



**.05 DEFINITIONS:**

BRIBE: Money or other consideration given or promised in order to influence or corrupt a person.

CHAIN OF COMMAND -“Chain of Command” is the hierarchy of supervision between the Chief of Police and every other individual within the organization. It is a series of positions each of which is directly commanded by the one immediately above it. Although a Department member may have numerous subordinates he has only one immediate supervisor.

RECOGNIZED CHARITY: A recognized charity is defined as any charitable organization which is generally accepted within the community and which is registered as a nonprofit organization with the Secretary of State of Maryland or of another state. Examples include, but are not limited to: United Way organizations, churches, civic and service organizations, The Red Cross, The Salvation Army, Boy Scouts, Girl Scouts, schools, etc.

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**.08 ADHERENCE TO CODE OF ETHICS REQUIRED:**

1. All employees of the Department are required to be familiar with, acknowledge receipt of and adhere to a code of ethics that has been adopted by the Department. For sworn personnel, the Law Enforcement Code of Ethics as stated in G.O. 1655 is applicable. For civilian personnel, the following Code of Ethics is adopted:
  - A. I recognize my responsibility to exhibit honesty and integrity through ethical behavior in both my professional and personal life.
  - B. I will be obedient to the laws of the City of Frederick, the State of Maryland and the United States.
  - C. I will exhibit respect for my superiors, my peers, other city employees, and citizens, and work to promote a harmonious work environment.
  - D. I will not, in the performance of my duties, work for personal advantage or profit.
  - E. I will give efficient, impartial, prompt and courteous service to the public at all times.
  - F. I will accept responsibility for my actions.
  - G. I will put loyalty to the highest moral and ethical principles above loyalty to persons or government.
  - H. I will never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not, and I will never accept, for myself or anyone else, favors or benefits under circumstances which might be construed by a reasonable person as influencing the performance of my duties.
  - I. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept confidential unless revelation is necessary in the performance of my duty.
  - J. I will abide by the Code of Ethics of the City of Frederick.
2. All personnel will receive ethics training at least biennially as scheduled through the Training Division.

**.10 LAWS AND DIRECTIVES:**

1. Employees will obey all:
  - A. Federal, state, and local laws and ordinances;
  - B. Lawful orders of superiors, both verbal and written, whether received directly or conveyed by other personnel;
  - C. Official directives of the Frederick Police Department and any of its organizational units to which they are assigned; and

- D. Appropriate directions or assignments which are given to them by the Communications Section in reference to calls for service or other operational duties.
2. Employees will not omit any acts that are required of them nor commit or attempt to commit any acts that violate the regulations listed above.
3. Upon observing or otherwise becoming aware of any behavior or violation of the Department's rules and regulations which a reasonable person would believe is serious or would have potentially serious consequences to the Department, a Department employee is required to report such violation to a superior.
4. A conviction or the entry of a "Probation Before Judgment" for the violation of any law will be "prima facie" evidence of a violation of this section.
5. No command or supervisory employee will knowingly issue any order that is in violation of any law or ordinance.
6. All policies, orders, procedures and memoranda issued by the Chief of Police will possess the same force and effect as these General Orders.

**.12 ATTENTION TO DUTY:**

1. Any employee who is assigned, or who handles, any responsibility or duty will conduct himself in a professional and courteous manner and will attend to such duty punctually.
2. Employees will not attempt to avoid responsibility or shirk or neglect any of their assigned duties.
3. Employees will not engage in any form of entertainment or in any other activity or personal business while on duty which would cause them to neglect or be inattentive to their duties.
4. Employees will continue at their assignment until properly relieved or dismissed by a superior.

**.14 COURTESY SERVICES:**

Employees are often called upon to supply services that are not enforcement oriented but which relate to the public good or order or have an impact on the public's general safety (i.e., requests for information or referral, funeral escorts, etc.). When this happens, employees are to provide, within reasonable means, courtesy services that are consistent with these General Orders, City policy, and the law.

**.16 INSUBORDINATION:**

Failure or deliberate refusal of any employee to obey a lawful order given by a superior officer or supervisor, or an attempt to do the same; expressions of disrespect by word or deed, or ridiculing a superior or their orders or direction, will be insubordination. Employees will not engage in insubordinate behavior, language, or conduct.

**.17 PATTERN OF MISCONDUCT:**

1. Repeated violations of General Orders, for which prevailing sanctions have had little to no measurable effect, will constitute a pattern of misconduct.
2. An employee who engages in a pattern of misconduct will be subject to additional sanctions above those already imposed for the underlying misconduct if:

- A. The pattern of misconduct is pervasive enough as to compel a reasonable reviewer to infer a deliberate indifference to the policies and General Orders of the Department;
- B. The incidents of misconduct are of a similar nature, and
- C. The incidents of misconduct are of an ongoing nature.

**.18 UNPROFESSIONAL OR UNBECOMING CONDUCT:**

Whether on or off duty:

- 1. Employees will conduct themselves at all times, either within or outside of the City, in a manner which does not bring discredit upon individual employees, the Department, the City of Frederick, or the law enforcement profession.
- 2. Employees will not participate in any behavior that tends to compromise or impair their ability to perform their official duties.
- 3. Employees will not engage in conduct that brings the Department into disrepute, which impairs, is prejudicial to, or undermines the discipline, the effectiveness, efficiency, good order, or operations of the Department, even though such conduct may not be specifically prohibited by General Orders.

**.20 IMMORAL CONDUCT:**

- 1. Any employee directly involved in the investigation or handling of any crime or other police matter will not become personally or sexually involved with any complainant, suspect, informant, defendant, witness or victim of that incident, from the time the case becomes known to the Department until the final disposition of the case.
- 2. Each employee will maintain a level of moral conduct in his personal life which is in keeping with the highest standards of the law enforcement profession, as outlined in the Law Enforcement Code of Ethics, the Personnel Rules and Regulations of the City of Frederick, and/or the Ethics ordinance of the City of Frederick.

**.22 NOTIFICATION OF DEFENDANT/WITNESS STATUS:**

- 1. Any time an employee of the Department becomes the defendant in a judicial or quasi-judicial (i.e. administrative) proceeding, becomes aware that he or any other employee is or may become a defendant, or is summoned to appear as a character witness in any criminal case, he will immediately report the circumstances surrounding the proceedings to the Chief of Police, in writing and in detail via the chain of command.
- 2. Employees will not appear as a character witness for any criminal defendant unless properly summoned to do so.

**.24 OFFICIAL BUSINESS:**

Department personnel will not enter into any correspondence concerning their official activities except as provided by Department orders, nor will they use Departmental stationary or forms for any purpose other than the transaction of official business without the explicit permission of the Chief of Police or his designee.

**.26 PUBLIC STATEMENTS AND APPEARANCES:**

- 1. Employees of the Department will not publicly criticize or ridicule any investigation, City

official, event, member of the Judiciary, operation, order, other employee, or the Department, its policies, orders or personnel in any manner where such expression is defamatory, obscene, unlawful, or tends to undermine the effectiveness of the Department or interfere with the maintenance of discipline, or is made with a reckless disregard for the truth.

2. Speeches that relate to personal internal grievances of employees, such as transfers or working conditions, rather than to matters of significant public interest such as gross waste of funds, specific or substantial dangers to public health, serious mismanagement, or abuse of authority, are not permitted.

**.28 REVIEW OF ARTICLES FOR PUBLICATION:**

With the exception of media releases prepared and disseminated in accordance with G.O. 1550, "Media Relations," employees will submit to the Chief of Police, for prepublication review, any writing which relates to the activities, administration, or operations of the Department, and which is intended for publication.

**.29 COMMUNICATION MEDIA:**

Employee publications, contributions, or postings to any form of written, electronic, or other type of communication media must conform to all of the standards of conduct contained in the General Orders of the Department. Specific attention should be paid to the following sections of this Order: Section .18 Unprofessional Or Unbecoming Conduct; Section .24 Official Business; Section .26 Public Statements And Appearances; Section .28 Review Of Articles For Publication; and Section .30 Civility And Respect. This requirement applies to communication made in the course of the employee's duties and in a personal capacity and to communication published under the employee's name, published under a pseudonym, and published anonymously. This requirement particularly applies to, but is not limited to, internet websites, including social networking sites, internet blogs and blog posts, and electronic notifications systems such as "Twitter."

**.30 CIVILITY AND RESPECT:**

1. Employees will conduct themselves in a professional manner to include being as civil, courteous, orderly, patient, and tactful as a reasonable and prudent person is expected to be in any given situation. Employees will not use any disrespectful, profane, or unprofessional language, actions, and/or gestures toward any citizen, fellow employee, subordinate, or superior officer, whether on or off duty. Officers acting in an undercover capacity who have not identified themselves as police officers may use language appropriate to their undercover capacity.
2. Sworn and Civilian Employees will answer non-emergency phone lines as follows: "Frederick Police, (NAME and Rank, if appropriate), how may I help you?"
3. Employees will respond to citizen's questions to the best of their ability, treating all inquiries in a professional manner. If an employee is unable to properly answer a citizen's question, he will make every effort to obtain an answer, avoiding argument and sarcasm and remaining in control of his temper. If requested, he will display his Departmental identification card and furnish a citizen (in writing if requested) with his name, badge number, rank, and duty assignment in a courteous manner, unless such disclosure would compromise a specific covert assignment.
4. In exigent circumstances, it is not a violation of this regulation for employees to use firm, professional language, appropriate in volume and tone, to gain or maintain control of any situation.

- 5 Sworn and civilian employees will extend and exhibit, both on and off duty, and either in uniform or out of uniform, the proper courtesy and respect to all superiors.
- 6 All employees will, when on duty and in public, refer to all officers and employees by their rank or title. Subordinates will, in all professional/ workplace settings, address superiors by their rank or title.
- 7 Officers will, when appropriate, render a hand salute upon greeting a Command Officer, in accordance with General Orders.

**.32 COORDINATION AND ASSISTING OTHER PERSONNEL AND AGENCIES:**

1. Cooperation between the ranks and units of the Department and with other law enforcement agencies is essential to effective law enforcement. Therefore, all employees are strictly charged with establishing and maintaining a high spirit of cooperation within the Department and other law enforcement and allied agencies.
2. Employees will not intentionally or unintentionally withhold any information relative to any police investigation from any agency, division, or unit.
3. Any deliberate or unjustified withholding of police information that is detrimental to the Mission of the Department from other authorized personnel is prohibited.

**.34 INTERFERENCE:**

1. Personnel will not interfere with investigations being handled by other personnel of the Department or any other governmental agency unless:
  - A. Ordered to intervene by a superior; or
  - B. The intervening employee reasonably believes that a manifest injustice would result from a failure to take immediate action.
  - C. In the event an employee intervenes/interferes in any investigation, he will submit, in writing and at his earliest opportunity, a detailed administrative report to the Chief of Police through the chain of command justifying the need for that action.
2. Personnel will not undertake any investigation or other official action incongruent with their position without obtaining permission from their superior unless the exigencies of the situation require immediate police action.
3. Personnel are forbidden from entering into, or to concern themselves with, either directly or indirectly, any agreement, arrangement, or compromise between an accused and the victim of his criminal act(s) for the purpose of permitting the accused to escape the penalty for his wrongdoing, or to otherwise interfere with the course of justice.
4. Personnel will not interfere with any lawful arrest or prosecution of any case of this or any other agency.

**.36 PROHIBITED PLACES/ CONSORTING WITH CRIMINALS:**

To avoid the appearance of partiality or criminality, employees, whether on or off duty, will not:

1. Knowingly enter, frequent, loiter in, or visit any establishment in which the employee suspects or reasonably should suspect that law violations regularly occur or which is frequented by any

person whom he knows or reasonably should know is under criminal investigation or has criminal charges pending, or who has a reputation in the community and/or the Department for current involvement in criminal activity.

2. Associate with, contact, or deal with persons whom they know or should reasonably know are under criminal investigation or have charges pending against them, or who have reputations in the community and/or the Department for current involvement in criminal conduct, unless such contacts are necessary in the lawful performance of duty or are unavoidable because of a familial relationship of the employee.

**.38 LOITERING IN OR ENTERING CERTAIN PLACES:**

1. Employees will not loiter or remain in restaurants, other businesses, in other public places, or any police facility while on-duty, unless they are conducting official business or are on an approved meal break.
2. Employees will not enter any secured area of any police facility, including offices and storage areas, unless they are authorized to do so.

**.40 CONFIDENTIALITY:**

1. The official business of the Department will be treated as confidential. Confidential departmental information will not be released or discussed with any person inside or outside of the agency unless permitted by General Order or authorized by the Chief of Police or his designee.
2. Employees will not disclose, divulge, discuss, or otherwise impart to any person either inside or outside of the Department who does not possess an official "need to know" any confidential information whatsoever obtained by virtue of his employment with the Department, including, but not limited to, criminal history record information, personnel records, internal investigations, computer and police records of all types, and all other records and information of whatever type which a reasonable person would consider confidential.

**.42 IDENTITIES:**

The identities of covert employees, informants, complainants, suspects, defendants, or friends of families of such persons will be released to persons outside the Department only in accordance with Department policy.

**.44 INFORMATION AND OPERATIONS:**

Employees will not release to anyone information that may delay an arrest, aid a person to escape, destroy evidence or allow it to be tampered with, or do any act which may in any other way hinder the effective performance of police responsibilities.

**.46 TRUTHFULNESS:**

1. Employees will speak and write the truth at all times and under all circumstances. In cases where an employee is not allowed by Departmental policy or order to divulge facts that are within his knowledge, he will decline to speak on the subject.
2. Employees will not make any false, fictitious, or misleading statements, or coerce, entice, or suggest that any other person do so, either verbally or in writing.
3. Employees will not knowingly withhold information relevant to any incident, investigation, or situation.

4. Employees will not fake illness or injury, falsely represent themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Department or any other governmental agency or individual authorized to conduct such an inquiry as to the condition of their health.
5. This section does not apply to situations in the course of authorized investigations or operations, in which an officer may use "reasonable subterfuge" with the knowledge of their supervisor.

**.48 FALSE ACCUSATIONS:**

Personnel will not knowingly falsely accuse any person of violating any statute, law, ordinance, or regulation of the United States, the State of Maryland, the City of Frederick, or the Department.

**.50 APPROPRIATING PROPERTY:**

Employees will not willfully or knowingly appropriate, conceal, convert to their own use, destroy, falsify, manufacture, permanently remove, tamper with, or withhold any personal, found, evidential, or Department property or service for their own use except in accordance with those specific procedures for the destruction and/or the removal of property which have been established and implemented by the Department.

**.52 LOSS OF OR DAMAGE TO DEPARTMENTAL PROPERTY:**

Employees will use Departmental equipment and property only for its intended purpose and in accordance with established procedures, safeguarding it against damage or loss while it is in their possession or under their control. Any loss or damage will be immediately reported in writing to the employee's supervisor. Damaged or lost property may subject the responsible individual to reimbursement charges and/or appropriate disciplinary action if they are found to have been negligent.

**.54 PRESUMPTION OF RESPONSIBILITY:**

In the event that Departmental property is found with damage, it will be considered a rebuttable presumption that the last person using the property is responsible for the damage.

**.56 STATEMENTS CONCERNING LIABILITY:**

Employees will make no statement concerning liability in connection with the operation of police vehicles or in the performance of any other duty to anyone other than Department investigators or superiors unless specifically ordered to do so.

**.58 PAYMENT OF DEBTS:**

1. An employee may be subject to discipline for repeated instances of financial irresponsibility, including multiple garnishments, where he is able to fulfill those obligations but fails to do so, or when the effects of repeated indebtedness adversely affects his ability to perform his duties, brings the Department into disrepute, or impairs, or is prejudicial to, the effectiveness or the operation of the Department.
2. Child support garnishments required by law will not be considered as a part of "multiple garnishments."

**.60 LABOR ACTIVITY:**

Employees will not aid, direct, engage in, initiate, instigate, sponsor, or support any strike or other job action. The terms "strike" and "job action" include, but are not limited to, any of the following activities, by whatever name known, which are undertaken for the purpose of coercing, inducing, or influencing

any change in compensation or in the conditions, the obligations, the privileges, or the rights of employment:

1. Any concerted failure to report for duty;
2. Any willful absence from duty;
3. Any unapproved leave of absence;
4. Any illness or injury unsupportable by a doctor's certificate;
5. Any increase or decrease in enforcement activities;
6. Any work stoppage, or;
7. Any abstinence, either in whole or in part, from the faithful, full, and professional performance of his official duties.

**.62 PRIVATE USE OF DEPARTMENTAL INFORMATION:**

Employees are prohibited from using confidential or any other official Department information from any source to advance the financial or other private interests of themselves or others.

**.64 DEPARTMENTAL IDENTIFICATION:**

Employees will be responsible for each of the following forms of identification issued to them, as applicable: the badge, the hat shield, the identification card, the name plate, and the Maryland Police Training Commission card. Employees will report the loss of any of these items to their supervisor immediately, and will surrender such items to a superior when instructed to do so.

**.66 UNAUTHORIZED USE OF OFFICIAL IDENTIFICATION:**

1. Employees will not lend to any other person any identification cards or badges related to their employment, or permit them to be photographed or reproduced without the express permission of the Chief of Police or his designee.
2. Employees will not use the name of the Frederick Police Department, nor any Departmental identification card, patch, or badge for any purpose outside of their official duties without the explicit permission of the Chief of Police.
3. No employee will authorize the use of their name, photograph, or official title that identifies them as a Department employee when used in connection with testimonials, advertisements, or for any personal reason, without the approval of the Chief of Police.

**.68 SEEKING OR ACCEPTING GIFTS, DISCOUNTS, OR GRATUITIES:**

1. Except as noted below, employees will not accept, seek, or solicit, either directly or indirectly any gift, discount, or gratuity on the basis of their membership in the Department, from any individual, business establishment or merchant without the specific approval of the Chief of Police.
2. Unless a gift of any of the following would tend to impair the impartiality and/or the independent judgment of an employee, or is of such value that would give the appearance of doing so, or the employee believes it is designed to do so, Section .68.1 does not apply to the following if unsolicited:

- A. meals and beverages for on-duty consumption;
  - B. ceremonial gifts or gifts of nominal value (\$25.00 or less) or trivial items of informational value;
  - C. gifts of tickets or free admission extended to an employee to attend a professional or intercollegiate sporting event or charitable, cultural, or political event, if the purpose of this gift or admission is a courtesy or ceremony extended to the Department rather than to an individual;
  - D. any other gift, discount, or gratuity that would not present a conflict of interest upon approval by the Chief of Police.
3. Employees will not accept, seek, solicit, or share in any fee, reimbursement, reward, or other compensation for the performance of their official duties unless specifically authorized by the Chief of Police, or accept same for their failure to perform such duties.

**.70 ACCEPTING BRIBES:**

Employees will not accept any bribe in any form whatsoever. Employees will immediately report, and will initiate appropriate enforcement action in the case of, any offer, or attempt to offer, any bribe or inducement made in an effort to influence their official conduct.

**.72 CONDUCTING A COMMERCIAL BUSINESS DURING WORKING HOURS:**

Employees will not solicit or conduct any commercial business, or conduct any secondary employment, during working hours, nor will any employee carry out functions of a commercial business on any Department property.

**.74 TRANSACTIONS WITH CERTAIN PEOPLE:**

Employees are prohibited from buying or selling anything of value from or to any suspect, defendant, or prisoner involved in any case which has come to their attention or which arose out of their Department employment, except as may be specifically authorized by the Chief of Police or his designee.

**.76 RECOMMENDING SERVICES:**

When acting in an official capacity, employees of the Department will not endorse, recommend, or suggest the employment or purchase of any specific professional or commercial service or product to the general public, except as provided by General Order or the Chief of Police.

**.78 PRIVATE USE OF DEPARTMENTAL TELEPHONES:**

1. Employees are permitted to make local, personal calls of limited duration from Department telephones. Such calls will not interfere with their job responsibilities.
2. Long distance telephone calls will not be made from or charges accepted for Department telephones unless such calls are necessary for official business and a supervisor has approved such call.
3. Employees who are members of the Fraternal Order of Police may make local telephone calls from Department telephones for FOP business provided such calls are not for solicitation of funds and telephones are not needed for official business, in accordance with the Labor Agreement.

**.80 SOLICITING BUSINESS:**

Employees will not solicit subscriptions, sell books, papers, tickets, merchandise, or other things, or collect or receive money or other things of value for any purpose whatsoever under color of authority, without the approval of the Chief of Police.

**.82 CONFLICTING ACTIVITIES:**

1. Employees will not engage in any activity that causes an inherent conflict of interest with their responsibilities as an employee of the Department.
2. Employees will not, whether or not for compensation, perform any job, act, or duty that causes the employee to be brought into dispute with the Department or which causes an adversarial relationship between the employee and the Department, such as service of summonses or subpoenas for the defense in any court or administrative proceeding, or attending any public hearing, court session, or meeting in uniform when not representing or being summoned by the Department without the approval of the Chief of Police or his designee.

**.84 DISPLAY OF UNAPPROVED ITEMS:**

1. Employees will not mar, mark, or deface any surface in any Department building. No pictures, plaques, or other material will be affixed in any way to any surface in Department buildings or any other Department property without specific authorization from a Command Officer. **EXCEPTION: Items placed on the FOP board are permitted in accordance with the Labor Agreement.**
2. Notices posted with approval will be removed after 30 days or upon the expiration/passing of the event advertised, whichever first occurs, by the person who posted it.
3. Employees will not alter, mar, or deface any posted notices, posters, or like items.

**.86 USE OF MAILBOXES:**

1. Mailboxes at police facilities, while assigned to specific personnel, nonetheless remain the property of the Department.
2. Mailboxes at police facilities may be used to circulate literature or information from any City-recognized labor organization.
3. Any other material that is unofficial in nature must be approved by a Bureau Commander or Director prior to being disseminated in mailboxes.
4. Non-supervisory employees will not remove or inspect any materials in the mailbox of another employee without that employee's consent or proper authorization. Supervisory employees will do so only with good cause.

**.88 USE OF POLICE FACILITIES:**

Use of meeting rooms or other police facilities for unofficial business will require the prior approval of a Bureau Commander or Director. The Fraternal Order of Police is authorized, pursuant to the Labor Agreement, to use the squad room at headquarters for FOP business when such are not needed for official business, and with the approval of the Chief of Police or his designee.

**.90 ATTEMPTED INFLUENCE:**

1. Employees will not attempt to bring influence upon the Chief of Police, any City official, any witness or any involved person for the purpose of securing the promotion or transfer of

themselves or any other employee, for assignment to specialized training, or for the purpose of avoiding the penalty for any violation of the General Orders of the Department.

2. Employees will not attempt to bring influence upon the Chief of Police or any other City official for the purpose of securing the appointment of any person who has applied for a position with the Department.

**.92 INTERFERENCE WITH OPERATIONS:**

Employees will not interfere with the operation of the Department, with that of any of its commands, or with its disciplinary process.

**.94 SOLICITATION OF FUNDS:**

Employees will not solicit funds from another employee for any purpose, other than a recognized charity, without first obtaining approval from their Bureau Commander. Upon approval all funds collected will be donated to their designated charity.

**.96 DISCOURTESY:**

1. Employees will not use profane language or any other language, gesture or reference to an individual's race, color, creed, sex, religion, sexual orientation/preference, nationality/ethnic origin or disability which by its very nature or by contemporary community standards is intended to, or would be perceived by a reasonable person to be intended to, or actually does, insult, demean or offend an individual or group of individuals.
2. The use of such language, etc. will be construed as discourteous if it is reported to have occurred during the course of an employee's official duties or, if it occurs while off-duty and the Department determines that it has brought discredit to the Department and/or the law enforcement profession.

**.98 IMPARTIALITY:**

Employees will respect the rights of all persons and be of service to anyone who may be in danger, distress or need of assistance, regardless of sex, race, color, creed, or other personal characteristics. Employees will maintain a strictly impartial attitude toward all citizens and will not intimidate or harass any person for personal reasons under the color of authority.

**.100 CONFLICTING ORDERS:**

Personnel who are given an otherwise proper order which is in conflict with a previous order, rule or directive will respectfully inform the superior issuing the conflicting order of the conflict. If the superior issuing the order does not alter or retract the conflicting order, the most current order will stand. Employees will obey the conflicting order and will not be held responsible for disobedience of the order, rule or directive previously issued. The responsibility for the conflict will be upon the superior issuing the order.

**.102 UNLAWFUL, IMPROPER OR QUESTIONABLE ORDERS:**

1. Obedience to an unlawful order is never a defense for an unlawful action. Therefore, employees will **not** obey any order from a superior, which they know would require them to commit an illegal act. If in doubt as to the legality or propriety of an order, employees will express their concern to the superior issuing the order requesting a clarification of the order or referral to higher authority. Responsibility for refusal to obey rests with the employee who refused the order, who will be required to justify his action.
2. An employee who is given an order that they believe to be unjust or contrary to directives or General Orders (but not unlawful) must first obey the order to the best of their ability, and

may at their first opportunity appeal the order to higher authority through the chain of command.

3. An employee receiving an unlawful, unjust, or improper order will, unless rescinded by the issuing superior or higher authority, at their first opportunity report the matter in writing to the Chief of Police through the chain of command. The report will contain the facts of the incident and the action taken, as well as any appeals for relief from the orders given.

**.104 DISCRETIONARY JUDGMENT:**

1. Employees will exercise discretion in the resolution of all matters unless there are controlling General Orders, laws, standard operating procedures, or supervisory direction governing a specific situation or set of facts, using their training, experience, and common sense and always remaining in accordance with the Mission, Values, and law enforcement objectives of the Department.
2. Department personnel will exercise discretionary judgment in a reasonable manner and remain within the limits of their authority as defined by law, judicial interpretation and Departmental directives.

**.106 QUESTIONS PERTAINING TO DEPARTMENTAL POLICY OR PROCEDURE:**

1. A Department employee receiving an inquiry pertaining to Departmental policy or procedure will generally explain the content and purpose of the questioned policy or procedure, or refer the person making the inquiry to a Department employee having that information.
2. Department personnel will not release any information pertaining to confidential or tactical procedures and will advise the person making the inquiry of this restriction. When necessary, persons making inquiry pertaining to confidential or tactical procedures may be referred to the Office of the Chief of Police.

**.112 RESTRICTIONS ON POLITICAL ACTIVITY:**

1. Employees may participate in politics, as well as in political campaigns, and may express their political opinions as long as they do not do so in a public forum while on duty; while in uniform; while operating Department vehicles; or while they are acting in any capacity as a representative of the Department.
2. Employees will not use their official capacity to influence, interfere with or affect the results of an election or to otherwise attain partisan goals.
3. Employees will not use their employment or association with the Department, or any information, records, symbols, uniforms, or equipment of the Department in any manner that would imply or suggest the Department's endorsement of, support of, or alliance with a political candidate or partisan objective.
4. Employees will not directly or indirectly coerce, attempt to coerce, or command another employee to pay, lend, or contribute anything of value to any agency, committee, organization, party, or person for political purposes.
5. Employees assigned to duties financed in whole or in part by any loans or grants made by the United States or any federal agency may not be a candidate for elective office in any partisan primary, general, or special election.
6. Employees will not knowingly become a member of or be connected with any organization

that advocates the overthrow of the government by unconstitutional and/or violent means, except when necessary in the performance of duty and then only under the direction of the Chief of Police.

7. Employees are permitted to use assigned Departmental vehicles and be in uniform while on duty in order to vote in any election, as long as all other provisions of this section are adhered to.

**.114 PETITIONS:**

An employee will not sign any petition on which he identifies himself as a Department employee unless the Chief of Police has granted him permission to do so, nor will he sign any petition that involves an unlawful purpose. Employees may, however, sign any petition for a lawful purpose on which their signature identifies them only as private citizens.