide the department a current home address and phone number. Should an employee move, updated information shall be provided to the department as soon as practical.

KK. Rewards

Employees shall decline any monetary or fiduciary-type reward in regard to the development of information and/or the arrest and successful prosecution of criminal suspects associated with or resulting from the performance of their official duties. However, employees will be eligible to accept such rewards for those actions initiated while the employee is off-duty.

LL. Sleeping

Employees shall remain awake and alert during their assigned tour of duty. The only exception shall be during prolonged operational deployments where a duly authorized rest/sleep rotation has been established.

MM. Strikes/Job Action

Sworn employees shall not promote, participate in, or actively support a strike, work slowdown, work speed-up, work stoppage, or other job action against the department with the exception of non-violent informational picketing, the distribution of printed materials, and/or making grievances or concerns public.

NN. Telephone Requirement

Employees shall have a telephone in their residence and shall report any change in telephone number or address within two working days following the number change.

OO. Unauthorized Insignia

Employees shall wear only duly authorized patches, buttons, badges, medals, pins, or other insignia on their uniforms.

PP. Uniform Wear

The wearing of the police uniform shall be restricted to on-duty service, traveling to and from duty, acting as an official representative of the police department on special assignment, or as otherwise authorized by the Chief of Police. Approval to work secondary employment while in the department's police uniform shall rest solely with the Chief of Police.

Non-duty activity in uniform (Ex: menial tasks, non-emergency manual labor, sporting contests) is inconsistent with the dignity associated with the uniform and shall be prohibited.

QQ. Use of Force

In accordance with departmental directives governing the use of force, employees shall refrain from being verbally and/or physically abusive to prisoners and/or citizens, and shall employ only that force necessary to overcome resistance, or protect the well-being of the employee or others. Once resistance has been overcome and control of a situation established, the employment of physical force shall immediately terminate.

RR. Weapons Usage

Sworn employees shall not display their weapons or draw them in a public place except for inspection, training purposes, or official use. Officers who discharge a weapon, either accidentally or intentionally, except during firearms training, shall report same to their commanding officer via the chain of command.

Firearms shall not be left lying about unattended, and when not in a holstered position shall be secured in a gun locker or desk drawer.

Sworn employees who may misplace a department weapon or have same stolen shall report the incident to the appropriate police jurisdiction as soon as practical. In addition, they will notify their immediate supervisor of the incident and will subsequently draft an internal memorandum outlining the circumstances involved.

SS. Willful Maltreatment

Employees shall not maliciously and/or willfully mistreat, either physically or mentally, any person with whom they may have contact with in the course of their official duties.

Any member of the department who may witness willful maltreatment shall make every reasonable effort to stop such behavior and shall notify the commanding officer of the incident as soon after the event as possible.

TT. Vehicle Operation

All employees who operate vehicles on City business must possess a valid operator's license that entitles them to drive the class of vehicle they are assigned to operate. Loss or suspension of an operator's license shall be reported to the department immediately following notification by the state.

Employees shall operate official vehicles in a careful and prudent manner, and shall obey all laws and department directives pertaining to such operation. As such, department employees shall be responsible for paying fines for any traffic violation they incur arising from the operation of a vehicle on City business. Neither the department nor the City will reimburse employees for the cost of such fines.

BY ORDER OF:

THOMAS J. BYRNE
Chief of Police

TJB:mij