



Fitchburg State University Police Department

Subject: PROFESSIONAL CONDUCT AND APPEARANCE		General Order 4.1.1
Reference: IACLEA: 4.1.1 MPAC: 26.1.1		
Effective Date: May 6, 2020	Review Date: February 8, 2022	
By Order of: Michael J. Cloutier, Chief of Police		

PURPOSE:

The purpose of this general order is to specify the conduct, behavior, and appearance of members of the Fitchburg State University Police Department, and provide guidance on prohibited conduct.

POLICY:

It is the policy of the Fitchburg State University Police Department to maintain a high level of professionalism and to police in a manner consistent with our mission, vision, and values. To act in an ethical manner that builds trust in the department and its members.

PROCEDURE

I. PROFESSIONAL CONDUCT AND RESPONSIBILITIES

- A. The professional responsibilities of police officers, within their area of jurisdiction, include such things as the following functions:
 1. The protection of life and the safeguarding of property;
 2. The prevention and control of crime;
 3. The investigation of crime, the apprehension of criminal offenders and the recovery of stolen property;

4. The preservation of public peace and good order;
 5. The immediate response to emergencies;
 6. The creation of a sense of safety and security for the entire university, through crime prevention, patrol and community policing;
 7. The accomplishment of all police objectives within the law and the constitutional guarantees of all citizens;
 8. The performance of such other police-related services, duties, functions and responsibilities required of the officer by the department and/or the university;
 9. The advancement of a cooperative relationship with the general public, and;
 10. The creation of awareness through the implementation of educational programs.
- B. Public scrutiny, and sometimes public criticism, is directed not only at police performance but also at the behavior, both on and off duty, of those who deliver police services. The establishment of proper standards for police behavior must not only meet the expectations of the citizen, be done so in a transparent manner, but also protect the rights of police officers.
- C. The Department recognizes that its members have certain basic personal rights and therefore, it restricts those rights under this general order only when necessary to ensure the integrity of the department and its personnel, and that the highest quality of police services are maintained. At a minimum, members are required to obey all lawful statutes as well as regulations established by the department and the university.

II. PRIVACY AND OFF-DUTY CONDUCT

- A. The Department will generally limit its inquiry into a members' personal matters, off-duty conduct and outside employment (*FSUPD GO 3.2.3*), to situations impacting or reflecting upon the department or affecting the officer's ability or fitness for duty. A members' right to privacy guarantees that disclosure of personal matters can be compelled only if the employer's interest in the disclosure outweighs the officer's privacy interest. When the department determines that an inquiry into an officer's private life is legitimate, it will make an effort to keep the scope of the inquiry as narrow as reasonable under the circumstances.
- B. Disclosure of an officer's financial affairs will help to deter corruption, dishonesty, and conflicts of interest. It also enhances public confidence in the integrity of the

department. When the Chief of Police elects to mandate such financial disclosure, it will afford members the opportunity to make claims of privacy as to financial records and to have those claims heard by a neutral body (i.e., Human Resources).

- C. An officer's medical and psychological fitness for duty is a matter of continuing departmental concern. The Chief of Police is authorized to require members to submit to medical (which may include drug and alcohol testing), and/or psychological examinations periodically or whenever there is reason to question the officer's fitness for duty and/or when necessary according to university, department and union regulations. Reports of such examinations will be maintained in a separate file and dissemination of the information will be restricted to appropriate individuals.
- D. The department has a legitimate interest in preserving the public's trust and respect. An officer's off-duty personal relationships and conduct must not bring discredit to the officer or department, impact on the Department's operation, affect the members' ability to perform his or her job, or result in poor job performance.
- E. Members who are on paid leave status as a result of sickness or injury may have their off duty activities regulated.
- F. Officers shall comply with any residency requirement specified by any applicable statute, by-law/ordinance, departmental order or collective bargaining agreement.
- G. Officers shall have a point of contact where they can be reached, and shall report any change of contact information or home address to the Chief of Police, or designee, within twenty-four hours of such change.
 - 1. Officers shall not give out the personal telephone numbers or home addresses of department personnel to anyone outside the department without the approval of the Chief of Police. In the event of an emergency request, the officer's telephone number will be called with a notification to call the person making the request.
- H. As technology has allowed for one's private life to be shared virtually through social media, additional guidance of conduct and behavior is provided in General Order 4.1.4 Social Media.

III. CONDUCT UNBECOMING AN OFFICER

- A. It is impossible to have detailed rules governing every conceivable situation. Historically, the military and the police service (a quasi-military organization) have relied upon the charge of *conduct unbecoming an officer* to cover obvious violations for which no specific rule was promulgated. Admittedly, such a catch-all rule would not be proper for regulating the conduct of the general public.

However, over the years, police officers have come to understand that certain behavior is not in keeping with the good order and proper operation of the department.

- B. This rule is capable of objective interpretation. It must not be subject to the whim of police administrators. The standard of conduct expected of police officers is learned in a variety of ways, from the academy and in-service training to manuals, orders, and various written directives. It is fair to say that *conduct unbecoming an officer* should be such as would alert a reasonable officer that his or her conduct under the circumstances would be inappropriate.
- C. Both on and off-duty conduct may subject an officer to a charge of *conduct unbecoming an officer*. Officers do not sever their relationship with the department at the end of their shift. An officer's off-duty conduct, especially where there is some nexus or connection to the department or where the officer's status as a police officer is or becomes known, may reflect unfavorably on both the officer and department.
- D. Officers charged with *conduct unbecoming an officer* will have the underlying offensive conduct specified in the notice of charges:
 - 1. **Disorderly Conduct:** Officers shall not commit any specific act or acts of improper, unlawful, disorderly or intemperate conduct, whether on or off duty, which reflect(s) discredit or reflect(s) unfavorably upon the officer, upon other officers or the police department. Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department and its members.
 - 2. **Poor Character On Duty:** Conduct unbecoming an officer shall include that which tends to indicate that the officer is unable or unfit to continue as a member of the department, or tends to impair the operation, morale, integrity, reputation or effectiveness of the department or its members.
 - 3. **Poor Character Off Duty:** Conduct unbecoming an officer shall also include off-duty conduct where there is a nexus or connection between the act or acts committed by the officer and that individual's continued fitness or ability to effectively perform his or her required duties and responsibilities and/or the impact or adverse effect said conduct may have on the operation, morale, integrity, reputation or effectiveness of the department and ability of the officers not involved in said act to effectively perform their required duties and responsibilities.
 - 4. **Fighting/Quarreling:** Officers shall not fight or quarrel with one another or otherwise cause disharmony which affects the department's mission and objectives.
 - 5. **Immorality:** Officers shall not engage in grossly immoral conduct or public lewdness as defined by law.

6. **Criminal Conduct:** Officers shall not commit any motor vehicle or criminal act (felony or misdemeanor), or violate the regulatory or criminal laws or statutes of the United States or any state or local jurisdiction (by-law/ordinance), whether on or off duty.
 - a. An officer may be guilty of violating this rule regardless of the outcome of any criminal court case. However, even in the absence of a conviction (which requires proof beyond a reasonable doubt), an officer may still be disciplined under this rule for the conduct that was involved.
7. **False Timesheet:** No department member shall knowingly submit to a state agency, state authority, city, town or agency a false or fraudulent claim of hours worked for payment, nor shall they receive payment for time not worked. Nor shall the knowingly make, use or cause to be made or used a false record of statement material to a false or fraudulent claim of hours worked for payment that results in a law enforcement officer receiving payment therefore, nor conspire to commit violation of this section.

IV. CONFLICT OF INTEREST

- A. Since the position of a police officer is a public trust, it is important to avoid all situations involving conflicts of interest whether in fact or only in appearance. Special areas of concern include certain kinds of outside employment; financial transactions with units of government or others; and the use of an official position to secure unwarranted privileges, pecuniary advantage or preferential treatment.
- B. Officers should read and become familiar with the provisions of G.L. c. 268A concerning “conduct of public officials and employees.”

§2(b) Whoever, being . . . state employee . . . directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of value for himself or any other person or entity, in return for:

- 1) *being influenced in his performance of any official act or any act within his official responsibility, or*
- 2) *being influenced to commit or aid in committing, or to collude in, or allow any fraud, or make opportunity for the commission of any fraud, on the commonwealth or a state, county or state agency, or*
- 3) *being induced to do or omit to do any acts in violation of his official duty; or*

(d) Whoever, directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of value for himself or any other person or entity in return for influence upon the testimony under oath or affirmation of himself or any other person as a witness upon any such trial, hearing or other proceeding or in return for the absence of himself or any other person therefrom;

NOTE: These prohibitions do not apply to witness fees, travel cost reimbursement or court time pay.

§3(d) Whoever knowingly, directly or indirectly, asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of substantial value for himself for or because of the testimony under oath or affirmation given or to be given by him or any other person as a witness upon any such trial, hearing or other proceedings, or for or because of his absence therefrom; shall be punished by a fine of not more than \$50,000, or by imprisonment in the state prison for not more than 5 years, or in a jail or house of correction for not more than 2 1/2 years, or both.

§ 23. Supplemental provisions; standards of conduct

(a) In addition to the other provisions of this chapter, and supplement thereto, standards of conduct, as hereinafter set forth, are hereby established for all state, county, and state employees.

(b) No current officer or employee of a state, county or state agency shall knowingly, or with reason to know:

- 1) Accept other employment involving compensation of substantial value, the responsibilities of which are inherently incompatible with the responsibilities of his public office;*
- 2) Use or attempt to use his official position to secure for himself or others unwarranted privileges or exemptions which are of substantial value and which are not properly available to similarly situated individuals;*
- 3) Act in a manner which would cause a reasonable person, knowing of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy his favor in the performance of his official duties, or that he is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person. It shall be unreasonable to so conclude if such officer or employee has disclosed in writing to his appointing authority or, if no appointing authority exists, discloses in a manner which is public in nature, the facts which would otherwise lead to such a conclusion.*

(c) No current or former officer or employee of a state, county or state agency shall knowingly, or with reason to know:

- 1) Accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority;*
- 2) Improperly disclose materials or data within the exemptions to the definition of public records as defined by section seven of chapter four, and were acquired by him in the course of his official duties nor use such information to further his personal interest.*

(d) Any activity specifically exempted from any of the prohibitions in any other section of this chapter shall also be exempt from the provisions of this section. The state ethics commission, established by chapter two hundred and sixty-eight B, shall not enforce the provisions of this section with respect to any such exempted activity.

(e) Where a current employee is found to have violated the provisions of this section, appropriate administrative action as is warranted may also be taken by the appropriate constitutional officer, by the head of a state, county or state agency. Nothing in this section shall preclude any such constitutional officer or head of such agency from establishing and enforcing additional standards of conduct.

(f) Upon qualification for office following an appointment or election to a state agency, such appointed or elected person shall be furnished by the city or town clerk with a copy of this section. Each such person shall sign a written acknowledgement that he has been provided with such copy.

C. Conflict of Interest Violations

1. **Violating Conflict Of Interest Law:** Officers shall not violate any provision of General Law c. 268A.
2. **Membership in Organizations:** Officers shall not affiliate with or become a member of any organization if such affiliation or membership would substantially interfere with or prevent them from performing their duty.
3. **Improper Associations:** Officers shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in criminal behavior, except as necessary in the performance of official duties, with the knowledge and approval of the Chief of Police or where unavoidable because of an officer's family relationships.
4. **Undue Influence:** Officers shall not seek or obtain the influence or intervention of any person, outside or from within the department, but not including a lawfully retained attorney, advancement, preferential assignment, transfer, pecuniary advantage or any other type of preferred treatment or advantage, including the disposition of pending charges or findings in a criminal or disciplinary hearing.
5. **Visiting Prohibited Establishments:** Officers shall not knowingly visit or enter a place where prostitution, illegal drug use or sales, after hour liquor sales, or other locations where laws are violated except in the performance of their official duty or while specifically authorized to do so by a supervisor. The prohibition shall apply to preserve at social

gatherings where the officer knows or has reason to know that illegal drug use or sales are taking place.

6. **Improper Buying, Receiving, or Selling:** Officers shall not buy, receive, or sell anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case, which has come to the attention of, or which arose out of department employment, except as may be specifically authorized by the Chief of Police.

NOTE: The chief ordinarily will not prohibit an officer from shopping or purchasing goods or services from a commercial establishment under the same terms and at the same prices as the public so long as there is no connection between such activities and the establishment's involvement with the officer's employment.

7. **Department Correspondence:** Officers shall not enter into correspondence on behalf of the department with anyone or any agency outside the Department, except with the approval of the Chief of Police or designee.
8. **Improperly Influenced Testimony:** Officers shall not, directly or indirectly, solicit or accept anything of value for such officer or others in connection with the testimony or absence of the officer or another at any trial or hearing.
9. **Mailing Address:** Officers shall not use the department as a mailing address for private purposes without the permission of the Chief of Police.
10. **Interfering With Course Of Justice:** Officers shall not interfere with cases being handled by other officers of the department or other law enforcement agencies. When an officer believes that such involvement is necessary, he or she shall secure permission from a supervisor. Officers shall not take part in, or be concerned with, either directly or indirectly, any compromise or arrangement with any person whomsoever permits an accused person to escape the penalty of his or her wrongdoing, or seek to obtain a continuance of any trial or otherwise interfere with the course of justice, except in the normal course of proceedings.
11. **Abuse of Position:** Officers shall not use the prestige or influence of their official position, or use the time, facilities, equipment or supplies of the department for the private gain or advantage of themselves or another.
12. **Political Activities:** Officers shall not participate in political activities while in uniform or on duty, except for voting in elections following the collective bargaining unit.

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- a. All actions which could even give the impression that officers are using their official positions to influence the electoral process must be avoided.
 - b. An officer shall not be required to solicit or be obliged to make contributions in money, services, or otherwise, for any political purpose.
 - c. Officers who become candidates for salaried elective office shall take a leave of absence without pay. Such leave shall encompass both the campaign and the tenure of the office if elected.
 - d. Nothing in this rule shall be construed to mean that department personnel are restricted in any way, while off-duty and not in uniform or demonstrating their position as a police officer, from exercising their constitutional rights as citizens in the political or electoral process (including such actions as voting, supporting candidates, and belonging to a political party).
 - e. Officers may not participate in any public demonstration, protest, or rally that may result in criminal activity, riots, or impedes their ability to perform their duties without bias.
13. **Gifts and Gratuities:** Officers shall not under any circumstances seek, solicit or accept any gift, gratuity, loan, reward or fee (including not only money but also any tangible or intangible personal property, including such things as food, beverage, promise, service or entertainment), for the benefit of the officer, a family member or acquaintance, or the department, where there is any direct or indirect connection between the solicitation or acceptance and their departmental membership or employment, except as may be specifically authorized by the Chief of Police.
- a. Officers must be especially guarded in their official relationship with persons holding or seeking to hold licenses issued by local licensing authorities or anyone else who might expect or seek preferential police treatment. This would include attempts to influence the action of an official nature or the performance or non-performance of one's official duty.
 - b. All department personnel must make payment for their meals and beverages.
 - c. Any unauthorized gift, gratuity, fee, reward or attempted bribe offered to or coming into the possession of any officer shall be forwarded immediately (or reported in the case of an attempt) to the Chief, together with a written report of the circumstances involved.

14. **Unauthorized Transactions:** Officers shall not enter into any transactions of material value at substantially lower than fair market value, or the value at which such goods or services are being offered to the general public when such transaction takes place between themselves and any person or entity residing or doing business in the department's jurisdiction, or any person involved in any matter or case which arose out of their employment with the department, or who has an interest which may be affected directly or indirectly except as may be specifically authorized by the Chief of Police.

15. **Use Of Official Position:**
 - a. Officers shall not use their official position, department identification cards or badges:
 - 1) For personal or financial gain;
 - 2) For obtaining privileges not otherwise available to them except in the performance of duty, or
 - 3) For avoiding consequences of illegal acts.
 - b. Officers shall not lend to another person any part of their uniform or equipment, nor their identification cards or badges or permit them to be photographed or reproduced, without the approval of the Chief of Police.
 - c. Officers shall not authorize the use of their names, photographs, or official titles, which identify them as police officers in connection with testimonials nor for advertisements for any person, commodity or commercial enterprise, without the approval of the Chief of Police.

16. **Endorsing Private Services:** Officers shall not (except in transacting personal business) endorse, recommend or suggest in any way the use or procurement of any particular product or commercial or professional service. These include, but are not limited to, a towing business, motor vehicle repairs or body shop, ambulance service, attorney, funeral service, medical or chiropractic service. Officers shall follow departmental procedures for contacting a towing or ambulance service.

17. **Payment of Debts/Legal Liabilities:** Officers shall not willfully or negligently fail to pay just debts and legal liabilities, especially where creditors solicit the assistance of the Chief of Police in the collection process. Officers shall not borrow any money from or otherwise become indebted to any state official nor shall they solicit any state official or other to co-sign, endorse or in any way whatsoever guarantee any promissory note or other loan, nor shall they offer to act as co-signer, endorser or

guarantor of any promissory note or other loan for any state official. The preceding sentence will not apply to transactions involving spouses that both work for the Commonwealth.

18. **Civil Suits for Personal Injury:** Officers shall make any claims for damage to clothing or other personal property belonging to them resulting during the proper and lawful performance of duty only per current departmental directives, regulations and contractual provisions. Officers shall not seek in any way, nor accept from any persons, money or compensation for damages sustained or expenses incurred by them in the line of duty without first notifying the Chief of Police in writing and receiving approval from the Chief of Police.
 - a. Officers who have received state salaries, been indemnified, or reimbursed for medical bills for illness or personal injuries sustained off-duty or in the line of duty, shall notify the Chief of Police in writing of any intent to seek, sue, solicit, settle, or accept compensation or damages for such injury or illness. Notice shall be filed in writing before the action is taken, which notice shall include the facts of the claim and the name of the defendant or responsible party. The Chief of Police shall be kept informed of the status of the case and the final court determination or settlement.

19. **Incurring Department Liability:** Officers shall not incur any financial liability chargeable to the department or university, except with the approval of the Chief of Police except in the performance of their official duties.

V. NEGLECT OF DUTY

A. Officers are required to be attentive to and not neglect their sworn duty. Officers must not absent themselves from their assigned duty without leave. They must not leave their post or assignment without being properly relieved; likewise, they must take suitable and appropriate police action when any crime, public disorder or other incident requires police attention or service.

1. **Neglect Of Duty** include but are not limited to:
 - a. Failure to take appropriate action on the occasion of a crime, medical emergency, public disorder or other act or condition deserving attention;
 - b. Failure to render medical assistance consistent with one's training;
 - c. Absence without leave;
 - d. Failure to report to duty at the time and place designated;

- e. Unnecessary absence from one's assignment during a tour of duty;
- f. Failure to perform duties or comply with any job description, general, special or other order; or
- g. Failure to conform to department policies and procedures.

B. Absence: Officers shall not be absent from duty without permission. For a proper reason, and only for a limited time, the Chief of Police or designee may excuse an officer from reporting or being present for duty. All unauthorized absences shall be investigated by a supervisor concerned and shall be reported to the Chief of Police for appropriate action.

1. Officers shall not:

- a. Be absent from their assigned duty without leave;
- b. Leave their post, sector, university, or assignment without being properly detailed or relieved, or without making required notifications;
- c. Fail to take suitable and appropriate police action when any crime, medical emergency, public disorder, or other incident requiring police attention mandates such police action;
- d. Fail to render medical assistance consistent with the officer's training;
- e. Fail to promptly perform, as directed, all lawful duties required by a constituted authority, notwithstanding the officer's normal assignment of duties and responsibilities.

2. Officers shall take meals and breaks at such times as are approved by their supervisor who may limit the number of officers who may be off at any one time.

3. Officers who are members of a reserve component of the armed forces of the United States shall be granted leave, per M.G.L. chapter 33, § 59, and the provisions of any applicable collective bargaining agreement.

c. Incompetence: Officers shall maintain sufficient competency to perform their duty and to assume the responsibilities of their position. Incompetence may be demonstrated by, but is not limited to, the following:

- a. A lack of knowledge of the application of laws required to be enforced;
- b. An unwillingness or inability to perform assigned tasks;
- c. The failure to conform to work standards established for the officer's rank, grade, or position; and

- d. Repeated poor evaluations or repeated infractions of the rules and regulations, job descriptions, or policies and procedures.
- d. **Duty To Report Unnecessary Force:** An officer who observes another officer using physical force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances, shall report the incident to an appropriate supervisor as soon as reasonably possible but not later than the end of the officer's shift.
- e. **Duty To Intervene:** Any Officer present and observing another officer using physical force, including deadly force, beyond that which is necessary or objectively reasonable based on the totality of the circumstances, shall intervene to prevent the use of unreasonable force unless intervening would result in imminent harm to the officer or another identifiable individual.
- f. **Defects In Streets/Roadways/Parking Lots:** Officers shall observe and promptly report in writing to a supervisor any defect, obstruction, or nuisance in the streets, sidewalks or other public areas which may cause a hazard to the general public or create a civil liability upon the university or community. A notification shall be made to the dispatcher for more remedial immediate action where necessary. Each officer shall generate a work order to the university facilities department to document the observed defect, etc.
- g. **Parking Enforcement:** Parking of vehicles on university property shall be enforced fairly and consistently, in conformity with official university regulations and department practices and procedures.

VI. PUBLIC STATEMENTS

- A. Police officers do not surrender their constitutional right of free speech upon taking their oath of office. However, courts have recognized a police department's ability to promulgate reasonable standards regulating certain types of statements by officers consistent with the mission of a law enforcement agency.
- B. Certain types of speech by officers are not constitutionally protected. These include:
 - 1. Knowingly false speech;
 - 2. Statements made as an extension of a personal dispute;
 - 3. Statements resulting from a personality conflict;
 - 4. Speech promoting or endorsing private services;

5. Profanity or name-calling; and
 6. Speech that causes significant disruption of morale.
- C. A police department is a quasi-military organization that is unique in the public service, and, as such, has a justifiable need for *esprit de corps*, harmony, discipline and confidentiality. Close personal or confidential relationships are often required. Extremely disrespectful and/or grossly offensive remarks are inconsistent with fostering and maintaining such relationships.
- D. There is also a need to maintain a chain of command. Statements that undermine the working relationship between officers and supervisors are disruptive to the mission of this agency. This is especially true where such statements are simply bickering or personal disputes with one's supervisor.
- E. Union spokespersons are entitled to express their association's viewpoints on matters of public concern. Such individuals are afforded greater latitude in making public pronouncements on departmental policies or operations.
- F. Officers who are the subject of an internal investigation may be instructed not to discuss the subject matter of such investigation with others. Except in unusual cases, such restrictions would not apply to conversations with an officer's attorney or union representative, or with such employee's spouse.
- G. The following guides public statements and communication:
1. **Public Criticism Of The Department:** Officers shall not publicly criticize the Department, its policies or members by talking, writing, or expression in any manner where such talking, writing, posting on social media platform, or expression that is defamatory, obscene, unlawful, or tends to impede the operation of the department by impairing its efficiency, interfering with the ability of supervisors to maintain discipline, or is made with reckless disregard for truth or falsity.
 - a. Officers shall not make any vexatious or unnecessary complaint against another member of the department nor criticize any other officer, except in the line of duty, nor shall officers maliciously gossip about any supervisor, order, policy, procedure, case, or event that should remain police information; nor shall officers cause to discredit, lower or injure the morale of personnel in the department, or that of any individual in the department. To this end, officers shall make maximum utilization of the chain of command, and also the grievance procedure of the department as described in the applicable collective bargaining agreement. Also, officers shall not publicly criticize instructions or orders they have received.
 2. **Disparaging Remarks:** Officers shall not speak slightly of any minority, race, nationality, gender, or religion, nor make derogatory remarks about individuals

because of their gender orientation or sexual preference while on duty or while off duty in a public place.

3. **Courtesy:** Officers shall not be discourteous or inconsiderate to the public, to a supervisor, or their fellow officers and employees of the police department as well as other law enforcement and governmental agencies. They shall be tactful in the performance of their duties and are expected to exercise the utmost patience and discretion even under the most trying circumstances. They shall answer questions from citizens in a courteous manner and, if unable to supply an answer, shall make every effort to obtain the answer for the citizen, avoiding argument and unnecessary conversation.
4. **Identification:** Officers shall properly identify themselves to any person requesting this information, while they are on duty, except when the withholding of this information is necessary for the proper performance of police duty, when it might jeopardize the physical safety of a department member, or when authorized not to do so by proper authority.
5. **Dissemination of Official Information:** Officers shall treat as confidential that information which is confided to them personally in the course of their official duties. They shall disclose such information only as required in the proper performance of their duties. They shall neither disclose nor use for their personal interest any confidential information acquired by them in the course of their official duties. They shall treat as confidential all matters relating to investigations, internal affairs, and personnel. They shall treat the official business of the police department as confidential and shall conform to the following guidelines:
 - a. Information regarding official business shall be disseminated only to those for whom it is intended, following established departmental procedures.
 - b. Access to departmental files, records and reports shall be limited to those officers and employees authorized by the Chief of Police.
 - c. Official records or reports shall not be copied or removed from a police facility, except per established departmental procedures.
 - d. The identity of any person giving confidential information to the department or any officer thereof in the performance of his or her duties shall not be divulged except with the prior approval of the Chief of Police or by law.
 - e. No information shall be released, given or issued to the news media or any members of the press concerning department operations, or the evidentiary aspects of any criminal investigations, without the prior approval of the Chief of Police.

NOTE: All releases to the press or media of information concerning departmental policy or the evidentiary aspects of any criminal investigation

shall be referred to the Chief of Police or designee and/ or conform to the **Public Record Policy G.O.12.3.4**

- f. Officers shall not communicate or give police information which may aid a person to escape arrest, delay apprehension or avoid prosecution or which contributes to the destruction, removal or loss of evidence, goods or contraband.
 - g. Officers shall not communicate to the public, news media or to any other agency or person, information connected with the department or its personnel except as authorized by the Chief of Police or by statute. All requests for public appearances or speaking engagements by officers, on the subject of criminal justice, law enforcement / department operations, or policies, shall be submitted to the Chief of Police for approval.
6. **Testimony in Civil Cases:** Officers shall not testify in any civil case, arising as a result of the performance of duty, in any court, unless legally summonsed to do so or until having received permission or order from the Chief of Police. When summonsed to testify, an officer shall notify the Chief of Police in advance of testifying.
 7. **Truthfulness:** Officers shall speak the truth at all times when on duty or when discussing a matter arising out of or related to the officers' duties or the operation, organization or business of the department. In cases in which an officer is not allowed by the regulations of the department to divulge facts within his or her knowledge, the officer will decline to speak on the subject. Officers shall not fabricate, withhold, or destroy any evidence of any kind.
 8. **Statements Concerning Liability:** Officers shall not make any oral or written statement to anyone concerning liability in connection with the operation of police vehicles or performance of other police duty unless specifically authorized to do so by the Chief of Police.
 9. **Testifying for Criminal Defendants:** Officers shall not testify for the defendant in a criminal case, parole hearing or other judicial proceedings, in any court or tribunal, unless legally summonsed to do so or with the advanced approval of the Chief of Police. In cases which involve the police department or its personnel, officers shall, before testifying, inform the Chief of Police of the nature of the testimony intended to be given.
 10. **Recommendation for Disposition of Cases:** Officers shall not make a recommendation for the disposition of any case pending in the courts without the consent of the Chief of Police, or with the permission of the Prosecutor, or upon the direct request of the Court to the officer.
 11. **Communication With Officials:** Officers shall not confer with or forward communications to governmental officials on police matters without first notifying the Chief of Police or designee, except as otherwise provided by statute.

12. **Use of Department Records, Reports, and Communications:** All communications with University officials, students, staff, members or employees, if any, shall be forwarded through the Chief of Police unless specifically authorized by the Chief of Police, except as otherwise provided by statute.

VII. OBEDIENCE TO RULES AND ORDERS

Police officers are expected to be familiar with and comply with all lawful orders, rules and regulations, and policies and procedures issued by the Department.

- A. **Insubordination:** Officers shall not be insubordinate. Insubordination shall include any failure or deliberate refusal to obey a lawful order (written or oral) given by a supervisor or relayed from a supervisor by another officer (regardless of rank) or a dispatcher or as otherwise above specified.

1. It shall also include any disrespectful, mutinous, insolent, or abusive language or action toward a supervisor whether in or out of the presence of the supervisor.
2. Officers shall follow the procedures specified above when given what they believe to be an unlawful, conflicting, unjust or improper order.

- B. **Failure to Comply with General Orders:** Officers shall read, be familiar with and comply with the requirements of the department's written directive system.

- C. **Duties While Suspended:** Officers shall obey all lawful orders while on suspension. Suspended officers may be required to testify in connection with cases that originated while an officer was on duty. They may also be required to report to the station to meet with the Chief of Police or a supervisor, and may be required to submit to a fitness for duty examination.

- D. **Military Courtesy:** Officers shall conform to normal courtesy standards and refer to each by rank, (unless otherwise specified).

- E. **National Colors and Anthem:** Uniformed members will render full military honors to the national colors and anthem at appropriate times. Members and employees in civilian dress shall render proper civilian honors to the national colors and anthem at appropriate times.

VIII. ATTENTION TO DUTY

- A. Officers are expected to be constantly alert and vigilant in the performance of their duties and to respond prudently but decisively when police action is required or expected. Every officer of the department who has to handle any complaint, assistance call, arrest or other duty, shall attend to such duty with business-like courtesy and without any unnecessary loss of time. Officers shall furnish information and render aid to all persons with due courtesy whenever such request is consistent with their duty. Officers shall not withhold information on criminal activity.

- B. Every officer shall familiarize himself or herself with the geography of the community, including routes of public transportation; the location of streets, highways, bridges, public places; hospitals; churches; courts; transportation offices and stations; prominent or important office buildings; or commercial establishments.
- C. Officers are expected to have a stronger understanding than most university community members of the campus layout, office locations, building names and usage of the building to enable a quick response as well as provide assistance to those who ask.
- D. Officers shall furnish police assistance to all persons making such requests, consistent with their police duties and assignments. They shall assist and cooperate with all law enforcement agencies, provide them any authorized information they are entitled to receive, and submit a report on all such action taken when required.
- E. It shall be the duty of every officer to report to his or her Supervisor or the Chief of Police any information given to such officer in good faith by any citizen regarding matters that indicate the need for police action. Officers, regardless of rank or assignment, shall act immediately: to protect life, liberty or property; to enforce all laws; to prevent or detect the commission of crimes; to apprehend law violators.
- F. Officers shall acquaint themselves before or at the beginning of their tour of duty with all important matters affecting their duties that have occurred since their last tour. Upon returning to duty from any period of absence, officers shall inform themselves about all new orders, regulations, memoranda, and all other important matters governing their assignments. Officers shall familiarize themselves with all of the laws, statutes, by-laws/ordinances, and regulations necessary for the proficient execution of their duty as police officers. Officers shall review and acknowledge all emails at the beginning of their tour of duty.
 - 1. Members of the department shall be present at Roll Call at the beginning and conclusion of their shift. Shift briefing shall be conducted by a supervisor or the most senior officer if no supervisor is scheduled.

IX. FITNESS FOR DUTY

- A. A police officer must be physically and psychologically fit to perform his or her public safety functions, as police officers are authorized to make arrests and carry firearms. If an officer is not fit, not only that officer but also other officers as well as the general public may be jeopardized.
- B. The Chief of Police has the authority and the duty to determine an officer's continuing fitness to perform police duties or to return to full working status. The Chief may require that an officer submit to a physical or psychological

examination to determine the officer's fitness for duty. Requiring that an officer submits to a physical or psychological examination to determine the officer's fitness for duty does not constitute an unwarranted invasion of personal privacy or a violation of due process. The department will treat all medical records and information confidentially.

1. **Sick Leave:** Officers shall not abuse sick leave, and will utilize all sick leave in accordance with their collective bargaining agreement.
2. **Notification:** Officers shall notify an on-duty supervisor, or the Chief of Police, when ill and unable to report for work, or if there is any change in an officer's physical or mental health that could disqualify or temporarily prevent the individual from being assigned to duty by the department. Additionally, the use of sick leave without just cause or the furnishing of any false information with reference thereto by any officer of the department is strictly prohibited and will result in disciplinary measures.
3. **Doctor's Certificate:** Officers shall provide a certificate from a doctor if required at the discretion of the Chief of Police for absence from duty because of sickness or injury. It may be required for any sick leave of 3 days or more and in accordance with the respective Collective Bargaining Agreements..
4. **Physical Fitness:** Officers shall maintain good physical condition in accordance with standards determined by the Chief of Police and any applicable statute, regulation or collective bargaining provision. The Chief of Police may order any officer of the department to submit to a physical and/or psychological examination periodically or whenever circumstances dictate that it is in the best interests of the officer and/or the Department.
5. **Possession or Use of Alcohol:** Officers shall not possess and/or use alcohol on duty other than in an authorized duty capacity. Officers shall not report for duty or be on-duty while under the influence of intoxicating liquor or with an odor of alcoholic beverage on their breath. No officer shall drink alcoholic beverages to render himself unfit to report for scheduled duty.
6. **Off Duty Use of Alcohol:** Officers shall not publically use alcoholic beverages off duty to the extent that their conduct is obnoxious or offensive and discredits them or the department. Officers, off duty, shall not consume alcoholic beverages or medication to the extent that they are unfit to report for their next regularly scheduled tour of duty.
7. **Possession/Use of Controlled Substances:** Officers shall not possess and/or use on or off-duty any controlled substances, except with the approval and guidance of a licensed physician and with the knowledge of the Chief of Police (if appropriate). At no time may an officer use, abuse or be under the influence of a controlled substance where such use

or influence impairs, or compromises the efficiency and integrity of the officer, department, or university.

8. Officers shall not bring, place, or permit to be brought or placed, or allow to be kept in any building, location or vehicle of the department, any intoxicant, exhilarant, hypnotic, hallucinogen, or narcotic, except in the strict performance of police duty, (e.g. evidence, etc.), or when it is needed for administration by, or at the direction of a licensed physician, and then only after notification to and approval from the Chief of Police or designee.
9. **Notification of Medication:** Officers shall notify the Chief of Police when they have been prescribed or have ingested any medication that has a likelihood of affecting their ability to perform their assigned duties or operate a vehicle.
10. **Medical/Psychological Examination:** Officers shall submit to a medical and or psychological examination, at the expense of the department when so ordered by the Chief of Police and periodic drug, alcohol and psychological testing may be done when necessary according to university, department and union regulations.
11. **Line-Of-Duty Disability:** Officers shall promptly report in writing any injury, illness or disability incurred in the line of duty, to his or her Commanding Officer or Chief of Police. Such a report shall be made before the end of an officer's shift unless the seriousness prevents such notice. In such a case, notice will be made as soon as the officer is physically able to do so. Departmental forms and insurance claim forms will be utilized for notification and application purposes as the Chief of Police may direct. Final disposition as to line-of-duty injuries, illness, or disabilities shall be made by the Chief of Police who may consult with Human Resources. In each case of illness, injury or disability incurred in the line-of-duty, the Chief of Police may require that an officer shall not be returned to duty until his or her ability to be placed on full duty status is certified by a medical authority.

X. PROFESSIONAL IMAGE

- A. Officers shall not act in a manner which is inconsistent with the image of a professional police officer, which shall include but not necessarily be limited to:
 1. Unnecessary shouting or using obscene language;
 2. Tardiness in reporting for work;
 3. Conducting personal business while on duty
 4. Taking excessively long meals or refreshment breaks;

5. Failure to respond promptly to a request for police service;
 6. Lack of courtesy to an individual, either on the phone or in-person;
 7. Gambling, except when off-duty and at licensed premises.
- B. **Devotion to Duty:** Department members, while on duty, shall devote their full time and attention to the service of the department and the citizens of the university. They shall remain alert at all times while on duty. Recreational reading, watching television or movies, playing games, using computers or personal communication devices such as smartphones, tablets, and alike for personal or recreational purposes, and/or any other similar type activities which would tend to detract from the proper performance of duty will not be permitted while on duty.
- C. **Loitering:** Officers shall not, while on duty, loiter in cafes, restaurants, auditoriums, service stations, resident halls, campus offices, or other public places, except for police business, which include community engagement.
- D. **Duty Time Limited to Police Work:** Officers shall not shop while on duty nor devote any of their on-duty time to any activity other than that which relates to police work and shall not perform any police duty in uniform for private gain unless properly authorized.
- E. **Reporting for Duty:** Officers shall report for duty promptly at the time and place required by their assignment or as otherwise directed by proper authority. They shall be uniformed properly and suitably equipped, ready to assume their duties. While on duty they shall avoid any activities not directly related to their police responsibilities and shall not absent themselves from duty without leave.
1. Officers shall notify the department as soon as possible (preferably at least 4 hours minimum), but in any event at least one hour before their next tour of duty (unless the injury or illness occurs less than four hours before the officer's next tour of duty).
- F. **Sleeping:** Officers shall not sleep while on duty unless authorized by the Chief of Police.
- G. **Leaving Vehicles Unattended:** Officers shall not leave vehicles unlocked and running unattended. When leaving the cruiser, the keys shall be removed from the vehicle and the doors secured.
- H. **Smoking While on Duty:** Smoking is prohibited in department vehicles and should not be done in view of the public. Officers who choose to smoke are to exercise extreme consideration to those who elect not to, regardless of the location. *At a time when Special State Police Officers are also recognized*

under Ch. 41, Sec. 101A, the use of tobacco products will be prohibited in accordance with the provisions of that statute.

- I. **Leaving The University:** Officers shall not leave the area of the university to an extent that will affect or impede their response time or enter another city or town unless it is necessary for the performance of duty, and is approved by a supervisor. An officer shall inform their supervisor or the dispatcher before leaving and again upon returning. If an emergency prevents following this procedure, the officer must notify a supervisor as soon as possible.
- J. **Duty Status:** Officers shall be considered on duty while on University Property (whether assigned hours or off-duty), for the preservation of the public peace and the protection of life and property, and shall be prepared to take all reasonable police action to accomplish this purpose. All serious matters of public concern shall receive appropriate attention, consistent with an officer's physical and mental condition, even though an officer is not on duty at the time. Off-duty officers shall not consume alcoholic beverages while carrying a firearm, nor shall they carry a firearm while under the influence of alcohol or prescription medicine.
- K. **Departmental Communications:** Officers shall transmit all official communications promptly, accurately and completely to other officers of the department as required, and shall immediately inform their supervisor of any matter of police importance coming to their attention during their tour of duty, or otherwise. They shall call to the attention of their relieving officers any information regarding unresolved problems or difficulties which may arise during the next tour of duty.
- L. **Cooperation with Investigations:** Officers shall answer questions truthfully, respond to lawful orders, and render material and relevant statements, in an internal department investigation when such orders, questions, and statements are directly related to job responsibilities or fitness for duty. Nothing in the Section shall violate one's Federal, State constitutional rights, or rights provided by the collective bargaining agreement of the member's union.
 - 1. Officers shall submit to any medical, ballistics, chemical, DNA or other tests, as well as being photographed or appearing in a line-up when ordered to do so in connection with an internal investigation.
- M. **Withholding Evidence:** Officers shall not fabricate, withhold, or destroy any evidence of any kind. The final disposition of evidence shall be per established general orders, and as governed by statute.
- N. **Testifying at Investigation:** Officers shall truthfully testify to or state the facts, as they know them, when they appear before or are involved in any judicial, departmental or other official investigation, hearing, trial or proceeding and in all other ways cooperate fully during such.

- O. **Duties While in Courts:** Officers concerned with cases before courts, grand juries, etc., shall be punctual in attendance and shall make a clean and neat appearance.
- P. **Reports:** Officers shall promptly and accurately complete all reports and forms required by the Department. Before leaving the station and at the end of their tour, an officer shall complete all reports and forms which pertain to events occurring during the concluded tour.
- Q. **Mutual Protection:** Officers shall come to the immediate aid, assistance or protection, (when requested), of fellow officers who, in the performance of their duties, requires such aid and assistance.
- R. **Report Rule Violation:** Officers shall, upon observing or otherwise becoming aware of a violation by another officer, employee, or member of the Department's General Orders or by any other departmental directives or as governed by law, report said violation(s) to their supervisor who will be responsible for appropriate action, report submission and follow-up.

XI. UNIFORMS AND APPEARANCE

Officers shall wear such uniforms, equipment, and insignia as the Chief of Police may, from time to time, prescribe. A professional, uniform appearance enhances morale and fosters teamwork and esprit de corps. Officers should present a professional appearance to the public at all times and reflect a positive image as members of the Department. The police uniform identifies the officer and makes him or her readily accessible to the citizen. It is, therefore, vital that the officers of the department maintain a neat and clean appearance, and that the uniform serves as an appropriate introduction to the members of the university. Certainly, exceptions may be authorized for undercover assignments, administrative duties or medical necessity. Periodically the Chief of Police may post drawings or issue orders for guidance in interpreting the Department's regulations.

- A. **Hair Styles For Male Officers:** Officers shall keep their hair neat, clean and trimmed and shall present a well-groomed appearance. Hair in front will be groomed so that it does not fall below the band of properly worn headgear. In no cases will the bulk or length of the hair interfere with the proper wearing of any authorized headgear. Hair color will not be exhibited or dyed in unnatural colors while on duty. Any cultural and religious exemption will be made at the discretion of the Chief.
- B. **Sideburns:** If an officer chooses to wear sideburns, they will be neatly trimmed and tapered. Sideburns may extend to a level consistent with the midpoint of the ear, will be of even width (not flared), and will end with a clean-shaven horizontal line.

- C. **Mustaches:** Mustaches may be approved. They may not go past the ends of the mouth, must be neatly trimmed and may not hang over the upper lip into the mouth. Exceptions to this rule may be authorized by the Chief of Police.
- D. **Hair Styles For Female Officers:** Female officers shall wear their hair so that it does not touch the collar of the shirt. Longer hair will be fashioned up, and all hairstyles must be such as to stay in place and not hang over the eyes. All styles will render a neat appearance. No scarves, headbands or ribbons will be worn in the hair. In no case will the bulk or length of the hair interfere with the proper wearing of any police headgear. Hair color will not be exhibited or dyed in unnatural colors while on duty. Any cultural and religious exemption will be made at the discretion of the Chief.
- E. **Wigs or Hairpieces:** Wigs or hairpieces in natural colors may be worn on duty for cosmetic reasons to cover natural baldness or physical disfiguration. When they are worn, they shall be of good quality, and shall not interfere with the wearing of any required headgear.
- F. **Earrings:** Male officers may not wear earrings or studs on duty. Female officers may only wear stud-type earrings on duty (no hoops or dangling styles).
- G. **Tattoo:** Sworn officers may have tattoos as long as they do not extend past the wrist onto the hand, above the collar to be visible on the neck, and any part of the face or head. All tattoos must **not be** offensive or cause discredit to the department or lead the public to believe that an officer is biased. Employees wishing to show their tattoos in public shall have their tattoos inspected by the Chief of Police or designee. Any new tattoo shall conform to this policy.
- H. **Body Piercing or Alteration:** Any area of the body that is **visible** in any authorized uniform or attire, and is a deviation from normal anatomical features and that is not medically required is prohibited. Such body alteration includes, but is not limited to:
1. Tongue splitting or piercing
 2. The complete or transdermal implantation of any material other than hair replacement or breast augmentation
 3. Abnormal shaping of the ears, eyes, nose, or teeth
 4. Branding or scarification
- I. **Fingernails:** Employee's fingernails shall be neat, clean, and shall not display decals or ornamentation. Fingernails shall not extend more than 1/4" beyond the tip of the finger. They shall not interfere with the employee's duty performance such as the safe drawing of a service weapon and all other safety equipment. Employees may wear clear nail polish, or neutral colors (beige, cream, etc.). White nail tips are permitted.
- J. **Wearing The Uniform:** Officers shall wear uniforms or other clothing on duty per department specification, which is available to all members of the department. (**See Uniform Specifications attached**) Officers shall keep their

uniforms neat, clean and well-pressed at all times. Care should be taken not to wear threadbare or faded items. The uniform cover shall be worn out of doors unless otherwise directed by the Chief of Police or designee. While in uniform, officers shall display their badge on the outermost garment over their left breast. The Chief of Police or designee shall periodically issue special orders pertaining to the daily or seasonal wearing of uniforms.

1. Officers shall not wear any identifiable part of the uniform outside the limits of the university except while in the performance of official duty, while commuting to and from duty, or with the permission of the Chief of Police. No buttons, insignia, attachments or coverings of any kind will be worn on a uniform without the permission of the Chief of Police.

K. Civilian Clothing:

1. Male officers permitted to wear civilian clothing during a tour of duty, including court appearances, shall wear either a business suit with a tie or sports coat with tie and slacks.
2. Female officers permitted to wear civilian clothing during a tour of duty, including court appearances, may wear a dress or skirt and blouse, or blouse and dress pants.
3. Dungarees and/or designer jeans etc. are not considered proper attire for officers – male or female. The Chief of Police may prescribe other types of clothing when necessary to meet particular police objectives. Civilian clothing shall not be worn with any distinguishable part of the police uniform. No shorts, T-shirts or shirts without a collar may be worn. Leather shoes or, if authorized, boots are required (no sneakers/tennis shoes, etc.).
4. In accordance with a professional position, business casual may be approved by the Chief of Police (business casual shall be collared and buttoned shirt, pressed dress slacks and shineable shoes with dark matching socks; no jeans, no shorts, no t-shirts, no sneakers, no BDUs or utilities) and officers in business casual shall be required to wear a badge of office and proper police equipment.

L. Identification

1. Officers shall carry their official identification cards, license, and badges on their persons while on duty unless otherwise dangerous to do so (e.g. certain investigations or undercover work but only when authorized not to carry an I.D. or badge).
2. Officers shall inform any person so requesting their name and badge number whenever they are on duty or holding themselves out as being a police officer unless the withholding of such information is required for the proper performance of their police duties or is authorized by proper police authorities.

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3. Officers shall carry on their person their commonwealth issued driver's license whenever operating a university vehicle.
4. Officers shall carry on their person their commonwealth issued firearm license whenever carrying or possessing a firearm.

XI. Attachment:

Uniform Specifications

Approval:

Chief of Police



Date

