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<b>Effective Date: April 1997</b>	<b>Revision Date: June 2012</b>
<b>Amends/Supercedes: July 2007</b>	<b>Approved by: Chief Kevin Higdon</b>
<b>Meets Accreditation Standard:</b>	<b>30.4</b>

## **Section 600.20 Rules of Conduct**

### **1. Conformance to laws**

Employees shall obey all laws of the United States and of any state and local jurisdiction in which the officers are present. A conviction or violation of any law shall be prima facie evidence of a violation of this rule of conduct. Conviction on a felony is grounds for termination. Misdemeanor convictions will be reviewed on a case by case basis.

### **2. Conformance to Rules and Regulations**

Employees shall obey and abide by all the rules and regulations of the Shively Police Department, whether stated in this manual or elsewhere, and whether stated in the form of general order, special order, memorandum or any other written directive.

### **3. Insubordination**

Employees shall promptly obey any lawful orders of a superior officer. This shall include orders relayed from a superior officer by another officer of the same or lesser rank.

### **4. Inefficiency**

Employees shall perform their duties and assume the responsibilities of their positions in an efficient manner. Inefficiency may be demonstrated by a lack of knowledge of the application of the laws required to be enforced, unwillingness or inability to perform assigned tasks, the failure to conform to work standards established for the employee's rank, grade or position, the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention whether on or off-duty or absence without leave. Apart from, or in addition to, the above demonstration of inefficiency, repeated poor evaluations, or a written record of repeated infractions of any rules or regulations of the Shively Police Department shall be evidence of inefficiency.

### **5. Immoral Conduct**

Employees shall maintain a level of moral conduct in their personal and business affairs, which is in keeping with their oath of office and the Code of Ethics. Employees shall not participate in any incident involving moral turpitude which impairs their ability to perform as law enforcement officers or causes the Shively Police Department to be brought into disrepute.

### **6. Possession or Use of Drugs**

Employees shall not possess or use any controlled substances, narcotics, or hallucinogens except when lawfully prescribed by a physician or dentist. Officers must notify their commanding officer whenever it is necessary that they be under any medication during on duty hours.

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### **7. Use of Intoxicants on Duty**

Employees shall not consume intoxicating beverages while in uniform or on duty, except in the performance of duty and while acting under proper and specific orders from a superior officer.

### **8. Use of Intoxicants Off-Duty**

Employees, while off-duty, shall refrain from consuming intoxicating beverages to the extent that it results in intoxication in public. Any behavior, which discredits the officer or the Shively Police Department or renders the officer unfit to report for his next regular tour of duty, is prohibited.

### **9. Alcoholic Beverages and Drugs on City Property**

No employee shall store or bring into any vehicle, or other facility of the Shively Police Department, any alcoholic beverage or controlled substance that is not part of an official police action. Any employee who is charged and convicted of Driving Under the Influence in any city owned or privately owned vehicle will be terminated.

### **10. Use of Tobacco**

No employee shall use tobacco in any form when performing any official duty in direct or immediate contact with members of the public.

### **11. Gambling**

No employee shall participate in any form of gambling while on duty or while in any Shively Police Department vehicle or facility.

### **12. Visiting Prohibited Establishments**

No employee shall knowingly visit, enter, or frequent a house of prostitution, gambling house, or establishment wherein the laws of United States, the state, or the local jurisdiction are regularly violated. Except, in the performance of duty and while acting under direct and specific orders from a superior officer may an employee be therein.

### **13. Personal Appearance**

Employees on duty shall wear uniforms or other clothing in accordance with the established Shively Police Department policies and procedures.

### **14. Political Activity Forbidden**

No employee shall, directly or indirectly, give, solicit, receive, or be in any manner concerned in giving, soliciting, or receiving any assessment, subscription, or contribution for any political party or political purpose, whatsoever. No officer shall, orally or by letter, solicit or in a manner concerned in soliciting any assessment, subscription, or contribution for any political party or purpose whatsoever from any person holding a position in the Shively Police Department. No employee of the Shively Police Department shall take any part in political management of affairs or in political campaigns other than to cast his vote and express privately his opinion.

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### **15. Gifts, Gratuities, Bribes, or Rewards**

No employee shall solicit or accept from any person, business, or organization any gifts (including money, tangible or intangible personal property, food, beverage, loan, promise, service or entertainment) for the benefit of the officer. This practice may reasonably infer that the person, business or organization:

- Seeks to influence action of an official nature or seeks to affect the performance or non-performance of an official duty.
- Had an interest, which may be substantially affected directly or indirectly by the performance or non-performance of an official duty.
- No officer shall accept any reward for activities performed in his official capacity.

### **16. Abuse of Position**

No employee shall use his official position, official identification cards, or badges;

- For personal or financial gain.
- For obtaining privileges not otherwise available to him, except in the performance of duty.
- For avoiding consequences of illegal acts.
- No employee shall lend to another person his credentials or permit them to be photographed or copied.
- No employee shall authorize the use of his name, photograph, or official title concerning testimonials or advertisements of any commodity or commercial enterprise without the approval of the Chief of Police.

### **17. Endorsement and Referrals**

No employee shall recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service.

### **18. Dereliction of Duty**

Employees, while on-duty, shall at all times remain alert and in a sufficient state of readiness to quickly respond to any situation requiring police action. Officers, while on duty, shall not sleep, conduct personal business, attend to personal pleasures, or engage in any other activities, which would cause them to neglect or be inattentive to duty.

### **19. Honesty**

Employees shall be honest and truthful at all times in dealing with their fellow officers or members of the public and in any written or oral communication.

### **20. Profiling and Courtesy**

Employees shall be courteous to the public and fellow officers. Officers shall be tactful in the performance of their duties, shall control their tempers, exercise patience, discretion, and shall not engage in argumentative discussions even in the face of extreme provocation.

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In the performance of their duties, officers shall not use coarse, violent, profane or insolent language or gestures, and shall not express any prejudice concerning race, gender, religion, politics, national origin, lifestyle, or similar personal characteristics; nor shall any stop, detainment or search be based solely on the aforementioned criteria.

When performing any official duty in direct and immediate contact with members of the public or other officers, officers shall address superior officers by rank.

### **21. Courage**

Officers shall carry out their duties with courage and determination and shall remain firm and steadfast in the face of opposition and danger.

### **22. Identification**

Officers shall carry their badges and identification cards on their persons at all time, except when impractical or dangerous to their safety or to an investigation. They shall furnish their name and ID number to any person requesting that information when they are on duty or while holding themselves out as having an official capacity, except when the withholding of such information is necessary for the performance of police duties or is authorized by their commanding officer. When a person requests to speak to a supervisor, officers shall immediately notify their supervisor or officer in charge. If no commanding officer is immediately available, officers will provide contact information to the person making the request.

### **23. Associations with Disreputable Persons**

Officers shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are under a criminal investigation or indictment. A disreputable person is someone who has a reputation in the community for present involvement in criminal behavior. Exceptions to this include, as necessary, for the performance of official duties, or when unavoidable because of family relationships of the officer.

### **24. Requests for Assistance**

When any person applies for assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner. Furthermore, employees will properly and judiciously act consistent with established police department procedures.

### **25. Public Statements and Appearances**

No employee shall publicly criticize or ridicule the Shively Police Department, its policies, or other officers by speech, writing, or other expressions. Acts where such speech, writing, or other expression is defamatory, obscene, unlawful undermines the effectiveness of the Shively Police Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth.

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## **26. Telephones/Addresses**

Employees shall have an established means of open communication and contact. Employees are required to supply the department with the most expeditious method for reaching them when needed. Addresses shall be current. All employees shall immediately report any changes of contact numbers or address to the office of the Chief of Police.

## **27. Dissemination of Information**

Employee shall treat the official business of the Shively Police Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established procedures. Officers may remove or copy official records or reports only in accordance with established procedures. Officers shall not divulge the identity of persons giving confidential information except as authorized by proper authority.

## **28. Intervention**

No officer shall interfere with any case investigated by other members of the Shively Police Department or any other governmental agency unless:

- Ordered to intervene by a superior officer.
- The intervening officer believes beyond a reasonable doubt that a manifest injustice would result from failure to take immediate action.

## **29. Reports**

Officers shall submit all necessary reports on time and in accordance with established procedures. Reports submitted by officers shall be truthful and complete, and no officer shall knowingly enter, or cause to be entered, any inaccurate, false, or misleading information.

## **30. Handling of Property and Evidence**

Any Property or evidence, which has been discovered, collected, or received by members of the police department, shall be processed in accordance with established procedure. No employee shall convert to his own use, manufacture, conceal, falsify, remove, tamper with, or withhold any property or evidence in connection with any investigation or other police action, except in accordance with established procedures.

## **31. Use and Care of Equipment**

Employees shall utilize issued equipment only for its intended purpose, in accordance with established procedures and training instructions, and shall not abuse, damage, lose, or use for personal purposes any issued equipment. All issued equipment shall be maintained in proper order.

## **32. Carrying of Firearms**

Officers shall carry possess firearms in accordance with the law and established police department procedures.

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### **33. Use of Weapons**

No employees shall use or handle weapons in a careless or imprudent manner. Officers shall use weapons in accordance with law and established police department procedures.

### **34. Treatment of Persons in Custody**

No officer shall mistreat or abuse any persons who are in custody. Officers shall handle persons in custody in accordance with law and established procedures.

### **35. Arrest, Search and Seizure**

No officer shall make any arrest, search, or seizure, which he knows or should know, is not in accordance with law.

### **36. Soliciting Personal Advancement**

No officer shall request or use the aid of any person outside the police department or of any group of persons or organization for advancing his/her position within the police department. Nor shall any employee use a person to secure restoration to a rank, position, or assignment from which he/she was removed.

### **37. Reporting Violations of Rules of Conduct**

Officers shall report to their commanding officer any violation of rules of conduct that he/she observes or has knowledge.

### **38. Leaving Assignment**

No officer shall leave his work assignment without proper authority except in cases of emergency, and then only upon notification to his commanding officer.

### **39. Response to Radio Dispatchers**

Officers shall promptly acknowledge receipt of all dispatches directed to them and, upon receipt of a call for service, shall immediately proceed to the place designated where they shall perform their required duties. All officers must provide to the radio dispatcher their exact location upon being called for service.

### **40. Radio Messages to Conform to FCC Regulations**

All messages transmitted by radio and all radio conversations shall conform to the rules and regulations of the Federal Communication Commission. Profanity and unnecessary remarks are prohibited.

### **41. Reporting Vital Information**

No officer shall fail to report to his commanding officer any information, which he becomes aware of which may result in the apprehension of fugitives or the arrest of felons.

### **42. Bail or Bond for Persons Arrested**

No employees shall furnish bail or bond for any person, except members of the officer's immediate family.

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#### **43. Subversive Organizations**

No employee shall be member of, or aid or assist any organization which advocates violence or the overthrow of United States of America government.

#### **44. Ranking Officers-Responsibility**

Ranking officers shall be responsible for the proper enforcement of these rules of conduct. No ranking officer shall knowingly permit the violation of any of these rules of conduct by a subordinate, nor fail to recommend disciplinary action when a violation occurs.

#### **45. Conduct Unbecoming**

Officers shall conduct themselves at all times, both on and off-duty, in such a manner to reflect favorably on the Shively Police Department. Conduct unbecoming to an officer shall include any conduct that brings the Shively Police Department into disrepute or reflects discredit upon the officer as a member of the Shively Police Department, or impairs the operation or efficiency of Shively Police Department or the officer.

#### **46. Loitering in Taverns**

No employee, whether in uniform or out of uniform, on duty or off duty, should habitually frequent, patronize, or loiter in taverns or other places serving alcoholic beverages, to the extent that his frequent presence reflects discredit upon the Shively Police. Employee should not reflect a close relationship between the tavern operator or manager and the employee.

#### **47. Debts**

All employees of the Shively Police Department are expected to arrange their personal affairs so creditors and collection agencies will not have to use the office of the Chief of Police, Office of the Mayor, or City Hall for the purpose of making collection.

Any alleged violation, whether from an internal or external source, will be handled in accordance with the complaint procedures outlined in the Shively Police Standard Operating Procedures.

#### **48. Sexual Harassment**

All employees are entitled to a work environment free from harassment or intimidation. Employees will not behave towards the public or other employees in a manner that is directly or indirectly inappropriate, intimidating or otherwise suggestive. Sexual innuendo, jokes, language, or unwelcomed behavior will not be tolerated. Supervisors will not use threats or promises in exchange for any personal or sexual gain.