

This order to be used in conjunction with all relevant existing departmental policies, procedures, rules, and regulations.

Signature:

# I. PURPOSE:

Approved by:

**Todd King, Chief of Police** 

The purpose of these Rules of Conduct is to provide a basis for the orderly and disciplined performance of duty within the framework of existing legal principles, Township policies and professional ethics. This policy also provides Springettsbury Township Police Department personnel with specificity regarding the standards of conduct embodied in the Law Enforcement Officer's Code of Ethics and the Department's Rules and Regulations, in order to enable Springettsbury Township Police Department personnel to better understand the prohibitions and limitations pertaining to their conduct and activities, while on and off duty.

While all members of the Police Department are subject to the rules contained herein, it must be understood that no compilation of regulations can be established which will embrace all actions to be taken or prohibited. The ever-changing nature of law enforcement requires that the type and level of action or inaction is often best determined based on the professional discretion of the members involved. All members must understand that if such discretion is used in a wanton or unreasonable manner, determined to be detrimental to the efficiency of the Department and the image of the Township, and which law and public opinion recognize as injurious to the ability of the department to protect and serve the community, then those members responsible will be subject to disciplinary action.

## II. POLICY:

Actions of Springettsbury Township Police Department personnel that are inconsistent or are in conflict with the rules, regulations, and policies established by the Department and which negatively affect its reputation and that of its personnel shall not be tolerated. Such actions or inactions detract from the Department's overall ability to effectively and efficiently protect the public, maintain peace and order, maintain trust, and conduct other essential business. Therefore, it is the policy of the Springettsbury Township Police Department that all personnel shall conduct themselves in a manner that reflects the ethical standards consistent with the rules contained in this policy and otherwise disseminated by the Department.

## III. DEFINITIONS:

Authority: Legal or rightful power, a right to command or act.

**Business:** Business activity includes participation in, or affiliation with, any commercialized business activity for the purpose of financial gain, except solely by legal investments.

**Chain of Command:** The structure or order of an organization in which power and authority is exercised and delegated to members and employees throughout the organization. Direction is provided down the chain and accountability and responsibility flow up. Describes the ascending and/or descending order of rank.

**Complaint:** An allegation by citizen(s) regarding Department services, policy or procedure, member or employee misconduct, claims for damages which allege member or employee misconduct, and any allegation of misconduct made by another member or employee.

**Complainant:** Any individual who files a complaint.

**Confidential:** Secret - not to be divulged to unauthorized individuals.

**Department:** The Springettsbury Township Police Department

**Department Property:** Includes all Department owned and/or leased property, buildings, vehicles, lockers, boxes, equipment, photographs, films, recordings, text messages, emails, reports, and any other official material in the possession or held by the Department.

**Discipline:** A written reprimand, suspension, reassignment, demotion, or dismissal.

**Dismissal:** The act of terminating the employment of a member.

**Insubordination:** The willful disobedience of a lawful order issued by any supervisor or disrespectful, mutinous, rebellious, insolent, or abusive language or action toward any supervisor.

**Internal Affairs Supervisor:** The Operations Lieutenant or as otherwise designated by the Chief of Police is the supervisor of the Internal Affairs Function. The Internal Affairs Supervisor shall be in charge of evaluating the results of the administrative investigation

prior to the Chief or their designee for final review and signature. The ultimate authority for the Internal Affairs Function lies with the Chief of Police.

**Lie or Lying:** A lie is defined as a falsehood uttered for the purpose of deception, an intentional statement of an untruth designed to mislead another, it means an untruthful deliberately told intentional misrepresentation. (Black's Law Dictionary Sixth Edition)

**Misconduct:** Any conduct by a member or employee that violates Department directives, policy, Rules of Conduct, the Police Tenure Act or the law.

**Officer:** Sworn members, who directly perform duties including patrol, traffic control and enforcement, conducting criminal investigations; maintaining law and order; protecting life and property of the citizens; and any other similar duties vested upon the Department at present or in the future.

Officer in Charge (OIC): Highest ranking member of a shift, normally a sergeant or corporal. An OIC is also designated as the most senior patrolman on a shift when no ranking officer is on duty.

**Supervisor:** Police officer with the rank of corporal or higher who has the authority to make decisions, evaluate, and investigate and impose discipline over the personnel assigned to their shift or unit.

**Through Channels:** In descending and/or ascending order of rank. Synonymous with "chain of command."

#### IV. RULES OF CONDUCT:

## A. Law Enforcement Code of Ethics:

The Law Enforcement Code of Ethics shall be the basis for governing the behavior of all sworn members of the Department and is hereby adopted as follows. Non-sworn employees have a duty to act similarly regarding those behaviors and actions not specific to sworn members.

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 to liberty; equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to my agency or me. I will 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 professional life, I will be exemplary in obeying the laws 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 will be kept ever secret, unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and the relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

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 never engage in acts of corruption or bribery, nor will I condone such acts by other police officers.

I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession ... law enforcement.

## B. General Provisions

# 1.1 VIOLATION OF RULES

- a. In addition to the Code of Ethics, Officers shall not commit any acts or omit any acts, which constitute a violation of any of the rules, regulations, directives, general orders, or orders of the Department, whether stated in the Rules of Conduct or elsewhere. Ignorance of the law, rules, regulations, or directives shall not be considered an excuse or justification for any violation.
- b. Officers must be truthful in the performance of their duties.
- c. Officers shall not withhold information, fail to cooperate with Departmental investigations, or fail to report the misconduct of members to a supervisor, whether on or off duty.
- d. Officers shall be responsible for their acts and shall not attempt to shift the burden of responsibility for executing or failing to execute a lawful order or police duty.

# 1.2 UNBECOMING CONDUCT

a. Officers shall not engage in any conduct unbecoming of a police officer.

Unbecoming conduct involves activities, on or off duty, that reflect discredit on

- the members of the Department, tends to bring the Department into disrepute, impairs the Department's efficient and effective operation, or impairs the morale, operation, or efficiency of the Department or officer.
- b. Members shall not display cowardice or shirk duty or responsibility during time of danger.
- c. The integrity and high moral standards of the Department must be maintained; therefore, no individual shall procure their enlistment in the Department by willfully misrepresenting their qualifications, character, reputation, or physical condition. This will include pre-employment background information.

## 1.3 IMMORAL CONDUCT

a. Officers shall maintain a level of moral conduct in their personal and business affairs, which is in keeping with the highest standards of the law enforcement profession. Officers shall not participate in any incident involving moral turpitude, which impairs their ability to perform as law enforcement officers or causes the Department to be brought into disrepute.

#### 1.4 CONFORMANCE TO LAWS

- a. Officers shall obey all laws of the United States and of any state and/or local jurisdiction in which the officer is present. A conviction of the violation of any law shall be prima facie evidence of a violation of this section.
- b. While traveling abroad, personnel shall abide by the laws of foreign countries insofar as the laws do not conflict with the laws of the United States.
- c. Any officer of the Department who has knowledge that he/she is or may be the subject of an investigation, by any government body or agency, shall report this information to his/her supervisor within 24 hours.
  - i. The report shall include the name of the government body or agency that is conducting, or has conducted the investigation, and the nature of the investigation.
  - ii. This requirement shall not infringe upon any constitutional rights protected by the United States Constitution. The supervisor receiving such information shall notify the Chief of Police immediately.

## 1.5 INSUBORDINATION

a. Officers shall promptly obey any lawful orders of a superior officer. This will include orders relayed from a superior officer by an officer of the same or lesser rank. Failure to obey any lawful order shall constitute insubordination.

## 1.6 PERFORMANCE OF DUTY

- a. Officers shall conscientiously strive to enforce the laws of the Commonwealth and Township and render service to all citizens within the Township.
- b. Officers shall be properly equipped and cognizant of information required for the proper performance of their duty assignment.
- c. Officers shall properly perform all duties assigned to them.
- d. Officers shall not engage in any entertainment activities or any personal business while on duty, which would cause them to neglect or be inattentive to duty.
- e. Officers shall take proper police actions to correct or stabilize all situations in which they become officially involved.
- f. Officers shall immediately notify their supervisor of any circumstance that affects the officer's ability to perform their duties.

#### 1.7 COMPETENCY

- a. Competency to be Maintained
  - i. Officers shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. They shall direct and coordinate their efforts in such a manner as will tend to establish and maintain the highest standards of efficiency in carrying out the functions and objectives of the Department.
  - ii. The fact that an officer was deemed competent at the time of employment shall not preclude a judgment of incompetency as the result of their performance, which would indicate a lacking in adequate strength, qualifications, or capacity to fulfill the requirements of their assigned tasks. Such incompetency may be demonstrated by lack of knowledge or application of laws required to be enforced; apparent unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the officer's rank or position; or the inability to successfully qualify with any or all Department issued firearms and lethal or non-lethal weapons.
- b. Knowledge of Laws and Ordinances, Policies, Procedures, and Regulations
  - i. Officers are required to establish and maintain a working knowledge of all applicable Federal and state laws, Township ordinances currently in force, and Departmental policies, procedures, and regulations.

ii. In the event of improper action or break of discipline by an officer, it shall be presumed that the member was familiar with the law, ordinance, policy, procedure, or regulation in question.

# c. Record of Incompetency

- i. A written record of repeated disciplinary actions for infractions of the rules, regulations, or directives may be considered evidence of incompetency.
- ii. Two or more Department Performance Appraisals in a continuous twelvemonth period with supporting objective evidence indicating a rating of "Does Not Meet Standards" and requiring subsequent re-evaluation to correct deficient item(s) may be considered evidence of incompetency.

#### 1.8 ABSENCES DUE TO ILLNESS OR INJURY

## a. Notification of Illness or Injury

- i. Officers who know that they will be unable to report for duty due to illness or injury shall immediately notify their supervisor (or ensure such notification) of the nature of the injury or illness, where they will be recuperating and the expected date of return to duty. The supervisor shall also be advised of a change in any of the above that, may occur after the original notification was given.
- ii. Officers injured while on duty shall report such injury to their immediate supervisor as soon as possible and comply with the provisions of existing regulations pertaining to such injuries.
- iii. Officers who become ill while on duty and find it necessary to leave an assigned post or duty shall report this to their immediate supervisor before leaving the assigned post or duty.

## b. Fictitious Reports-Deception

i. Officers shall not feign illness or injury, or otherwise deceive or attempt to deceive any official of the Department as to the facts pertaining to any illness or injury, or condition of their health.

## c. Contagious Diseases

i. Officers who have been exposed to an uncommon, contagious disease shall immediately notify their immediate supervisor who will notify the Chief of Police. The Chief of Police shall make a record of same and take whatever steps are necessary to safeguard the exposed and other members from said contagious disease.

# 1.9 SUBMITTING TO MEDICAL OR PSYCHIATRIC EXAMINATIONS AND/OR TESTS

- a. Officers shall comply with any medical examinations, psychiatric examinations, and/or documentation requested by the Chief of Police per the following:
  - i. Whenever the Chief of Police has reasonable grounds to believe that an officer under his/her command is being influenced by a medical and/or psychiatric condition, including but not limited to the use of an intoxicant, and/or medication which has affected or is likely to affect the officer's ability to perform his/her assigned duties, the Chief of Police shall order the officer to undergo reasonable test(s) and/or examination(s) at the expense of the Department, to determine the officer's fitness for duty.
  - ii. Officers, who have suffered an injury, illness, or any other condition incurred in the line of duty, which could affect their ability to perform assigned duties, may be required by the Chief to undergo reasonable test(s) and/or examination(s); at the expense of the Department; to determine the officer's fitness for duty.
  - iii. Officers, who have suffered an injury, illness or any other debilitating condition not incurred in the line of duty, which could affect their ability to perform required assigned duties, may be required by the Chief to obtain and submit a medical excuse from their physician concerning their physical and/or mental condition. The excuse shall include a description of the member's condition, and a prognosis for return to active duty.

#### 1.10 CONFLICTING ORDERS

- a. Officers who are given an otherwise proper order, which is in conflict with a previous order, rule, directive, or regulation, shall respectfully inform the issuing officer of the conflict. If the issuing officer does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the issuing officer giving the conflicting order.
  - i. When a conflicting order is given to an officer, the officer shall obey the order, unless it is a violation of the law, and shall thereafter submit correspondence to the Chief of Police, stating the facts and circumstances.
  - ii. Officers shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued.
- b. Officers shall not obey any order which they know or should know would require them to commit any illegal act.

- i. If in doubt as to the legality of an order, officers shall request the issuing officer clarify the order or confer with higher authority.
- ii. An officer who knowingly issues an illegal order, and any officer who knowingly obeys such an order, knowing it to be illegal, shall have committed violation(s) of this section of the Rules of Conduct.

## 1.11 EXPECTATIONS OF PRIVACY

- a. Officers may store personal information or belongings in their lockers and desks utilizing the utmost discretion. However, it is recognized that officers shall not have an expectation of privacy in such places as lockers, desks, departmentally owned vehicles, file cabinets, computers, or similar areas that are under the control and management of the Department.
  - i. While this agency recognizes the need for officers to occasionally store personal items in such areas, officers should be aware that these and similar places may be inspected or otherwise entered to meet operational needs, investigative requirements, or for other reasons at the direction of the Chief of Police.
  - ii. Failure to remove personal items from the aforementioned locations after being ordered to do so shall constitute a violation of this subsection.
- b. No officer shall maintain files or duplicate copies of official agency files in either manual or electronic formats at his or her place of residence or in other locations outside the confines of this agency without express permission from the Chief of Police. This shall not impair an officer's ability to remove files from the department premises in accordance with departmental policy for work related purposes.

## 1.12 LEGAL PROCEEDINGS

- a. Any officer summoned to the office of any attorney or before any court concerning any matter in which the Township or any employee thereof could become a defendant or witness shall immediately report the facts of the case to the Chief of Police.
- b. Any officer subpoenaed to testify for the defense in any trial or hearing shall immediately report the facts of the case to the Chief of Police.
- c. Officers shall not institute any civil action arising out of their official duties without first notifying the Chief of Police.

d. Officers shall not use their official positions as a means of forcing or intimidating persons with whom they are engaged in any civil matter to settle the case in their favor.

## 1.13 DEPARTMENTAL MAIL, EMAIL AND TELEPHONE MAIL

- a. Officers shall check their respective departmental mail, electronic mail (email), telephone mail (voice mail), and PowerDMS correspondence at the beginning of every scheduled work shift (or at the first time practicable during the work shift) to ensure that all messages and or directives are answered and acted upon in a timely fashion.
- b. If for some reason an officer receives a message which would have required immediate attention and the timeframe to answer and/or take action has passed by the time they receive the message, the officer will notify his/her immediate supervisor of the occurrence in an attempt to remedy the situation. If the situation cannot be remedied, the Chief of Police will be notified of the issue to take the appropriate action to remedy the situation, if possible.

## 1.14 CONSENSUAL RELATIONSHIPS

- a. Springettsbury Township Police Department has a strong policy prohibiting sexual harassment. In furtherance of this policy, and because the Department believes that consensual dating and/or romantic relationships between superiors and subordinates can and do negatively impact morale and productivity in the workplace, the Department requires superiors and subordinates who are involved in such relationships to report the existence of same to the Chief of Police.
- b. "Superiors and subordinates" refers to any reporting relationship where the superior is in a position to evaluate the performance of the subordinate or otherwise affect the subordinate's terms and conditions of employment. In such cases, the superior will be ineligible to participate in any decisions affecting the subordinate's terms and conditions of employment, including but not limited to evaluations, promotion decisions, and assignments of work.
- c. The Department may also change the work relationship between the parties involved. Although the existence of the relationship itself will not result in disciplinary action, failure to report the existence of such relationship will be found in violation of this section.

#### 1.15 COMMAND AND SUPERVISORY RESPONSIBILITY

a. Supervisors are responsible for setting a tone and example of acceptable conduct for subordinate personnel.

- b. Acts of misconduct committed by supervisors shall generally be viewed as more serious than if subordinate personnel had committed the same misconduct.
- c. Supervisors bear a particular responsibility as it relates to the conduct of subordinate personnel. If a supervisor has knowledge of misconduct on the part of subordinate personnel, the supervisor shall report such misconduct.
- d. Supervisors who have knowledge of personnel alleged to have committed domestic violence, sexual misconduct, sexual harassment, or discrimination shall report any such misconduct to the Chief who shall direct any investigation into the allegations against the member or employee.

## C. Prohibited Acts

## 2.1 IDENTIFICATION

- a. Officers shall carry their badges and identification cards on their persons at all times, except when impractical or dangerous to their safety or to an investigation.
- b. Officers 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.

## 2.2 PERSONAL APPEARANCE

- a. Officers on duty shall wear a complete uniform or other clothing in accordance with established departmental procedures.
- b. Except when acting under proper and specific orders from a superior officer, officers on duty shall maintain a neat, well-groomed appearance, and style their hair according to the following guidelines. Exceptions to any of the following will be determined by the Chief of Police on a case-by-case basis.
  - i. Hair must be clean, neat and combed. Hair shall not be worn longer than the top of the shirt collar at the back of the neck when standing with the head in a normal posture. Female officers may have hair that extends below the top of their shirt collar, however if it is longer than their shirt collar, they shall wear their hair in a pulled-up position, so it is not on their collar. The bulk or length of all officers' hair shall not interfere with the normal wearing of standard headgear.
  - ii. Sideburns shall be neatly trimmed and rectangular in shape. The length of the sideburn shall not exceed the bottom of the earlobe.

- iii. Officers shall be clean shaven except that they may have mustaches which do not extend below the upper lip line. Certain mustache styles may be prohibited by the Chief of Police, e.g., handle-bar mustaches.
- iv. Officers shall not have any tattoos that are visible while wearing any part of the police uniform. Any preexisting tattoo which is visible while wearing a uniform shall be viewed by the Chief of Police, who shall decide whether or not it is acceptable. The Chief of Police, at his discretion, has the right to require the officer to wear a type of uniform or garment to cover the tattoo if deemed unacceptable.
- v. Male officers shall not wear any body piercings while on duty. Female officers may wear one pair of pierced earnings only.
- vi. The wearing of expensive jewelry/rings is discouraged due to the nature of the job. If an Officer chooses to wear rings while on duty, he/she will be limited to one ring per hand. The exception would be if a female has a wedding ring set which included an engagement ring and wedding band.
- vii. All Officers' fingernails will be kept clipped to a length which will not interfere with the operation of any issued equipment, weapons, etc. Officers will remain cognizant that the longer the nail the more likely that they or a person they are restraining could be injured.
- c. Members of the department may deviate from these standards to accomplish a duty assignment with the approval of the Chief of Police.
- d. A supervisor may not allow an officer whose personal appearance is unsatisfactory to assume his/her duties until any deficiencies are corrected. The officer may not be paid for the time required to make necessary corrections.
- e. Officers shall not wear any part of the uniform during periods of suspension.
- f. Officers shall not wear or carry unauthorized garments, packages, umbrellas, canes or other items while in uniform.

## 2.3 REQUIRED RESIDENCY

- a. Officers shall reside within twenty (20) miles of any Springettsbury Township boundary. The mileage will be measured as "air" miles, <u>not</u> as distance via a highway or roadway, and should be easily verifiable utilizing a map drawn to scale. Any deviations from this rule shall be approved by the Chief of Police <u>prior</u> to the member changing residences.
- b. Officers will have one (1) year from the date of hire to meet the residency restriction.

## 2.4 TELEPHONE

a. Officers shall have a personal telephone/cellphone and shall immediately report any changes of telephone/cellphone number to the Chief of Police and to other such persons as may be appropriate.

## 2.5 CHANGE OF ADDRESS

a. Officers shall notify the Chief of Police of any change in their address immediately upon the change of address.

## 2.6 DRIVER'S LICENSE

a. Officers shall continuously maintain a valid Pennsylvania driver's license and shall immediately notify the Chief of Police in the event of notification by the Pennsylvania Department of Transportation that a suspension, revocation, or recall of their driver's license is pending.

## 2.7 SLEEPING ON DUTY

a. Officers shall remain awake while on duty. If unable to do so, they shall so report to their supervisor/OIC, who shall determine the proper course of action.

## 2.8 LEAVING DUTY POST

a. Officers shall not leave their assigned duty post during a tour of duty, except when authorized by proper authority.

## 2.9 MEALS

a. Officers shall be permitted to suspend patrol or other assigned activity, subject to immediate call at all times, for the purpose of having meals during their tour of duty. Meals shall be scheduled for the period of time and at locations established by Department procedures.

## 2.10 USE OF FORCE

- a. Officers shall report any use of force and complete a use of force report form in accordance with Department policy.
- b. Officers shall use force only in accordance with applicable federal and state law.
- c. Personnel shall not mistreat any individual.

- d. Officers shall not use more force than is reasonably necessary under the circumstances in any situation.
- e. Officers shall use deadly force only when necessary to prevent serious bodily harm or death to himself/herself or others when it is reasonably believed there is an immediate threat of death or serious bodily harm.

## 2.11 USE OF WEAPONS

- a. Officers shall carry only Department authorized weapons and ammunition on duty.
- b. Officers shall properly secure and care for Department weapons.
- c. Officers shall carry firearms in accordance with law and established Departmental procedures.
- d. Officers shall not use or handle weapons in a careless or imprudent manner.
- e. Officers shall not display or brandish as a threat any weapon, unless its actual use would be proper under the circumstance; however, weapons may be drawn for use when it is reasonable to anticipate that they may be required.

#### 2.12 SEXUAL MISCONDUCT

- a. Officers shall not engage in sexual misconduct. Sexual misconduct includes any uninvited or unwelcome sexual touching, sexual contact, or conduct of a sexual nature which victimizes another.
- b. Sexual touching or sexual contact includes intentional touching or other physical contact of a sexual nature, done either directly or through the clothing, with an intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of any person (whether or not criminally charged).

## 2.13 SEXUAL HARASSMENT

- a. Officers shall not engage in sexual harassment.
- b. Sexual harassment is defined to include unwelcome sexual advances; requests for sexual favors; and/or other verbal, visual, or physical conduct of a sexual nature (whether or not criminally charged), where any or all of the following occur:
  - i. Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's employment.

- ii. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals.
- iii. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

## 2.14 DOMESTIC VIOLENCE

a. Officers shall not engage in domestic violence involving the physical abuse of any victim or engage in activity that would cause a reasonable person to be in fear of bodily injury (whether or not criminally charged).

# 2.15 GIFTS, GRATUITIES, BRIBES OR REWARDS

- a. Officers shall not solicit or accept from any person, business, or organization any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service, or entertainment) for the benefit of themselves or the officers of the Department, if it may reasonably be inferred that the person, business, or organization:
  - i. Seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty.
  - ii. Has an interest, which may be substantially affected directly or indirectly by the performance or nonperformance of an official duty.
  - iii. Seeks to reward a member for service rendered in the line of duty.
- b. Officers shall not solicit contributions or subscriptions in any form, for any purpose, without prior approval from the Chief of Police.
- c. Officers shall not accept any fee, reward, or gift, of any kind, from any arrested individual, or from any individual on the arrested individual's behalf.
- d. Officers shall not accept bribes of money, valuables, services, or any other form of compensation or consideration.
- e. Officers shall not knowingly borrow money from, or become obligated to, any individual whose business is subject to regulation by the Department.
- f. Officers shall not solicit free admission or passes for theatres, places of amusement, commercial transportation systems, or any other purpose either for themselves or on behalf of others.

#### 2.16 ABUSE OF POSITION

- a. Officers shall not use their official position, official identification cards or badges:
  - i. For personal or financial gain.
  - ii. For obtaining privileges not otherwise available to them except in the performance of duty.
  - iii. For avoiding consequences of illegal acts.
- b. Officers shall not lend to another person 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 vouch or sign as a character reference for any individual making a license application for any activity that is subject to investigation or regulation by the Department, except as authorized in conducting Department business or with prior approval of the Chief of Police.

## 2.17 USE OF OUTSIDE INFLUENCE

a. Officers shall not knowingly use, attempt to use, or permit the use of any outside influence to gain promotion, transfer, change of duty, or exoneration of punishment or restoration to duty for themselves or other members.

# 2.18 ALCOHOLIC BEVERAGES AND DRUGS IN POLICE INSTALLATIONS

a. Officers shall not bring or store alcoholic beverages, controlled substances, narcotics, or hallucinogens into any police facility, vehicle, or Department property.

# b. Exceptions:

- i. Alcoholic beverages, controlled substances, narcotics, or hallucinogens, which are held as evidence, shall be exempt from this rule.
- ii. Controlled substances or narcotics prescribed by licensed medical/dental professionals when they are in conformance with the applicable rules and regulations of the Department and authorized by the Chief of Police may be exempt from this rule.

## 2.19 POSSESSION AND USE OF DRUGS

a. Officers shall not possess or use any controlled substances, narcotics, or hallucinogens except when prescribed in the treatment of officers by a licensed medical/dental professional.

- b. The Employee Impairment Form should be used for anyone that is suspected to be under the influence of any controlled substance, narcotic, or hallucinogen.
- c. When controlled substances, prescription medications, narcotics or hallucinogens are prescribed to an officer by a licensed medical/dental professional, said officer shall notify his/her supervisor and Chief of Police via transmittal slip.
- d. Officers shall submit to drug screening/or blood tests when ordered by the Chief of Police, or his designee, pursuant to Department policies.
- e. Officers shall not avoid or attempt to circumvent drug screening procedures.

## 2.20 USE OF ALCOHOL ON DUTY OR IN UNIFORM

- a. Officers shall not consume intoxicating beverages while in uniform or on duty, except in the approved performance of duty and while acting under proper and specific orders from the Chief of Police.
- b. Officers shall report fit for duty and their judgment or physical condition shall not be impaired by alcohol.
- c. Officers shall not appear for duty or be on duty while under the influence of alcohol to any degree whatsoever, or with an odor of alcoholic beverages on their expired breath.
- d. The odor of alcoholic beverages on the breath of an officer reporting for regularly scheduled duty, or while on duty, shall be deemed "prima facie evidence" that the officer is unfit for duty.
- e. Officers shall not consume alcoholic beverages while wearing any part of the uniform or while displaying a Department badge or identification.
- f. Officers shall not consume alcoholic beverage(s) on/in any Department property.
- g. Officers shall not consume alcoholic beverages or enter a liquor establishment for purposes of consumption while on duty, except in the approved performance of duty. An officer may enter a restaurant licensed to sell alcoholic beverages for the purpose of taking a meal.
- h. The Employee Impairment Form should be used for anyone that is suspected to be under the influence of alcohol.

## 2.21 USE OF ALCOHOL OFF DUTY

- a. Officers, while off duty, shall refrain from consuming alcoholic beverages to the extent that it results in impairment, intoxication, or obnoxious or offensive behavior, which discredits them or the Department or renders the officer unfit to report for their next regular tour of duty.
- b. Officers shall report the use of alcohol which impairs the officer's ability to perform as a law enforcement officer to a supervisor. This reporting shall be accomplished prior to reporting for duty.

# 2.22 COURTESY, DISCRIMINATION OR HARASSMENT

- a. Officers shall be courteous to the public and treat everyone with dignity and respect. Officers shall be tactful in the performance of their duties, shall control their tempers, shall exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation.
- b. In the performance of their duties, officers shall not use coarse, violent, profane, or insolent language or gestures.
- c. Officers shall perform all duties in an impartial manner regardless of a person's race, color, religious creed, sex, sexual orientation, age, national origin, ancestry, or non-job-related handicap or disability.
- d. Officers shall not discriminate or harass, disparage, or demean, for or against, or prepare any communication, which makes reference to a person's race, color, religion, gender, sexual orientation, age, national origin, ancestry, or non-job-related handicap or disability, or characteristics of any person, unless it serves a specific police purpose in accordance with Department directives.
- e. Officers shall cease and desist with any such activity that could be construed as any type of the aforementioned harassment and/or discrimination when notified to do so by a supervisor or another member of the Department.
- f. Officers shall conduct themselves in a civil and professional manner that fosters public respect and cooperation. When addressing a citizen, officers shall use the person's last name prefixed by Mr., Mrs., and Ms., or may use sir, ma'am without a person's last name, whichever is appropriate. Using first names or other informal terms is prohibited.
- g. Disrespectful gestures or language of a coarse, profane, abusive, demeaning, or insolent nature directed towards any citizen or fellow officer or employee is prohibited.
- h. Officers shall not taunt or harass citizens, fellow members, or employees.

i. Officers shall not engage in the presentation of any racial, sexual, religious, ethnic, or handicap joke, slur, or story.

# 2.23 ARREST, SEARCH AND SEIZURE

- a. Officers shall not make any arrest, search or seizure which they know or should know is not in accordance with law and Departmental procedures.
- b. Officers shall not mistreat, abuse, or humiliate persons who are in their custody.
- c. Officers shall be alert for any injury, apparent illness or other condition indicating that an arrested person may require special care and shall transport any arrested person requiring medical care to the nearest hospital without delay.

## 2.24 CITIZEN COMPLAINTS

- a. Officers shall courteously and promptly record in writing and per Departmental procedure, any complaint made by a citizen against any officer or the Department.
- b. Officers shall never attempt to dissuade, interfere with, hinder, retaliate against, or obstruct an individual from making a citizen complaint against any officer or the Department.
- c. Officers shall follow established Departmental procedures in processing complaints.
- d. Citizens attempting to make a complaint shall not be referred to other officers or supervisors simply because the incident occurred during another shift. It is each officer's duty to sincerely attempt to satisfy a citizen's request and/or courteously refer him/her to other agencies if circumstances necessitate such action.
- e. Officers must inform an individual of their right to make a complaint if the individual objects to an officer's conduct. This includes complaints from an individual in Department custody and/or a holding cell.
- f. Officers have a duty to assist any individual who wishes to file a citizen's complaint by providing them with a Departmental Complaint Form.

## 2.25 REQUEST FOR ASSISTANCE

a. When any person applies for assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established Departmental procedures.

b. Citizens requesting assistance or advice shall be given every consideration consistent with the circumstances.

## 2.26 REPORTING FOR DUTY AND JUDICIAL PROCEEDINGS

- a. Officers shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties.
- b. Judicial subpoenas shall constitute an order to report for duty under this section.
- c. Officers shall not be absent from duty without permission.
- d. Officers shall notify the supervisor in charge of anticipated tardiness.
- e. Officers shall not <u>knowingly</u> or <u>intentionally</u> fail to report for duty at the time and place required by assignment, orders, duty schedule, or judicial subpoena.

# 2.27 PROCESSING PROPERTY AND EVIDENCE

- a. Property or evidence which has been discovered, gathered, or received in connection with Departmental responsibilities will be processed in accordance with established Departmental procedures.
- b. Officers shall not purchase or convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold any property found, impounded, abandoned, recovered or any property held or released as evidence in connection with an investigation or other police action, except in accordance with established Departmental procedures.
- c. Officers shall properly dispose of seized property or evidence in accordance with established Departmental procedures.
- d. Officers shall turn over all property found, seized, or taken from persons arrested in accordance with established Departmental procedures.
- e. Officers shall not use, procure, possess, distribute, deliver, or dispose of narcotics or controlled substances in violation of applicable statutes or Department policy.

# 2.28 USE OF DEPARTMENT EQUIPMENT

- a. Officers shall utilize Department equipment only for its intended purpose in accordance with established Department procedures
- b. Officers shall not abuse, damage, or lose Department equipment.

- c. All Department equipment issued to officers shall be maintained in proper working order.
- d. Officers shall promptly report lost, stolen, misplaced, or damaged Department property to the supervisor to which the member is assigned.
- e. Officers shall not grant or facilitate unauthorized access to any Department property.

## 2.29 DEPARTMENT VEHICLES

- a. Officers shall operate official vehicles in a safe, careful, and prudent manner, shall obey all laws and all Departmental orders pertaining to such operation and shall report any damage to Department vehicles.
- b. Only authorized persons shall operate or ride in Department vehicles, unless approved by the Chief of Police or his designee.
- c. Officers shall not use, operate, or travel in a privately-owned vehicle while on duty, except as authorized by the Chief of Police or designee.

# 2.30 DEPARTMENT CORRESPONDENCE

a. Officers shall not enter into official Department correspondence over a signature other than that of the Chief of Police, unless directed otherwise by the Chief of Police.

# 2.31 ALTERING NOTICES

a. Officers shall not mar, alter, or deface any printed or written notices placed on Departmental bulletin boards or otherwise brought to their attention, except when dictated by established Department procedures or where initials or names of members are required.

## 2.32 REDUCTION OF CHARGES

- a. Officers shall not attempt to have any charges or citations reduced, voided, or stricken from records or files, unless further investigation reveals that the original charges are inappropriate. In such cases, the investigating officer shall notify the Chief of Police as appropriate. This section shall not apply to the Department established traffic court matrix.
- b. Any officer contacted by any attorney or other person to discuss a reduction of charges shall refer him or her to the Chief of Police, magisterial district judge, district attorney, or juvenile probation officer as appropriate.

c. As a matter of policy, this Department shall not request or support any reduction of criminal charges. If the evidence is inadequate to substantiate the original charges in court or if the defendant's cooperation in other matters deserves consideration, the district attorney or juvenile probation officer shall bear the responsibility for any reduction of charges.

# 2.33 PROHIBITED EQUIPMENT

- a. Officers on duty shall not wear, carry, have in their immediate possession, or have access to any item of equipment not specifically authorized by Departmental regulations.
- b. Officers shall not alter or modify any approved item of equipment except as authorized by Departmental regulations.

# 2.34 USE OF TOBACCO

- a. Officers shall not use tobacco products in any form while in Department vehicles and facilities, including Township vehicles and facilities. Tobacco products include, but are not limited to cigars, cigarettes, pipes, and chewing tobacco. The use of electronic cigarettes and other vaping devices is similarly prohibited.
- b. Officers shall not use tobacco products, electronic cigarettes, or other vaping devices, while in uniform in conspicuous view of the public.

# 2.35 VISITING PROHIBITED ESTABLISHMENTS

a. Frequenting, visiting, or entering an establishment of moral turpitude, gambling house, or establishment wherein any criminal law of the United States, the Commonwealth of Pennsylvania, or any other state is violated is permitted only in the performance of duty as directed by a supervisor.

## 2.36 JOINING ORGANIZATIONS

- a. Officers shall not, with the specific intent to further its aims, join or become a member of any organization or society which has as a purpose the overthrow of or interference with any lawfully constituted government of the United States, except in the approved performance of duty and while acting under proper and specific orders from a supervisor.
- b. Officers shall not organize, join, or become members of any society or organization which has an expressed objective or aim to unlawfully interfere with the administration, discipline, operation, or control of members of the Springettsbury Township Police, except in the performance of duty and while acting under proper and specific orders from a supervisor.

- c. Officers shall promptly notify the Chief of Police whenever they have any knowledge of the organizing or attempt to organize any society, club, or association of members or employees of the Department which violates any provision of this section.
- d. Officers shall not knowingly join or participate in any organization that advocates, incites, or supports criminal acts or criminal conspiracies.

## 2.37 DISSEMINATION OF INFORMATION

- a. Officers shall treat the official business of the Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, or as directed by a supervisor, or under due process of law and in accordance with established Department procedures.
- b. Officers may remove or copy official records or reports from the Department only in accordance with established Department procedures.
- c. Officers shall not misuse PennDOT, CLEAN, NCIC, or any other Department or law enforcement-related database.
- d. Officers shall not divulge the name of any individual (witness, informant, etc.) or give information to anyone, except other personnel of the Department to whom it may be necessary in connection with Department business. Information presented to the Department in connection with crimes must be carefully guarded.

#### 2.38 INTERVENTION

- a. Officers shall not interfere with cases being handled by other officers of the Department or by any other governmental agency unless:
  - i. Ordered to intervene by a superior officer.
  - ii. The intervening officer believes beyond a reasonable doubt that a manifest injustice would result from failure to take immediate action.
- b. Officers shall not undertake any investigation or other official action not part of their regular duties without obtaining permission from their supervisor, unless the nature of the situation requires immediate police action.
- c. Officers shall not act in a manner that might aid any person in escaping arrest; delay the apprehension of a criminal; or facilitate the removal or concealment of contraband.

## 2.39 ABUSE OF PROCESS

a. Officers shall not make false accusations of a criminal or summary offense.

## 2.40 DEPARTMENTAL RECORDS

- a. Officers shall submit all necessary reports on time and in accordance with established departmental procedures.
- b. Reports submitted by officers shall be truthful and complete.
- c. No officer shall knowingly enter or cause to be entered any inaccurate, false, or improper information on official Department reports.
- d. Officers shall not falsify official Department reports.
- e. Officers shall not willfully lie or make any false oral or written statements.
- f. Officers shall not divulge information contained in investigatory reports to anyone other than criminal justice personnel, i.e., police, probation, parole, courts, etc.
- g. Officers shall not give or make transcripts of Department records, video recordings, official correspondence, communication recordings, or permit such records to be removed from any Department, except by permission of the Chief or under due process of law.
- h. Officers shall not obtain personal information related to any citizen, officer, or employee for other than Department use.

## 2.41 PAYMENT OF DEBTS

- a. Officers shall not undertake any financial obligations which they know or should know they will be unable to meet and shall pay all just debts when due.
  - i. An isolated instance of financial irresponsibility will not be grounds for discipline, except in unusually severe cases. However, repeated instances of financial difficulty may be cause for disciplinary action. Filing for a voluntary bankruptcy petition shall not by itself be cause for discipline.
  - ii. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline, provided that a good faith effort to settle all accounts is being undertaken.
- b. Officers shall not co-sign a note/loan for any senior officer or supervisor.

## 2.42 LOITERING ON STATION PROHIBITED

a. Persons other than those transacting police business will not be permitted to loiter in or about the police building or station. Officers will not be permitted to lounge or loiter in any part of the station except the squad room and/or employees' lunchroom.

## 2.43 LABOR ACTIVITY

a. Officers shall not engage in any strike. "Strike" includes the concerted failure to report for duty, willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a physician's statement, the stoppage of work, or the abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment for the purposes of inducing, influencing, or coercing a change in conditions, compensation, rights, privileges, or obligations of employment.

# 2.44 DEPARTMENTAL INVESTIGATIONS

- a. Officers shall cooperate fully in any internal or administrative investigation conducted by the Department or other authorized agency/entity and shall provide complete and accurate information in regard to any issue under investigation.
- b. Officers shall report any employee known to have violated any rule, regulation, policy, law, or issued order, or for failure to perform assigned duties.
- c. Polygraph Examinations: Upon the order of the Chief, officers shall submit to polygraph examinations. Whenever a complaint from a citizen is the basis for the investigation, the matter is non-criminal, and no corroborating information has been discovered, officers shall not be required to submit to polygraph examinations, unless the citizen also submits to a polygraph examination that is specifically directed and narrowly related to the complaint.
- d. Medical Examinations, Firearm Examinations, Ballistic Testing, Photographs, and Lineups: Upon the order of the Chief or the Chief's designee, officers shall submit to any medical, ballistics, chemical, or other tests, photographs, or lineups.
- e. Truthfulness: Upon the order of the Chief, the Chief's designee, or a supervisor, officers shall truthfully answer all questions during an investigation narrowly related to the scope of employment and Department operations.
- f. Officers shall not willfully or knowingly depart from the truth in giving testimony or in connection with any official duties.
- g. Procedures carried out under this section shall be specifically directed and narrowly related to an investigation being conducted by the Department.

## D. Public Statements, Appearances, and Endorsements

## 3.1 PUBLIC STATEMENTS AND APPEARANCES

- a. Officers shall not publicly criticize or ridicule the Department, its policies, or any officers by speech, writing, or other expression, where such speech, writing, or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.
- b. Officers shall not publicly engage in activities designed to bring discredit upon Township officials, Department members, or administrative policies.
- c. Officers shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, or release or divulge investigative information or any other matters of the Department while holding themselves out as representing the Department in such matters without proper authority. Officers may lecture on "police" or other related subjects only with the prior approval of the Chief of Police.
- d. Officers shall not provide confidential Department information to any unauthorized individual.
- e. Officers shall not engage in a civil action or filing a complaint for damages on matters arising from duty-connected activities without providing timely notice to the Chief.

# 3.2 ENDORSEMENTS AND REFERRALS

- a. Except in the transaction of personal business, officers shall not recommend or suggest in any manner the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, ambulance service, towing service, bondsman, mortician, etc.).
- b. In the case of ambulance or towing service, when such service is necessary and the person needing the service is unable or unwilling to procure or request assistance, officers shall proceed in accordance with established Department procedures.
- c. While acting in an official capacity, officers shall not give an oral or written endorsement or grant permission for the use of their name or photograph in connection with any commercial product or service without the written approval of the Chief of Police.

## 3.3 POLITICS

a. Officers shall not use their position as a police officer for political influence.

- b. While in uniform or on duty, members shall not sign or circulate any political petition or any other type of petition in their capacity as a Springettsbury Township Police Officer, unless authorized by the Chief of Police.
- c. Officers shall not solicit any assessments, contributions, or services for any political party while in uniform or on duty.
- d. Officers shall not interfere or use the influence of their Department position in elections.
- e. Officers shall not display, distribute, transport, or store literature, bumper stickers, or other political paraphernalia on/in Department property or vehicles, unless authorized to collect illegally placed items for disposition.
- f. Officers shall not use any Department meeting as a means of expressing political views or support/rejection of any candidate or political issue.
- g. Nothing contained herein shall affect the right of members to:
  - i. Hold membership in and support a political party.
  - ii. Vote as they choose.
  - iii. Express their opinion on any political subject or candidate.
  - iv. Maintain political neutrality.
  - v. Attend political meetings as private citizens.

# E. Supplemental employment

#### 4.1 EMPLOYMENT OUTSIDE OF THE DEPARTMENT

- a. Except as hereinafter provided, upon written notification, proper disclosure, and with the approval of the Chief of Police, an officer may engage in outside employment as an independent contractor or as an employee of a private employer.
  - i. Officers are expressly prohibited from engaging in any other business, employment, or occupation, during on or off duty hours, unless the Chief of Police has granted approval.
  - ii. Any outside employment shall be considered secondary to the officer's primary employment with the Township.

- iii. The number of hours officers may engage in authorized outside business or employment activity shall be limited to not more than 20 hours per week. Time worked on approved leave days is exempt from this rule.
- iv. A part-time employee may exceed the 20-hour limit, if authorized by the Chief of Police.
- v. Officers, having received authorization to engage in outside business or employment activity, shall notify the Chief of Police, in writing, when such activity has been discontinued.
- vi. Officers who are suspended without pay are prohibited from engaging in any business or employment activity that would be in conflict with this policy and/or any other Department policy/procedure, or inconsistent with their return to duty as a police officer.
- b. Prohibited Outside Employment: Any outside employment of the following kinds or natures shall be prohibited.
  - i. Employment that interferes with the proper and effective performance of the officer's employment with the Township, its duties and responsibilities.
  - ii. Employment that results in or by its nature can reasonably be anticipated to result in actual conflict between the private interest of the officer or his private employer and the officer's public interest or responsibility as a Township officer.
  - iii. Employment that is of such a nature that its performance may reasonably be construed by the general public to be an official or authorized act of the Township.
  - iv. Employment that involves in its attainment or in its performance the use of Township time, facilities, equipment, materials, or supplies of any kind or nature.
  - v. Employment that involves the use of official information of the Township from its files or known to an officer by virtue of his Township employment and which is not normally available to the general public.
  - vi. Employment that is of such nature as the officer would be expected to perform it as part of his regular Township duties.
  - vii. Employment by another municipality in the same or in a similar capacity as the officer is employed by the Township.

- viii. Employment in excess of six hours in the twelve-hour period immediately preceding the commencement of the officer's work shift with the Township.
- ix. Employment within the two-hour period immediately preceding the commencement of the officer's work shift with the Township.
- x. Employment in a security-related field that involves the wearing of a uniform or other identifying clothing.
- xi. Employment in any businesses that are regulated by the Pennsylvania Liquor Control Board (PLCB) with on-premises consumption licenses, unless authorized by the Chief of Police.
- xii. Any employment activity while the officer is on sick leave or is disabled, unless authorized by the Chief of Police.
- xiii. Employment that brings disrepute upon the Department.
- c. Due to the especially sensitive nature of police work, the potential for confusion in the mind of the general public when a similar type of work is performed by police officers for private interests, and the risk in such employment to both the police officer and the Township, the following types of employment are specifically prohibited if performed within the boundaries of the Township.
  - i. Employment involving or intended to protect persons or property against criminal activity.
  - ii. Employment that involves the carrying of a firearm in its performance.
  - iii. Employment that involves or may involve in its performance, the arrest, apprehension or taking into custody of persons or the filing and prosecution of criminal charges against persons.
  - iv. Employment that involves or includes the wearing of a uniform, badge, or other signs of an official appearing nature which might readily be mistaken for that of a Township police officer.

## d. Authorization

- i. Officers shall process a written request for authorization for outside business or employment activity to the Chief of Police per current General Order.
- ii. Once authorization has been granted, it shall remain in effect for a period of one year, unless the officer terminates the business or employment activity, or the Department terminates the authorization.

# F. Associations

# 5.1 ASSOCIATIONS

- a. Officers shall avoid voluntary associations or dealings with racketeers, known illegal gamblers, or persons who exhibit or have been known to exhibit criminal behavior, except in the performance of approved duty as directed by a supervisor.
- b. Officers, after being advised by a supervisor to avoid further associations or dealings with such individuals, shall refrain from said associations or dealings.