

<b>East Haven Police Department</b>  	<b>Type of Directive:</b> <b>Policies &amp; Procedures</b>		<b>No. 201.8</b>
	<b>Subject/Title:</b>  <b>Code of Conduct</b>	<b>Issue Date:</b> <b>September 29, 2020</b>	
		<b>Effective Date:</b> <b>October 1, 2020</b>	
<b>Issuing Authority:</b> <b>Honorable Board of Police Commissioners</b>		<b>Review Date:</b> <b>Annually</b>	
<b>References/Attachments:</b>  <b>Connecticut General Statutes: § 53a-8, 53a-165 to 53a-167</b> <b>Policies and Procedures #: 105, 407</b>		<b>Rescinds:</b> <b>201.7</b>	
		<b>Amends:</b> <b>N/A</b>	

## I. PURPOSE

- A. The purpose of this directive is to set forth the policies and procedures of the East Haven Police Department (EHPD) regarding:
1. The good conduct that the East Haven Police Department, the government, and people of East Haven expect from police officers and civilian personnel.
  2. Acts that constitute misconduct on the part of police officers and civilian personnel.

## II. POLICY

- A. The Town of East Haven and the East Haven Police Department recognize that law enforcement personnel occupy a special place in American society and expect a high level of professional and personal conduct from all Department members regardless of rank or assignment. It is the policy of the Department that members shall use responsibly the discretion vested in their positions and exercise good judgment within the law. As such, all members shall be guided by the law, their oaths of office and our Code of Ethics and shall maintain trust with, loyalty to and commitment to, the Department and the community.
- B. It is the policy of the Department that honesty and truthfulness are absolute requirements for East Haven Police Department personnel, and thus for any sustained case of dishonesty and/or untruthfulness the presumptive disposition will be dismissal.
- C. It is the policy of the Department that all persons will be treated with respect, regardless of their position in life. Treating persons disrespectfully, in a discriminatory manner, or

using bias in decision-making is prohibited and may be cause for dismissal from the Department.

1. The Department prohibits the using of force that is unreasonable, excessive or otherwise in violation of the Department's Use of Force Policies and Procedures, and/or in violation of Federal and/or State laws.
- D. Any officer, while acting in a law enforcement capacity, witnesses another officer use what the witnessing officer objectively knows to be unreasonable, excessive or illegal use of force, shall intervene and attempt to stop such other officer from using such force.
1. Any such officer who fails to intervene in such an incident may be prosecuted and punished for the same acts in accordance with the provisions of Connecticut General Statutes Section § 53a-8 as the officer who used unreasonable, excessive, or illegal force.
    - a. The provision of this section does not apply to any witnessing officer who is operating in an undercover capacity at the time he/she witnesses another officer use unreasonable, excessive or illegal force.
- E. Any officer who witnesses another officer use what the witnessing officer objectively knows to be unreasonable, excessive or illegal use of force or is otherwise aware of such use of force by another officer shall report, as soon as is practicable, such use of force to the on-duty supervisor.
1. The reporting of such force shall be done in accordance with Policies and Procedures 407 – Use of Force Review and Investigations, and the on-duty supervisor shall notify the Captain of the Patrol Division.
  2. Any officer required to report such an incident who fails to do so may be prosecuted and punished in accordance with the provisions of Connecticut General Statutes Sections § 53a-165 to § 53a-167.
- F. The Department shall not take any retaliatory action or discriminate against an officer who intervenes in an incident or reports an incident because the officer made such report and/or intervened; the reporting officer shall be protected by Connecticut General Statutes.
1. The Department prohibits retaliation and/or discrimination against any member who intervenes against excessive use of force, reports misconduct, or cooperates in an internal investigation.

### **III. DEFINITIONS**

- A. Blog: (short for web-log) a personal online journal that is frequently updated and intended for general public access. Blogs generally represent the personality of the author or reflect the purpose of the website that hosts the blog. Topics sometimes include brief philosophical musings, commentary on Internet and other social issues, and links to other sites the author favors, especially those that support a point being made on a post.
- B. Conflict of interest: Circumstances that would prevent, or appear to prevent, the department member from carrying out their public service responsibilities objectively due to their personal relationship with the involved parties.

- C. Member: Any person employed by the East Haven Police Department.
- D. Off duty: When members are not engaged in on duty or secondary employment activity.
- E. Officer: A police officer employed by the East Haven Police Department.
- F. On duty: When members are working their regular duty assignment or any special assignment compensated by the Department.
- G. Secondary employment: Employment where officers work for an entity other than the Department where a condition of the employment is the actual or potential use of law enforcement powers by the employed police officer.
- H. Town: The Town of East Haven.

#### **IV. GENERAL GUIDELINES AND CONSIDERATIONS**

- A. The principle of reasonableness will guide the officer's determinations, and the officer will consider all surrounding circumstances in determining whether any legal action shall be taken.
- B. Consistent and wise use of discretion, based on professional policing competence and values, will yield justice and preserve good relationships with and retain the confidence of the public. Choosing between conflicting courses of action often requires a balancing test. We know that when officers make decisions based on their core values and those implied and expressed throughout the Policies and Procedures, they will make good decisions.

## **V. CODE OF ETHICS**

- A. AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression, or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all people to liberty, equality and justice. I shall be honest and truthful in all my acts and utterances.
- B. I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in observing the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity shall be kept confidential unless revelation is necessary in the performance of my duty.
- C. I WILL never permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately with the minimum force required. I will not accept gratuities.
- D. I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession of law enforcement.

## **VI. PROCEDURES A – ACTS OF GOOD CONDUCT**

- A. In the performance of their duties, personnel shall act to:
  - 1. Protect life and property.
  - 2. Preserve the peace.
  - 3. Prevent crime.
  - 4. Respond to public emergencies.
  - 5. Detect and arrest violators of the law.
  - 6. Be honest and truthful.
  - 7. Adhere to their Oaths of Office.
  - 8. Adhere to the Code of Ethics.
  - 9. Adhere to the terms of the collective bargaining agreement.

10. Maintain trust with, loyalty to, and commitment to the Department and the community.
- B. Members shall use the minimum force necessary, consistent with the Department's Use of Force Policies and Procedures. In any situation when force is used, the use of force should be used with the greatest restraint and after de-escalation techniques such as discussion, negotiation and persuasion have been found to be inappropriate or ineffective.
  1. When feasible, members shall utilize de-escalation/calming techniques and/or verbal warnings prior to using force. De-escalation techniques may include discussion, negotiation, and persuasion.
  2. Members shall act to intervene and stop any unreasonable, excessive or illegal use of force by another member/officer.
    - a. A member who has knowledge of excessive, unreasonable, or illegal use of force against a person shall notify the on-duty supervisor and submit an incident report and/or Use of Force Witness Report to the on-duty supervisor as soon as feasible but no later than the end of his/her tour of duty.
  3. If a member becomes aware of any violation of Departmental Policies and Procedures, State and/or Federal law, he/she shall intervene and report it to a supervisor as soon as feasible, but no later than the end of his/her tour of duty.
- C. Members shall exhibit a high spirit of cooperation and shall take appropriate action to aid any member in danger.
- D. Members shall at all times take appropriate action in accordance with Departmental orders, rules, and procedures.
- E. Whether on-duty or off-duty, members of the Department shall avoid any appearance of impropriety or a conflict of interest in their role as a public servant and in their personal lives.
- F. Conflict of interest includes, but is not limited to, engaging, interacting, influencing, or otherwise affecting incidents or situations of an enforcement nature such as:
  1. Arrests.
  2. Traffic crashes.
  3. Traffic stops and violations.
  4. Trespass warnings.
  5. Disturbances and civil matters.
    - a. There shall be no conflict or appearance of conflict of interest when members respond to the following types of incidents.
      - 1) A medical emergency.
      - 2) The protection of life and property from imminent harm.

- b. Members finding themselves involved in a call for service or an investigation where a family member or friend is a party shall promptly notify their immediate supervisors for relief and guidance.
  - 1) Supervisors made aware of a situation involving an actual or possible conflict of interest or an appearance of impropriety shall:
    - a) Promptly take appropriate action to remedy the situation.
    - b) Notify their supervisors as soon as is feasible.

G. Reporting for Duty and Relief from Duty

- 1. Unless otherwise directed by a superior, members of the Department shall promptly report for duty at the time and place specified, equipped, and properly attired in accordance with Policies and Procedures # 105 – Uniforms, Equipment, and Personal Appearance.
- 2. Members are to remain at their assignment and on duty until properly relieved by another member or until dismissed by proper authority.

H. Any member of the Department, acting in an official capacity, whose action results in a death or serious physical injury shall be placed on paid administrative leave pending an administrative review/investigation. (This is not a suspension and does not imply any wrongdoing. It is for the member's benefit.)

I. Employee Accountability and Authority

- 1. Members of the Department shall be accountable to only one supervisor at any given time.
  - a. A member who receives conflicting orders or directives from different supervisors will advise the supervisor who issued the most recent order of the conflict. If this does not resolve the conflict, the employee shall obey the last order or directive given. Members shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued. Under these circumstances, the responsibility for the conflict shall be upon the supervisor giving the last order or directive.
  - b. Members shall not obey any unlawful and/or unethical order which they know would require them to commit an illegal act.
    - 1) The issuance of any unlawful and/or unethical order which requires an illegal act to be committed shall be brought to the attention of the next higher-ranking supervisor by the member who received the order.
  - c. Supervisors will not intentionally issue conflicting orders or directives without reason. Supervisors will not issue unlawful and/or unethical orders which they know would require an illegal act to be committed.
  - d. Absent receiving conflicting orders or directives, all members shall adhere to the orders or directives of their immediate supervisor whether or not that supervisor is present.

2. Members at every level of the Department shall have the authority to make the decisions required for the effective execution of their responsibilities. Each member of the Department shall be held accountable for the use of their own authority and for the use of delegated authority.

J. Absence from Duty

1. Absence from duty will be governed by Town of East Haven Administrative Policies and Procedures and the current collective bargaining agreement.
  - a. With the permission of a supervisor, members may have a period for meals consistent with the current collective bargaining agreement.
2. Although tasks will not routinely be assigned to a member during meal periods, all members are subject to working without a meal period in emergency or exigent circumstances.
3. Patrol officers are responsible for continuous monitoring of the police radio during meal periods or must provide dispatch with a telephone number where they can be reached, and shall adhere to other applicable rules during meal periods (e.g., time limits).
  - a. Members are required to have an operational telephone.
  - b. Changes in address or telephone numbers shall be reported to the member's immediate supervisor, records supervisor, and employee resources within 24 hours of the change.
  - c. This shall be done in writing and within the specified time whether the member is working or on leave.
4. Anytime a member leaves the State of Connecticut and will not be able to immediately return to duty if recalled; the member shall submit in writing, notification to the Department the dates they will be out of state prior to leaving the state.
5. Any member who is assigned a Department-issued cellular telephone shall have it with them and be available to be reached on it at all times while on duty.
6. All members shall monitor Department communications sent electronically or in a printed format at least once daily while on duty.

J. Court Appearances

1. Members shall, upon being properly noticed, summoned, or subpoenaed, attend court or quasi-judicial hearings.
2. Members may be excused from this duty when dismissed by the prosecutor or other court authority and upon notifying their supervisors or the supervisor on duty.

3. When appearing in court or official proceedings, members shall wear either the official Class B uniform or business attire.
  - a. Business attire for males includes collared shirt, with tie and jacket.
  - b. Female business attire includes casual blouse and/or jacket with pants/skirt.
  - c. Polo style shirts and training attire, including t-shirts and/or the Class C uniform, are inappropriate for court proceedings.
  - d. Weapons shall not be displayed unless wearing the uniform.
4. Members shall present a neat and clean appearance, and avoid any mannerisms that might imply disrespect to the court (e.g., chewing gum or other material, and smoking).
5. Members shall follow all rules set forth by the court during official proceedings (e.g., rule of sequestration).
6. If a member is noticed, summoned, subpoenaed, or requested to give a deposition, affidavit or any official statement in a case involving the Town or the member's employment with the Town, the member shall promptly inform his immediate supervisor before taking any official act.
7. Members subpoenaed to appear or testify for any court or quasi-judicial hearing or trial shall notify the Chief of Police or his/her designee upon receipt of the subpoena.

K. Off-Duty Contact with the Department

1. When an off-duty member of the Department is involved in an incident in Town that requires a police response, the on-duty supervisor shall respond to the scene. If the investigation has potential for police enforcement action, the on-duty supervisor shall conduct the investigation. The on-duty supervisor shall then notify the off-duty member's immediate supervisor of the incident.

L. Contact with Other Law Enforcement Agencies

1. If a member is arrested, cited, involved in conduct which results in a police response, or is considered a suspect involving criminal conduct, the involved member shall notify his/her commanding officer in writing as soon as practicable, but in no case later than the next business day.
2. When a member has negative contact with any other law enforcement agency while off-duty involving criminal conduct or is cited for a moving violation, the involved member shall notify their immediate supervisor by verbal communication no later than the member's next work day.

M. Maintaining Department Property and/or Equipment

1. Members shall maintain assigned Department property and equipment securely and in good condition. Special care is expected for the safeguarding of all weapons and firearms entrusted to an officer.

2. Members shall immediately report to their commanding officer or other proper authority on designated forms any loss of, or damage to, departmental property assigned to or used by them.
  - a. The immediate supervisor will be notified of any defects or hazardous condition existing in any Department equipment or property.
  - b. If Town property is found bearing evidence of damage which has not been reported, it shall be prima facie evidence that the last person using the property/equipment is responsible.
3. Members are required to register with the Department the description and serial numbers of all personal equipment used for Department purposes.
  - a. Registering personal equipment used for everyday activities is exempt from this requirement. For example, personal cellular telephone, GPS, wristwatch, flashlight, etc.
4. Surrender of Departmental Property
  - a. When members are transferred to a new duty assignment, special property issued during the previous assignment shall be returned as requested.
  - b. When members are suspended, they shall surrender all issued Departmental property.
  - c. Upon separation from employment with the Department, members shall surrender all assigned departmental property.

N. Handling Recovered, Seized, or Impounded Property

1. Property and evidence which has been received in connection with official Police Department duties shall be processed in accordance with established procedures.
2. Members shall not convert to their personal use, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence held in accordance with established procedures.

O. Secondary Employment/Off-duty Employment

1. Members are not prohibited from holding secondary outside employment other than police duty, as long as such employment does not conflict with a member's duties as a police officer.
2. Secondary and off-duty employment shall not interfere with a member's performance of duty, nor interrupt the member's regular work shift with the Department.
3. Officers engaging in secondary employment must be in compliance with Department policies, Town policies, the collective bargaining agreement, and State law.

P. Forwarding Communications to Higher Commands

1. Members receiving a communication for transmission to a higher command shall forward such communication in a timely manner.
  2. Members receiving a written communication from a subordinate directed to a higher command shall endorse it indicating approval, disapproval, or acknowledgment and forward it to the next proper authority with comments, where appropriate, supporting the reasons for their endorsement if it is recommended or disapproved.
- Q. The Policies and Procedures of the East Haven Police Department along with any Policies and Procedures of the Town of East Haven that apply to all town employees govern the conduct of all Department members.
- R. Directives Management in Power DMS
1. All members shall acknowledge electronically through Power DMS the receipt and review of all written directives.
  2. Any associated test must be successfully completed prior to Power DMS accepting electronic acknowledgement.
  3. Acknowledgements shall be completed, unless otherwise specified, within thirty days of being notified that written directives, policy memoranda, or training materials have been distributed through Power DMS.
- S. At least biennially, all members shall receive ethics training.
- T. Members knowing of other members violating laws, ordinances, or rules of the Department, or disobeying orders shall report the same in writing to the Internal Affairs Officer or a supervisor. Supervisors shall have specific responsibility to report all violations of laws, ordinances, rules of the Department, or the disobeying of orders by any subordinate to the Chief of Police as prescribed above, and when authorized, to take appropriate disciplinary action.
- U. All Police Department supervisors are expected and required to ensure this policy is fully implemented and vigorously enforced.
- V. When appropriate, members of the Department shall respect rank and salute a ranking officer outside of the Department while on duty.

## **VII. PROCEDURES B – ACTS OF MISCONDUCT**

- A. The following acts shall constitute official misconduct. Any violations of the East Haven Police Department Code of Conduct, Policies, Procedures, Rules, Regulations, Directives, or Orders will subject the member to discipline in accordance with Town and Department disciplinary procedures and the collective bargaining agreement.
1. Unbecoming Conduct
    - a. Any willful action or conduct which impedes the Department's efforts to achieve its goals, values, or beliefs as stated in the mission statement and code of ethics, brings discredit on the Department, or impairs the operation or efficiency of the Department or any member.

- b. Dishonesty. This includes the following.
    - 1) Giving false, deliberately inaccurate, incorrect, or incomplete testimony in any official proceeding.
    - 2) Making false statements, oral or written, that are deliberately inaccurate, incorrect, incomplete or misleading, or a deliberate, material omission in the conduct of official duties.
  - c. Disrespectful treatment of superiors, subordinates, associates, and/or the public.
  - d. Discourtesy and/or incivility in their relationships with one another and the community.
  - e. Vulgar, profane, abusive or threatening language or gestures toward, or in the presence of, any other Town employee or the public.
  - f. Excessive, unreasonable, or illegal use of force against a person.
2. Discriminatory Conduct
- a. Unequal treatment of person or persons, based on actual or perceived race, color, national origin, gender, religion, disability, age or sexual orientation.
  - b. The use of slurs, derogatory comments or any other physical or verbal conduct directed at or based upon another person's race, color, national origin, gender, religion, handicap, age, or sexual orientation during working hours or on any Town premises.
3. Use of Offensive Language and/or Materials
- a. Members shall not use any obscene or pornographic language, tell or repeat obscene, pornographic, or inappropriate jokes, or provide, copy, or disseminate any obscene, pornographic or inappropriate material in the workplace.
  - b. Members shall not bring to the workplace or use Town equipment to obtain, read, or post any type obscene, pornographic or inappropriate materials, except in the furtherance of a legitimate duty.
4. Unauthorized Use of Blogs, Web Postings, Facebook Pages, Twitter, Chat Rooms and other Social Media
- a. Creating, posting, responding to, modify, or in any way participating in, or taking ownership of, information or images posted in a public arena that violate the Department's directives regarding proper conduct.
  - b. Use of Department information technology to disseminate, view or download pornography. This does not apply to officers conducting Department-authorized and lawful criminal investigations regarding violations of the law.

- c. Posting offensive material to any public forum. Offensive material involves images and/or texts that are repugnant to the moral sense, and/or are vulgar, profane, abusive or threatening.
- d. Posting material to any public forum that identifies them, or has the potential to identify them, as a member of the East Haven Police Department, unless such posting has been pre-approved by the Chief of Police or designee.
  - 1) Professional resume website postings are approved by the Chief of Police for posting of material identifying oneself as a Department member.
  - 2) In the postings on a professional resume website, the member shall adhere to the other rules contained within this subsection.
  - 3) Members are allowed incidental use of Town provided electronic equipment for minimal non-Town business such as the electronic bulletin board, email for personal communications or minimal Internet use where there is no cost to the Town. Members shall not post unauthorized material to any public forum using Town equipment during on- or off-duty hours.
- 5. Violating any federal, state, and local laws and ordinances, rule, and/or written directive of the Department.
- 6. Any conduct which distracts or interferes with that member or other members' performing their duties or interferes with the efficient operation of the workplace.
- 7. Insubordination
  - a. A refusal to comply with a lawful order or directive, written or oral, shall constitute insubordination, and includes both an expressed refusal to obey a proper order and/or a deliberate failure to carry out an order.
- 8. Neglect of Duty
  - a. Failure to use reasonable care in the performance of assigned and lawful duties and responsibilities. Negligence is synonymous with carelessness and signifies lack of care, caution, attention, diligence or discretion.
  - b. Failure to act to intervene and stop any unreasonable, excessive or illegal use of force by another officer.
  - c. Negligence of job duties and responsibilities and/or failure to perform lawful duties.
  - d. Negligence by supervisors of their responsibility to evaluate, train, mentor, counsel, support and discipline subordinates under their span of control.
- 9. Gratuities
  - a. Acceptance of any gift, gratuity, or reward in money or other considerations for services rendered in the line of duty to the community or to any person, business

or agency, except lawful salary and that which may be authorized by law is prohibited.

10. Abuse of Position

- a. Members shall not use their official position, official identification cards or badges for personal use or financial gain; for obtaining privileges not otherwise available to them except in the performance of duty, or for avoiding the consequences of illegal acts.
- b. Members shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without approval of the Chief of Police.

11. Tardiness

- a. Members shall not, without prior proper approval, fail to be prompt for duty assignment or to follow established work schedules. This includes reporting late at the beginning of the work schedule, leaving early, returning late from lunch or breaks, and leaving work early at the end of the work schedule.

12. Abuse of Leave

- a. Except in the case of an emergency, the member must notify the Department prior to any absence from work.
- b. Misrepresentation or falsification to obtain approval for leave.

13. Falsification of Records

- a. Knowingly falsifying any official document or report or enter or causing to be entered any inaccurate, false, or improper information on the Department records.

14. Failure to Report the Suspension or Revocation of One's Driver's License

- a. Failure by members who drive a motor vehicle as a job-related duty or function to report promptly the suspension or revocation of their driver's license to his/her supervisor or other proper Town authority.

15. Divulging Confidential Information, Unauthorized Release, or Destruction of Records

- a. Release, alteration, destruction, or removal of any Department record without proper authorization.
- b. Divulging or confirming, in any form of communication, any information deemed confidential pursuant to federal, state, or local law, or policy which includes, but is not limited to, active internal affairs investigative information, active intelligence, active criminal investigative information, investigative or operational information, and the identity of confidential sources.

16. Compromising a Criminal Case

- a. Interfering with the service of lawful process.

- b. Interfering with the attendance or testimony of witnesses through coercion, bribery, or other means.
  - c. Attempting to have any traffic citation or notice to appear reduced, voided, or stricken from the calendar without cause.
  - d. Taking any other action which will interfere with the efficiency or integrity of the administration of justice.
  - e. Members who have knowledge of such interference failing to inform a superior.
17. Compromising an Administrative Case
- a. Interfering with or impeding an active Internal Affairs investigation.
  - b. Members shall not interfere with the attendance or testimony of witnesses through coercion, bribery, or other means.
  - c. Members shall not obstruct, hide, or destroy evidence relevant to an Internal Affairs investigation.
  - d. Members shall not reveal confidential information from an Internal Affairs investigation (Internal Affairs members discussing confidential information with other Town officials on a need to know basis does not violate this policy).
18. Sex on Duty
- a. Engaging in any sexual activity while on duty.
19. Relationships between Supervisors and Subordinates
- a. Supervisors shall not engage in sexual relationships with any direct subordinates while on duty.
  - b. Supervisors shall not engage in discussions or conversations about other personnel or Department administrative matters while in the presence of non-supervisory subordinate personnel unless the non-supervisory personnel are directly involved in the matter being discussed.
20. Sexual Harassment
- a. Engaging in any conduct that constitutes sexual harassment. This consists of any unwelcome sexual advances, request for sexual favors, or verbal or physical conduct of a sexual nature when
    - 1) Making submission to such conduct either explicitly or implicitly a term or condition of the individual's employment.
    - 2) Using submission to or rejection of such conduct by an individual as the basis for employment decisions affecting such individual, or

- 3) Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

21. Failure to Properly Identify Oneself

- a. While on duty, member's failure to carry proper identification, except where impractical or dangerous to one's safety or to an investigation.
- b. Members shall furnish their name and badge 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 proper authority.
- c. Members shall verbally identify themselves over the telephone when acting in their official capacity, unless it would compromise an official authorized investigation.
- d. Failure to wear full Class "B" (which includes a name tag) or Class "C" uniform (name is embroidered on the uniform shirt) as directed. Failure to identify oneself orally and/or by displaying the official badge or identification card to any person requesting that information, while he or she is on duty or while taking police action (e.g. provide your name and ID, when requested) except when the withholding of such information is necessary, proper or is authorized by a supervisor.

22. Unauthorized Use of Department Letterhead

- a. Use Department letterhead paper or envelopes for private or personal business.

23. Unauthorized Participation in Commercial Testimonials

- a. Permitting their names or photographs to be used to endorse any product or service in any way connected with law enforcement without the permission of the Chief of Police.
- b. Without the permission of the Chief of Police allowing their names or photographs to be used in any commercial testimonial alluding to their position or employment with the Department.

24. Improper Political Activity

- a. Participating in any political campaign while on duty or use or attempt to use one's official position to influence a campaign or another person's vote.
- b. Coerce another member to contribute money for political purposes.

25. Criminal Associations

- a. Officers shall not knowingly commence or maintain a personal relationship with any person who is under criminal investigation, indictment, arrest, or incarceration and/or who has an open and notorious criminal reputation in the

community (for example, persons who they know, should know or have reason to believe are involved in felonious activity and/or are known felons).

- 1) Exceptions can be made upon a written request and approval by the Chief of Police or his/her designee.
- b. Personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the Department shall be avoided by members of the Department.
- c. Officers shall not knowingly join or participate in any organization that advocates, incites, or supports criminal acts or criminal conspiracies.
- d. This section does not prohibit those associations that are necessary to the performance of official duties or where such associations are unavoidable due to family relationships.

## 26. Misuse of Department Vehicles

- a. Using any departmental vehicle without the permission of a commanding officer.
- b. Using any departmental vehicle for personal business or pleasure, unless approved by the Chief of Police.
  - 1) Stopping briefly for personal business at a destination along a member's route going to or from work does not violate this section.
  - 2) Members assigned the use of a Town vehicle will be allowed the use of the vehicle to be driven to college classes that are contiguous (up to 1 hour) with duty time either immediately prior to reporting for duty or immediately following duty time.
  - 3) Members assigned a Town vehicle may use the vehicle to drive to and from an approved secondary employment detail.
- c. Failing to maintain assigned vehicles – whether a take-home vehicle or not – in a reasonably clean and orderly manner.
- d. Failure to check the back seat of vehicles used to transport prisoners for weapons, contraband, and/or evidence after transportation of every prisoner.
- e. Whether on duty, or working a secondary employment detail, members transporting citizens in departmental vehicles when not necessary to accomplish a police purpose is prohibited except for:
  - 1) At the direction of a commanding officer or supervisor, or
  - 2) With the permission of the member's supervisor or the on-duty commanding officer.
    - a) Alcoholic beverages transported in any Town vehicle except in the furtherance of a legitimate law enforcement duty.

27. Members shall not permit their names or photographs to be used to endorse any product or service which is anyway connected with law enforcement without the permission of the Chief of Police. Members shall not, without the permission of the Chief of Police, allow their names or photographs to be used in any commercial testimonial which alludes to their position or employment with the department.

28. Use of Tobacco Products While On Duty

- a. Members shall not use tobacco products while on duty in public view.
- b. Members shall not use tobacco products while in a training class, meeting, briefing, and/or roll call.

B. Abuse of Alcohol and/or Drugs

1. Prohibited Uses of Alcohol

- a. Consumption of alcoholic beverages while on duty, except in the performance of a legitimate duty.
- b. Being under the influence of alcohol while on duty.
- c. Unlawful possession or sale of any alcoholic beverages while on or off duty.
- d. Being intoxicated and under the influence of any alcoholic beverages off duty in public view so as to bring discredit to the Department.
- e. Bringing into, or keeping any alcoholic beverage in, the Department building.
  - 1) However, alcoholic beverages used in the furtherance of a police task may be brought into the Department, but must be properly identified and stored according to applicable policy.
- f. At any time, on or off duty, purchasing alcoholic beverages when attired in a manner that identifies them as a member of the Department.
- g. The carrying of a firearm at any time while under the influence of an alcoholic beverage is prohibited.

2. Prohibited Drug Use

- a. Unlawful possession, sale, or use of a controlled substance.
- b. Bringing into, or keeping any controlled substance in, the Department building. However, controlled substances used in the furtherance of a police task may be brought into the Department, but must be properly identified and stored according to applicable policy.
- c. The possession, use or storage of controlled substances which are required to be possessed in the performance of official duties, held as evidence, or are properly prescribed drugs for a medical condition does not constitute drug abuse under this section.

- d. Members of the Department shall not use marijuana (cannabis) or any marijuana-like substance (natural and/or synthetic) on or off duty.