

Anchorage Police Department Regulations and Procedures Manual	Operational Procedures 1.02.000-1.02.015Q	
Policy and Procedure Title Code of Conduct	Effective Date June 11, 2024	Page 1 of 12
Replaces Prior Policy: April 5, 2021	Approved by: Chief Bianca Cross	

This Policy is for Departmental use only and does not apply in any criminal or civil proceeding. This Policy should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this Policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

1.02.000 Code of Conduct

PURPOSE

To define departmental expectations for on- and off-duty personal behavior.

POLICY

The Anchorage Police Department and the public expect all personnel to maintain high standards of appearance and conduct. Law-enforcement officers wield considerable power over citizens, power that is carefully circumscribed by state and federal law, and the Constitution and Bill of Rights. Our powers to arrest, seize property, and interfere, at times, with the lives of citizens constitute a public trust. We can help ensure that we regard this trust as vital by exemplary performance. Performance is tied to the department's mission. The mission is to protect and serve our community in the most professional and compassionate manner possible.

Note: The courts have upheld the prerogative of law-enforcement agencies to impose restrictions on the behavior of their employees, but these restrictions must not infringe on protected, constitutional rights such as the rights to privacy, association, and free speech. The agency should have a rational, non-arbitrary reason for its rules or restrictions.

1.02.005 Definitions

Moral turpitude: An intentional act or behavior displayed in words or actions which violates public morals or the common sense of the community involving but not limited to intent to defraud, intentional dishonesty for personal gain, lying, perjury, subornation of perjury, cheating, bribery, unlawful possession of controlled substances, sexual harassment, unlawful sexual conduct, or excessive use of force.

Good moral character: The attributes of a prospective employee that enhance his or her value to the department and to public service which include honesty, integrity, truthfulness, obedience to the oath of office and the code of ethics, respect for authority, and respect for the rights of others.

Unreasonable Behavior: Behavior that an average person would interpret as unacceptable and intended to cause harm to the individual(s) or property.

Incivility: Deviant behavior with ambiguous intent to harm; violated workplace norms for mutual respect; rude or discourteous acts or the practice of behaviors that undermine the credibility and productivity of others; hazing.

Bullying: Persistent aggressive or unreasonable behavior against a co-worker or subordinate.

Verbal Aggression: One or more persons making discriminatory or threatening comments, yelling, hazing, harassing, tantrums, belittling, cursing, or humiliating another person directly or indirectly.

Physical Aggression: Throwing objects, violent outbursts (e.g., hitting the wall, pounding on desks, damaging property, etc.) and inappropriate touching; any physical act that a reasonable person would consider menacing or threatening behavior.

Unconstructive Talk: Rude comments or crude jokes, complaining, gossiping, and profanity.

Gossip: A conversation about a third person who is not present or a participant.

Mobbing: An impassioned, collective campaign by two or more persons to exclude, punish, or humiliate an individual.

Electronic Bullying: Using e-mail, text messages, instant messaging or social networking sites to bully an individual.

Secondary Employment: The performance of any service, or the participation by any employee in any enterprise, public or private, which results in or is anticipated to result in the receiving of money, goods, or services.

1.02.010 Law Enforcement ‘Code of Ethics’

All officers shall display the integrity required by the Law Enforcement Code of Ethics:

“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 me or my agency. 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 official life, I will be exemplary in obeying the law 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 with 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 police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other law enforcement 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 on my honor to my chosen profession... law enforcement.”

1.02.015A Protect Life

- I.** All officers shall protect life and property, preserve the peace, and enforce the laws of the United States, State of Alaska, and Municipality of Anchorage according to the policies and procedures of the department. Officers must know that when they act under color of authority, they are enforcing the law according to statutes, written administrative guidance in the department, ordinances, common usage, and custom. Further, officers shall exhibit good moral character in the administration of their duties.
 - A.** The department maintains the right to establish oral and written orders to govern and control the efficiency, effectiveness, and safe operation of law enforcement.
 - B.** Management reserves the prerogative to discipline personnel for violations of the rules listed in this manual. The decision to discipline and the measure of discipline employed depend on the consequences of the employee's actions, the employee's current and past performance, and the employee's length of service.
 - C.** All written or oral orders given by the department are performance measures which address three components of employee performance; that is, conduct, behavior, and work proficiency.

1.02.015B Obedience to Laws

- I. Authority: Employees shall obey all federal and state laws, and ordinances of Municipality of Anchorage or other municipality in which the employees may be present. Employees shall obey all lawful orders, written or oral, issued to them by competent authority. The term "employees" includes both sworn and non-sworn personnel.
- II. Civil rights: All members shall observe and respect the civil rights of citizens. Respect for constitutionally protected rights is paramount.
- III. Honesty: On any official matter whatsoever, all communications, documents, reports, or other statements submitted or caused to be submitted by an employee shall be accurate, factual, and complete when it is reasonable to expect that the information may be relied upon because of the employee's affiliation with the department.
 - A. The department recognizes that during an investigation an employee might need to use deception to elicit information in order to further the investigation.
- IV. Enforcement while off duty: If an officer, while off duty, witnesses a violation of the law committed in his or her presence which, in the officer's professional judgment, demands immediate attention, the officer may make an arrest, providing that:
 - A. The officer does not use his or her own personal vehicle to chase or pursue the violator, and
 - B. He or she displays police identification to the violator and announces his or her purpose.
 - C. The officer can make the arrest without jeopardizing his or her own safety, the safety of the violator, or the public.
 - D. The officer attempts, if practical, to have an on-duty officers respond before contacting the violator.
 - E. The officer is not personally involved in the dispute.

1.02.015C General Conduct

- I. Employees shall display respect for their supervisors, subordinates, and associates. The department expects all employees to display good moral character in on- and off-duty contexts and to apply their judgment accordingly. When on duty and in the presence of the public, supervisors shall be addressed or referred to by rank.
- II. Employees shall address their subordinates, associates, supervisors, or members of the general public courteously and shall not use abusive, violent, profane, insulting, or provoking language.

- III.** Employees shall conduct themselves in an orderly, courteous and civil manner and not engage in behavior that adversely affects or impairs the efficiency or morale of another person. They will maintain an even disposition and remain calm, regardless of provocation, in executing their duties unless exigent circumstances demand a strong, but controlled, response.
- IV.** Employees shall not slander or speak detrimentally about the department or another employee. Gossiping about a member of the department concerning their personal character or conduct is expressly prohibited.
 - A. Incivility, harassment, or bullying behaviors toward citizens, co-workers, support staff, outside agencies, or volunteers will not be tolerated.
- V.** Employees shall not ridicule or make remarks that would tend to jeopardize working relationships with other public agencies or other employees.
- VI.** All employees will report acts of incivility experienced or witnessed to a supervisor.
- VII.** Employees shall cooperate and coordinate their efforts with other employees and law-enforcement agencies to ensure maximum effectiveness.
- VIII.** Employees, while under color of authority, shall not carelessly or maliciously perform any acts or make any statements, oral or written, which could reasonably result in:
 - A. Bringing the Department or any employee into disrepute or ridicule;
or
 - B. Significantly disrupting the mission of the Department; or
 - C. Subverting the reasonable supervision or proper discipline of Departmental employees.

This does not prohibit official, required reporting of and/or testifying to fact.

- IX.** Employees will provide equal and impartial service and enforcement to all persons.
- X.** Employees shall not mistreat any person, physically or psychologically, nor shall they discharge their duties in a manner that intentionally or maliciously offends a reasonable standard of good conduct.
- XI.** Department employees will exercise discretionary judgment in a reasonable manner and remain within the limits of their authority as defined by law, judicial interpretation and Departmental procedures and regulations.
- XII.** Surreptitious Recording:

- A. An employee will not secretly record or cause to be secretly recorded conversations or contacts with other employees of this department except pursuant to an established criminal investigation or with the approval of the Chief of Police.
- B. Surreptitious recording devices will not be utilized during conversations involving official business with members of the Districts Attorney's Office and the Municipal Prosecutors Office.

1.02.015D Gifts, Bribes, Gratuities, Rewards

- I.** Employees shall not solicit any gifts, gratuities, loans, fees or sexual acts
- II.** where there is any direct or indirect connection between the solicitation and their departmental employment.
- III.** Employees shall not accept either directly or indirectly any gifts, gratuity, loan, fee, sexual acts, or any other thing of value arising from or offered because of, or in connection with any law-enforcement activity.
- IV.** Employees shall not accept any gift, gratuity, sexual acts, or other thing of value, the acceptance of which might directly or indirectly influence any manner of official business, or which might adversely reflect on the department or any employee.
- V.** No employee shall solicit any gift or gratuity from other employees junior in rank.
- VI.** Employees shall not accept any gift, gratuity, reward in money, or other considerations for services in the line of duty to the community, or to any person, business, or agency.
 - A. An exception to this provision is an unsolicited perishable gift for immediate consumption or display, from member(s) of the public expressing general appreciation or holiday cheer, shared with an office or work group, or donated to charity. (ref. AMC 1.15.025.H.3.b)
 - B. The administrative supervisor or designee for the office or work group shall disclose a gift under this category with a value in excess of \$50.00 as provided in the gift disclosure form available from the designated ethics officer (or the APD intra-net forms page) and filed with the municipal clerk within ten working days of receipt. (ref. AMC 1.15.025.H.3.f)
 - C. In no case can a gift under this provision exceed \$250.00 in estimated values.
- VII.** Discounts may be accepted by employees if the discount is afforded to all Municipal employees and approved by the Chief of Police.

- VIII. Solicitation for donations during employment hours in any form must be approved by the Chief of Police before being accepted by any employee or the Department.
- IX. Employees shall not accept any monies as bail, fines or fees, except as provided by Department procedures.
- X. Employees will not solicit anyone to intercede with the Chief of Police, Mayor, legislative body, or any elected or appointed official in relation to promotions, Departmental assignment, disposition of pending charges, findings in a disciplinary proceeding, or to thwart an investigation. Nothing in this section shall be construed to be applicable to licensed attorneys, or Association shop stewards when representing employees of the Department.

1.02.015E Information

- I. Employees shall not communicate to any person who is not an employee of this department any information concerning operations, activities, or matters of law-enforcement business which would unduly disrupt the department's legitimate operations. The release of this information is prohibited by law and may have an adverse impact on the department image, operations, or administration.
- II. Employees shall communicate promptly to supervisor information regarding crimes or criminal activity or other relevant law-enforcement information which may come into their possession.
- III. Employees shall not willfully use, nor permit the use of, any information gained by reason of their position, for anything other than official purposes. This information includes, but is not limited to verbal, written, electronic, and computer-generated sources.
 - A. Employees shall not use any personal equipment to procure information for personal use other than that necessary for gathering information under the color of authority, whether photographic, sonic or other information that may be considered evidentiary. Only equipment issued by the department may be used to gather data (which data is the sole property of the MOA and APD) and any data gathered shall not be reproduced in a public forum by the employee.
- IV. Employees will regard all information concerning the official business and policies of the department as confidential and will not release such information unless its release is specifically permitted. Employees will not photograph or record any department evidence for their own personal use.

1.02.015F Use of Alcohol

- I. Employees shall not drink any alcoholic beverage while on duty. Officers working undercover, with the consent of their supervisor or command officer,

may drink minimal quantities while on duty when necessary to accomplish the law-enforcement mission.

- II.** Employees shall not appear for regular duty, or be on regular duty, while under the influence of intoxicants to any degree whatsoever, or with an odor of intoxicants on their breath.
- III.** Employees shall not operate a municipal vehicle within 4 hours of having consumed an alcoholic beverage, or with any amount of alcohol in their system. (See MOA P&P 40-22)
- IV.** In the event of an emergency recall, each employee must determine their fitness for duty if alcohol has been consumed. A supervisor shall be consulted and asked to confirm or deny, as appropriate, the employee's judgment in the matter. No adverse actions will be taken if, in an emergency recall, the employee reports him- or herself to be incapacitated for duty to a supervisor before reporting for duty.
- V.** Officers are not authorized to carry Department weapons off duty if they have consumed any amount of alcohol. Privately owned weapons will be allowed, but if any alcohol is consumed, that officer shall under no circumstances act under color of authority. Further, should an officer who has consumed alcohol act under color of authority, that officer may not be indemnified by the Municipality in any subsequent legal action.
- VI.** No employee shall transport alcoholic beverages in a municipal vehicle while on duty, except in the performance of their official duties. No officer, while off duty, shall transport alcoholic beverages in a municipal vehicle unless the officer is in plain clothes and all seals on the containers are intact.

1.02.015G Use of Drugs

Employees shall not use any controlled substances while on or off duty unless prescribed by a physician. Employees using any prescribed drug or narcotic or any patent medicines that could induce impairment of their performance shall notify their supervisor before reporting to duty.

NOTE: All directives regarding operating a municipal vehicle under **1.02.015F Use of Alcohol** and **3.06.010 Use of Police Vehicles** also apply to the use of any substances that may induce impairment including most controlled substances, narcotics, and prescription or non-prescription medications.

1.02.015H Chemical Testing for Drug & Alcohol Use

Drug and alcohol testing of an employee takes place under very limited circumstance. The employee can be directed to submit a sample for testing when the employee is

involved in a collision in a Municipal vehicle or when there is reasonable suspicion after a direct observation by a Supervisor trained in the signs of impairment and after contact and consultation with the MOA Compliance manager.

- I. Post Collision: a supervisor will respond to the scene after an employee is involved in a collision in a Municipal vehicle. If the employee does not require immediate medical care, the supervisor will escort the employee to Beacon (8th & Cordova) or afterhours to Beacon/Worksafe 36th & C st). The supervisor will remain with the employee until the testing is complete. Breath test for alcohol are ideally done within two hours and reasons for delay must be documented. Results will be transmitted to the Compliance Manager, who will notify APD to have the supervisor contact the Compliance phone.
- II. If an employee requires medical care but is not gravely injured, Beacon can respond to the hospital for collection. Only in exceptional circumstances will mandatory testing be waived and then only on approval by a Captain or above.
- III. Reasonable Suspicion: After direct observation by a supervisor trained in the signs of impairment and after contact and consultation with the MOA Compliance Manager, the employee can be directed to submit a sample for testing.
- IV. The supervisor will transport the employee to the collection site (Beacon 8th & Cordova or Beacon Worksafe 36th & C st) and remain with them until testing is complete. The supervisor will then advise the employee they will be placed on paid administrative leave until results are known. The supervisor will transport the employee to their residence or final destination.

1.02.015I Use of Tobacco

- I. Smoking is prohibited in all Municipal building areas under departmental control and occupied by department employees, except in designated smoking areas.
- II. Smoking is prohibited in all Municipal vehicles.
- III. Officers shall not smoke or otherwise use tobacco products while engaged in traffic control, on an investigation, or while otherwise in contact with or in view of the public.

1.02.015J Part-time or Off-Duty Employment

- I. Before engaging in any outside employment or business activity, an employee shall obtain written approval from the employee's respective Deputy Chief, through their chain of command. Employees who work directly for the Chief of Police shall submit requests to that office.
- II. All secondary employment requests will be submitted on the "Secondary Employment Request/Termination form", located on the APD intranet under the Forms tab.

- III. The employment shall not render the officer unavailable during an emergency, or physically or mentally exhaust the officer to the point that his performance on duty will be affected.
- IV. Employment shall not in any way conflict with the objectives of the department, impair its reputation, or compromise law enforcement.
- V. Each employee, while engaged in off-duty employment, shall conduct themselves in accordance with departmental standards.
- VI. If the employee's outside job duties are the same or similar to their Municipal service, or if they will be dealing with people or entities with whom they deal or may deal with as part of their official duties, the employee may be required to explain why no potential conflict exists between their outside employment and their official duties. If a potential conflict exists, the employee must refrain from taking any action until it is approved by the Chief.
- VII. Each employee shall renew their secondary employment request annually. All approved secondary employment requests expire twelve months from the date of approval, unless renewed.
- VIII. Upon termination of approved secondary employment the employee shall notify in writing their respective Deputy Chief, through their chain of command utilizing the Secondary Employment Request/Termination form, that their secondary employment has ended.
- IX. Copies of all secondary employment requests, approvals, and terminations shall be kept in PowerDMS.
- X. Business cards reflecting commercial goods or services will not be disseminated under color of authority.

1.02.015K Memberships

No member of the department shall be a member of any organization which advocates the violent overthrow of the government of the United States, or any unit of local government, or participate in any organization which has a purpose, aim, objective, or any practices which are contrary to the obligations of a law enforcement officer under these rules and regulations.

1.02.015L Arrests of Law-Enforcement Officers

- I. An officer who arrests a sworn officer of another law enforcement agency shall immediately notify his or her own supervisor of the fact. Officers shall take whatever action is appropriate to the circumstances including issuance of summonses or making a physical arrest. That the person cited or arrested is a law-enforcement officer shall make no difference.

- II.** If an officer has probable cause to arrest a sworn officer of our Department; the officer shall first contact his or her immediate supervisor.

1.02.015M Instituting Civil Action-Duty Related

Employees who institute or reasonably expect to benefit from any civil action which arises from acts performed under color of authority shall inform the Chief of Police.

1.02.015N Medical Analysis

The Department recognizes that any medical examination/analysis is a significant intrusion into the personal lives of its employees. However, there are occasions when the interests and safety of the public overshadow the personal privileges of privacy, and medical examinations and analyses are necessary. If reasonable suspicion exists, an employee may be required to submit to such an examination, which can include analysis of blood, breath, and/or urine. Absent exigent circumstances, this decision shall be made by a Command Officer or higher and carries the full force of a lawful order when invoked.

1.02.015O Harassment

- I.** All employees shall abide by Municipal Policy 40-38, which states in part, "It is the policy of the Municipality to provide a harmonious work environment free from discrimination or harassment. Discriminating against or harassing employees, applicants, or interns because of their race, color, religion, national origin, age, sex, sexual orientation, gender identity, marital status, or physical or mental disability, or other protected class under the law is prohibited and unlawful."
- II.** The Department recognizes that the question of whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a factual determination based on all evidence in the matter. Given the nature of this type of discrimination, the Department further recognizes that false accusations of harassment, especially sexual harassment, can have serious effects on innocent people. Consequently, members of the Department are both encouraged to report any and all incidents of harassment immediately and cautioned that malicious false reports and/or exaggerated representations of facts can be contrary to Department regulation and law.

1.02.015P Miscellaneous Conduct Policies

- I.** Business cards which refer to the police department shall be used only in connection with official business.
- II.** Employees shall not use another employee's business card without prior permission from that employee.
- III.** Employees shall not disseminate secondary employment business cards.

- IV.** Employees in uniform shall not shop excessively or carry a large quantity of merchandise unless directly connected with their normal, official police activities.

*****END OF DOCUMENT*****