



Atlanta Police Department – Standard Operating Procedure		
	<b>APD.SOP.2010 Work Rules</b> <b>Effective Date: October 10<sup>th</sup>, 2024</b>	
Chief Darin Schierbaum	Signature by: DS	Date Signed: 10/10/2024

## SIGNIFICANT CHANGES

APD Staff,

The Policy and Standards Section is dedicated to providing the department, and its employees, with accurate, understandable and transparent policies. In order to publish policies that reflect the most up-to-date standards, the Policy and Standard Section regularly reviews all policies to ensure that they are reflective of the current mission and objectives of the Atlanta Police Department.

During the required updated to APD.SOP.2010 – Work Rules, we have updated the following when providing Identification:

### 4.2.23 Giving Identification

1. Employees who are in uniform or have displayed a badge or other indicia of police authority (such as a police vest, etc.) **will identify themselves by name, unit, and badge or unique I.D number upon request** at some point before the end of an encounter with a civilian.

***\*This Section, 4.2.23(1), may not be deleted, revised, or amended pursuant to Court Order in Calhoun, et al. v. Pennington, et al. 1:09-CV-3286-TCB. Consult the City of Atlanta Department of Law with any questions or concerns.\****

2. Sworn employees at the rank of Investigator or above will provide, upon request, the badge number that was initially assigned to them at the rank of Officer.

Thank you and stay informed!

Policy and Standards Section  
Planning, Research, and Accreditation Unit

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## **1. PURPOSE**

To establish a set of work rules and a general code of conduct for all employees of the Atlanta Police Department.

## **2. POLICY**

The Atlanta Police Department will develop and maintain a set of work rules and a general code of conduct to regulate employee's behavior that will reflect the highest standards of professionalism in law enforcement. All employees will comply with established work rules and the general code of conduct. All violations of established work rules will be investigated fairly, uniformly, and equitably.

## **3. RESPONSIBILITIES**

- 3.1 All supervisors are responsible for ensuring that all employees comply with this directive and for reporting and investigating violations in accordance with APD.SOP.2020 "Disciplinary Process."
- 3.2 All employees are responsible for complying with this directive.
- 3.3 The Office of Professional Standards is responsible for investigating violations of this directive as outlined in APD.SOP.2020 "Disciplinary Process".
- 3.4 Employees of the Atlanta Police Department will observe and abide by the following work rules outlined in this policy that pertain to on and off duty situations.

## **4. ACTION**

### **4.1 PROFESSIONAL CONDUCT AND RESPONSIBILITIES**

#### **4.1.1 Appropriate Action Required**

Employees will respond in an appropriate manner to all situations by:

- 1. Being considerate of the rights, feelings, and interests of all persons.
- 2. Acting in each situation to provide the necessary and appropriate service and insuring the proper notification of supervisors when appropriate.
- 3. Requesting the assistance of supervisors when the appropriate action required is unclear, not possible given circumstances, or not within the scope of authority of the employee of whom such action was requested; and
- 4. Performing official acts in a lawful, restrained, dignified, impartial, and reasonable manner.

#### **4.1.2 Cooperation**

(CALEA 6<sup>th</sup> ed. Standards 2.1.2 and 12.1.4)

Employees will cooperate with other employees and with the employees of other public agencies as necessary toward the accomplishment of professional responsibilities.

#### **4.1.3 Truthfulness**

Employees will be truthful in their written and spoken words at all times.

**4.1.4 Conduct**

Employees will not act in an official or private capacity in a manner that will bring discredit upon the Department or themselves.

**4.1.5 Obey the Law**

(CALEA 6th ed. Standards 1.1.1 and 1.1.2)

Employees will uphold the Constitutions of the United States and the State of Georgia, obey all applicable federal, state, and local laws, and comply with all applicable court decisions and orders of the courts.

**4.1.6 Criticism**

Employees will not publicly criticize any employee or any order, action, or policy of the Department except as officially required. Criticism, when required, will be directed only through official Department channels, to correct any deficiency, and will not be used to the disadvantage of the reputation or operation of the Department or any employees.

**4.1.7 Suspended Employees**

An employee suspended without pay must relinquish their city-issued firearm, badge, and all identification cards, or any other department equipment to an OPS Supervisor, as soon as the suspension becomes effective. These items may be stored at OPS or in the Property Control Unit. Upon relinquishing their city-issued equipment, the employee will be given a copy of their property receipt form.

**4.1.8 Soliciting Gifts, Gratuities, Fees, Loans, Etc.**

Employees will not solicit any gift, gratuity, loan, or fee where there is any direct or indirect connection between the solicitation and their employment with the Department.

**4.1.9 Acceptance of Gifts, Gratuities, Fees, Loans, Etc.**

1. Employees will not accept, either directly or indirectly, any gift, gratuity, loan, fee, or any other thing of value arising from or offered them because of their employment with the Department without the written permission of the Chief of Police.
2. Employees will not accept, either directly or indirectly, any gift, gratuity, loan, fee, or other thing of value that might tend to influence their actions or that of any other employee in any matter of Department business.
3. Employees will not accept, either directly or indirectly, any gift, gratuity, loan, fee, or any other thing of value, which might tend to cast an adverse reflection on the Department or any employee thereof.

**4.1.10 Reward**

Employees will not accept any reward, of any kind, from any persons, without the prior written permission of the Chief of Police.

**4.1.11 Bribery**

Employees will not accept any money, gratuity, loan, fee, gift of any kind, or any other thing of value, from any person if the purpose is intended to influence the employee in the performance of their official duties.

**4.1.12 Transactions with Involved Persons**

Employees will not engage in any transaction with any complainant, suspect, defendant, prisoner, or other person involved in a Department matter whereby the successful prosecution of that matter or an employee's personal integrity may be jeopardized.

**4.1.13 Using Position for Personal Gain**

Employees will not use their official position, identification, or employment with the Department for financial gain.

**4.1.14 Confidentiality of Department Business**

Employees will treat as confidential the business, activities, files and reports of the Department. They must not impart knowledge of the above except to those who have a "right to know." Employees will also comply with any nondisclosure agreement(s) in which they have entered.

**4.1.15 Right to Know**

Employees who are unable to determine an individual's or organizations "right to know," will refer the matter to a supervisor.

**4.1.16 Personal Debt**

Employees will not contract a debt under false or fraudulent pretenses. Employees will not refuse to discharge their lawful obligations without reasonable cause.

**4.1.17 Personal Problems**

(CALEA 6<sup>th</sup> ed. Standard 26.1.1)

Employees with personal problems may discuss those difficulties with any of the following:

1. Their immediate supervisor.
2. Their unit or division commander.
3. The Department chaplain.
4. The Personnel Services Unit commander.
5. Behavioral Health and Wellness Unit.
6. Employee Assistance Program.

**4.1.18 Provide Telephone Number**

Employees will maintain telephone service and provide the Department and their immediate supervisor with that number. Any change of telephone number will be immediately reported in writing. Telephone numbers will be kept confidential.

**4.1.19 Report of Change of Address**

Employee will keep the Department and their immediate supervisor informed of their current place of residence. Any change of address will be immediately reported in writing. Addresses will be kept confidential.

**4.1.20 Threat or Violence to an Employee**

Employees will not threaten, strike, or attempt to strike any other employee or threaten any violence against another employee.

#### **4.1.21 Personal Business**

Employees will not use any property, equipment, or facilities purchased, leased, or owned by the Department or the City to conduct personal business.

#### **4.2 GENERAL CONDUCT ON DUTY** (CALEA 6<sup>th</sup> ed. Standard 26.1)

Employees of the Department will observe and abide by the following work rules while on duty or representing the Department:

##### **4.2.1 Public Service**

Employees will promptly, courteously, and effectively assist the public. A citizen's need for assistance takes precedence over any activity, except those of an emergency nature. Routine Department business will not take precedence over providing service to the public. Prompt assistance will be rendered whether requested in person, by telephone, or by letter. Employees will provide immediate attention to the needs of any person without referral to any other employee or agency unless this cannot be avoided.

##### **4.2.2 Courtesy**

1. Employees will be civil, orderly and courteous to the public, co-workers, and supervisors and should not use coarse, insensitive, abusive, violent, or profane language.
2. When in public, in an on-duty capacity or official capacity, employees will be referred to by their appropriate rank, position, and/or title.

##### **4.2.3 Responsibilities of Supervisor** (CALEA 6<sup>th</sup> ed. Standard 11.3.2)

1. Supervisory employees will enforce the rules and regulations of the Department and will ensure the proper conformity to Department policies and procedures.
2. Supervisors will take immediate, appropriate action(s) when the conduct of any employee is contrary to the public interest or the good reputation or proper operation of the Department.

##### **4.2.4 Manner of Issuing Orders**

Supervisors will issue orders to employees in a clear, articulate, understandable, and professional manner.

##### **4.2.5 Unlawful Orders**

Supervisors are prohibited from issuing any order which is in violation of any law or Department rule, regulation, directive, or procedure.

##### **4.2.6 Obedience to Unlawful or Improper Orders**

1. Employees are not required to obey an order that is improper or contrary to federal, state, or local laws or Department rules, directives, or procedures. Obedience to an unlawful or improper order is never a defense for unlawful or improper action.
2. The responsibility for refusal to obey an order rests with the refusing employee who will be required to justify his/her actions.

#### **4.2.7 Improper Orders**

Employees who receive an improper or unlawful order will, at the first opportunity, report the facts of the incident and the action taken in writing to the Chief of Police through the chain of command.

#### **4.2.8 Conflicting Orders**

1. Upon receipt of an order conflicting with any previous order, instruction, or directive, the employee affected will, when practicable, advise the person issuing the second order of this fact in writing.
2. Responsibility for countermanding the original instruction rests with the individual issuing the second order.
3. If so directed by a supervisor, the latter command will be obeyed, unless that command is unlawful or improper.

#### **4.2.9 Obeying Supervisory Personnel**

Employees will promptly obey all proper and lawful orders of supervisors and other employees assigned to act in a supervisory capacity, including any order relayed from a superior by an employee of the same or lesser rank.

#### **4.2.10 Chain of Command**

Employees will conduct all official business through the chain of command. While lateral communication is encouraged, employees will inform immediate supervisors of significant matters and parties involved in such lateral communications.

#### **4.2.11 Forwarding Written Communication**

Employees who receive a written communication from another employee directed to a higher authority will initial and promptly forward it through the chain of command, indicating approval or disapproval, and will make such explanatory comments as the matter requires so as to fully inform the higher authority.

#### **4.2.12 Discrimination**

Employees will not allow any of their actions or decisions to be affected by prejudice of gender, race, color, religion, sexual orientation, social class, position or standing in the community, or political belief.

#### **4.2.13 Discriminatory References**

Employees will not refer to any person in a derogatory manner because of their gender, race, color, religion, sexual orientation, social class, position or standing in the community, or political preference.

#### **4.2.14 Intoxicants, Stimulants, or Depressants**

1. Employees will not consume intoxicants or illegal substances while on duty nor will they consume intoxicants or legal or illegal substances to the extent that performance is impaired.
2. The smell of intoxicants on the breath or any impaired performance resulting from the use of intoxicants or legal or illegal substances by an employee reporting for duty or on duty is grounds for disciplinary action. The employee will be immediately relieved from duty.

3. Intoxicants or illegal substances will not be consumed in any Department facility or vehicle.

**4.2.15 Physical Fitness for Duty**  
(CALEA 6<sup>th</sup> ed. Standard 22.2.2)

1. Employees will maintain such physical condition that they can fulfill the duties of their assignments.
2. Minimum Physical requirements: Employees must be physically able to operate a variety of job related machines and equipment. Employees must be able to use body members to work, move or carry related objects or materials. Employees must be able to exert up to one hundred pounds of force occasionally, and/or up to fifty pounds force frequently. The physical demand requirements are at levels of those for active work. Employees must be able to lift and/or carry weights of fifty to one hundred pounds.

**4.2.16 Sleeping on Duty**

1. Employees will not sleep or doze during the time they are on duty and are responsible for reporting to work physically able to appropriately complete the tour of duty.
2. Employees unable to remain awake or complete the tour of duty will report to their supervisor who will take appropriate action.

**4.2.17 Malingering or Pretending**

Employees will not attempt to avoid their duties by feigning illness or by giving a false impression that they are performing their duties.

**4.2.18 Punctuality**

Employees will be punctual when reporting for duty or reporting or performing any official act.

**4.2.19 Absence from Duty**

Employees will not absent themselves from their assignment without permission from a supervisor or until properly relieved.

**4.2.20 Keeping Up to Date**

Employee reporting for duty will acquaint themselves with events that have taken place since the end of their last tour of duty that pertain to their responsibilities or assignment.

**4.2.21 Submitting Reports**

Employees will submit all reports which are required of them as promptly, correctly and completely as possible.

**4.2.22 Identification Cards**

1. While on duty and not in uniform, in Atlanta Police Department facilities, employees will wear the department's issued photo identification card above the waist.
2. While on duty and not in uniform, outside department's facilities, employees will have the department issued photo identification card readily available on their person. Employees working undercover assignments are exempt from this requirement.
3. While in uniform, other than *the sole exceptions of* a rain slicker or a traffic direction vest, employees will at all times wear a conspicuously visible nametag.



***\*This Section, 4.2.22 (3), may not be deleted, revised, or amended pursuant to Court Order in Calhoun, et al. v. Pennington, et al. 1:09-CV-3286-TCB. Consult the City of Atlanta Department of Law with any questions or concerns.\****

#### **4.2.23 Giving Identification**

1. Employees who are in uniform or have displayed a badge or other indicia of police authority (such as a police vest, etc.) will identify themselves by name, unit, and badge or unique I.D number upon request at some point before the end of an encounter with a civilian.

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2. Sworn employees at the rank of Investigator or above will provide, upon request, the badge number that was initially assigned to them at the rank of Officer.

#### **4.2.24 Senior Employee in Charge**

When two or more employees of equal rank are simultaneously engaged in the same operation, the employee with longest service in rank will be in charge, except when otherwise designated by a supervisor or Department policy.

#### **4.2.25 Private Business**

Employees will not conduct private business while on duty. Lunch periods are exempt.

#### **4.2.26 Indebtedness**

Employees will not become financially obligated to any person who holds a business license if that business is subject to Department control or inspection.

#### **4.2.27 Peddling and Soliciting Prohibited**

Employees will not peddle or solicit in Department facilities or on Department property unless authorized by the Chief of Police.

#### **4.2.28 Loitering by Public**

Employees will not permit persons to loiter on Departmental premises or in a Department facility or vehicle, unless they are conducting official business.

#### **4.2.29 Department Correspondence**

Employees will not use Department stationery, postage, duplicating machines, typing support, or other equipment, except for official Department correspondence.

#### **4.2.30 Recovered Property**

Employees will be responsible for all property coming into their possession. Employees will handle all property in accordance with Department policy and procedure.

#### **4.2.31 Recommending Attorneys, Bondsmen, Etc.**

Employees, while on duty or acting in an official capacity, will not recommend an attorney or bondsman nor act as a bailer.

#### **4.2.32 General Appearance**

1. Employees will be neat, clean, and well-groomed while on duty. Dress will be appropriate given the position and/or function of the employee and reflect standards that depict public service employees in the best possible image.
2. Employees will not wear articles of clothing or ornamentation while on duty if the wearing, or the article itself, symbolizes or represents an organization or philosophy which supports discrimination in any form or any other abridgement of human rights.

#### **4.2.33 Conformance to Directives**

Employees are required to familiarize themselves with, and conform to, the rules, regulations, directives, and standard operating procedures of the Department.

#### **4.2.34 Abuse of Leave**

Employees will not misuse or abuse the leave policies, procedures, practices, or records of the Department.

#### **4.2.35 Job Actions Prohibited**

Employees will not, at any time, under any circumstances, participate in any job actions or apparent job actions (i.e., strikes, walk-outs, "sick-outs", etc.)

#### **4.2.36 Personality Clashes**

Employees who have personality problems involving another employee, which cannot be resolved amicably, may consult with any of the following:

1. Their immediate supervisor.
2. Their unit, section, or division commander.
3. The Personnel Services Unit commander; or
4. Employee Assistance Program (EAP)

#### **4.2.37 Unsatisfactory Performance**

1. Employees will maintain sufficient competency to perform their duties and assume the responsibilities of their position. Employees will perform their duties in a manner which will establish and maintain the highest standards of efficiency in carrying out the functions and objectives of the Department.
2. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of the laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the employee's rank, grade, or position; the failure to take appropriate action on the occasion of a situation or incident deserving a public safety employee's attention; absence without leave; or unexcused absence from a duty assignment during a tour of duty.
3. In addition to other indications of unsatisfactory performance, repeated poor evaluations and/or repeated infractions of Department directives will be considered prima facie evidence of unsatisfactory performance of duty:

**4.2.38 Outside Employment**

Employees will not engage in any employment outside the Department without the prior written permission of the Chief of Police or his or her designee.

**4.2.39 Understanding Directives**

Employees who do not understand an official Department directive or procedure will seek the advice of their supervisor.

**4.2.40 Call to Duty**

Employees will be subject to call to active duty 24 hours a day and will be prepared to assume active duty if ordered by a supervisor.

**4.2.41 Available for Service**

Employees will keep themselves available for service at all times while on duty unless they are on specific assignment.

**4.2.42 Wearing of Uniforms and Equipment**

Employees will comply with the standards and regulations that address the wearing of Department uniforms and equipment.

**4.2.43 Radio to Remain On**

1. Employees who have been assigned a radio for communicating purposes will ensure that the radio is fully operational, powered, audible, and tuned to the appropriate frequency at all times while on duty unless otherwise authorized by a supervisor or necessary for the safety of the employee.
2. Employees who have been assigned a Department or City issued communication device will ensure that the communication device is fully operational, powered, and audible while on duty unless otherwise authorized by a supervisor or necessary for the safety of the employee.

**4.2.44 Interfering with Radio Communication**

Employees will not willfully, intentionally, or otherwise interfere with radio communication except in exigent circumstances.

**4.2.45 Emergency Situations**

1. Employees will perform in all emergency situations in accordance with established Department procedures and will perform during training drills in the same manner.
2. Emergency situations may include, but are not limited to: terrorist activities or attacks, bomb threats or explosions, acts of civil unrest, fires, etc.

**4.2.46 Mutual Protection/Assistance**

Employees will assist and/or protect any other employee immediately upon observing or hearing that said employee needs or requests assistance.

**4.2.47 Off-Duty Situations**

Employees will take appropriate and necessary action when off duty in any situation where a felony is being committed or human life is endangered. Employees will turn the situation over to on-duty public safety employees as soon as possible.

**4.2.48 Cowardice**

Employees will not shrink from danger or fail to discharge their official duties.

**4.2.49 Abuse of Authority**

Employees will not use their authority to abuse, harass, oppress, or persecute any person.

**4.2.50 Maltreatment or Unnecessary Force**

1. Employees are expressly prohibited from the unnecessary or unreasonable use of force against any person or property
2. Employees will only use that force which is reasonable and necessary to affect an arrest, prevent an escape, necessarily restrict the movement of a prisoner, defend himself/herself or another from physical assault, or to accomplish other lawful objectives. The reasonableness inquiry refers to whether the employee's actions are "objectively reasonable" in light of the facts and circumstances confronting him or her, without regard to their underlying intent or motivation. The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split second decisions about the amount of force necessary in a particular situation (*Graham v. Connor*, 490 U.S. 386 (1989)).

**4.2.51 Duty to Intervene**

(CALEA 6<sup>th</sup> ed. Standard 1.2.10)

1. Any employee present and observing or who becomes aware of another employee exhibiting behaviors or performing actions that violate any departmental policy, state or federal law, or local ordinance, will intercede to prevent such behavior or actions, when in a position to do so safely. Interceding employees will report their observations and actions to an on-duty supervisor immediately following the safe resolution of the event.
2. There will be no retaliatory behavior such as, but not limited to interference, intimidation, or coercion against those employees that do report such actions.

**4.2.52 Reporting Required When Force Used**

Employees who use force against any person or the property of any person will make a report of the incident and report it to their supervisor as soon as practicable.

**4.2.53 Off-Duty Employee in Uniform in Public**

Employees appearing in public in uniform will be considered on duty and must be prepared to assist the public by taking whatever public safety action is appropriate and necessary.

**4.2.54 Situations Involving Off-Duty Employees**

Employees confronted with a situation requiring public safety intervention or action in which an off-duty employee is involved will not intervene, except to meet an emergency that exists. As soon as possible, the employee will notify Communications and request that a supervisor or OPS respond to the scene.

**4.2.55 Civil Actions**

Employees will not render any aid or assistance, in an official capacity, to either party in a civil dispute, except when ordered to do so by the court. This will not prohibit an employee from advising a person that a matter is civil and referring that person to the proper agency for service.

**4.2.56 Divorce Actions**

Employees will not render any aid or assistance to either party in any divorce case or any case leading up to a divorce action, except where an emergency exists or a criminal act (or potential criminal act) has been committed and requires public safety action.

**4.2.57 Situations Involving Family or Friends**

Employees who are confronted with a situation where public safety action is required involving family members or friends will not intervene unless an emergency exists and then only to meet that emergency until the Department can be notified and another public safety unit arrives.

**4.2.58 Outside Affiliation**

Employees will not affiliate with, or become or remain a member of, any organization if such affiliation would in any way interfere with or prevent them from performing their duties as employees of the Department.

**4.2.59 Conflicts of Interests**

1. Employees will not invest or hold investments, directly or indirectly, in any financial, business, commercial, or other private transaction which creates, or gives the appearance of creating, a conflict with their official duties.
2. Employees will not be or become interested, directly or indirectly, in any manner, except as provided by law, in any business dealings with the City of Atlanta.

**4.2.60 Fraternalizing with Person(s) of Questionable Character**

1. Employees will not fraternize or associate in a personal, social, or financial relationship with any person(s) of questionable character except in the performance of their official duties and with the knowledge and consent of their supervisor.
2. Employees will not idle, loiter, or spend unnecessary time in or around a place of ill-repute or a place of questionable reputation except in the performance of their official duties and with the knowledge and consent of their supervisor.

**4.2.61 Access to Places of Business**

Employees will not have a key, access card, or code to any place of business on their assigned beat or relating to their assignment without the written permission of their supervisor.

**4.2.62 Supervisor-Subordinate Relationship**

Supervisors will not borrow money or use their position of authority in any manner to solicit or gain personal favors from other employees.

**4.2.63 Business Transactions with Defendants or Prisoners**

Employees will not buy, sell, receive, or transfer anything of value to or from any defendant or prisoner.

**4.2.64 Work by Inmates**

Employees will not allow inmates, prisoners, or defendants to perform any service on the personal property of anyone unless that action is part of an approved work release program.

**4.2.65 Contraband**

Employees will not be negligent in the control of contraband.

#### **4.2.66 Security Matters**

Employees will not discuss security matters or issues with other persons in the presence of inmates, prisoners, or defendants.

#### **4.2.67 Firearms Prohibited in Restricted Areas**

Employees will not wear or transport firearms into any areas of a local, state, or federal government facility where they are restricted.

### **4.3 JUDICIARY BODIES AND INVESTIGATIVE BOARDS**

Employees will observe and abide by the following work rules while on duty or representing the Department in appearances before judiciary bodies or investigative boards.

#### **4.3.1 Conduct and Appearance in Court**

Employees appearing in court will:

1. Be punctual and prepared as appropriate.
2. Conform to the court's rules of conduct.
3. Obey all orders of the court.
4. Dress appropriately according to the court's standards.
5. Be truthful at all times; and
6. Attend court as scheduled and/or when subpoenaed.

#### **4.3.2 Subpoenaed as Defense Witness**

Employees subpoenaed as a defense witness in a criminal or civil case will immediately notify, in writing, their immediate supervisor and forward a copy to the Law Department. Employees do not need permission from a supervisor or the Department to attend court as a defense witness and must comply with the requirements of the subpoena.

#### **4.3.3 Arrest of or Court Actions Involving an Employee**

Employees who have been arrested or become involved in any court action, in any capacity other than as a witness for the prosecution, will immediately notify the Chief of Police in writing through the chain of command.

#### **4.3.4 Receipt of Service of Process**

Employees who are served in their official capacity in a case in which liability may attach to the employee, officials of Department, and/or the City will immediately notify the Law Department and provide the served document and a memo stating the time, place, and date of service.

#### **4.3.5 Claims for Damage and Legal Compromise**

Employees will not file claims for damages, or make any legal compromise, for matters arising out of their position in the Department without prior written notification to the Chief of Police or his or her designee.

#### **4.3.6 Preservation of Information**

1. Employees who receive a request to produce or preserve information (as defined below) pursuant to a subpoena issued in a criminal or civil case; an order from a court; an order from a supervisory employee; a discovery request in civil litigation; or a request by the Law Department or their own legal counsel, must preserve such information in their custody or control.
2. Employees will not knowingly delete or destroy any information requested or identified pursuant to subsection (1) of this work rule, and must immediately suspend deletion, overwriting, or any other possible destruction of the information.
3. Information subject to this work rule includes, but is not limited to, data related to an employee's official duties contained on mobile phones, portable electronic devices, laptop computers, desktop computers, external hard drives, cameras, recording devices, and other electronic devices; emails; text messages; internet messages or postings of any kind; phone call logs; voice mails; memos; letters; facsimiles; reports; calendars (electronic and paper); diaries; summaries; minutes of meetings (handwritten or typed); personnel files; evaluations, travel and expense records; audio and video recordings, dispatch and radio recordings; films; photographs; transcripts; surveys; handwritten notes; and computer records stored on tape.

#### **4.4 DEPARTMENT PROPERTY AND EQUIPMENT**

Employees of the Department will observe and abide by the following work rules while on duty or representing the Department as it concerns property and equipment.

##### **4.4.1 Responsibility for and Examination of City Property**

1. Employees will be responsible for the condition and the prompt reporting of loss, damage, or defect of all Department or City property placed in their custody or use.
2. Before use, employees will examine any city vehicle or property assigned to them, report unrecorded damage or operational defects to their supervisor, and submit the necessary written reports.
3. If property is lost, stolen, or damaged, a detailed report will be made immediately. The immediate supervisor of the employee will review the report and submit an investigative report through the chain of command to the section or division commander.

##### **4.4.2 Operator to be Qualified and Authorized**

Employees will not operate a city vehicle or vehicles used for law enforcement purposes unless they are qualified and authorized to do so and possess a valid State of Georgia driver's license.

##### **4.4.3 Use of City Vehicles or Vehicles used for law enforcement purposes**

1. Employees will use a city vehicle or vehicles used for law enforcement purposes only in the course of official business. No person will be transported in a city vehicle or vehicles used for law enforcement purposes except in the course of official business.
2. Employees will not operate personally owned vehicles as a vehicle used for law enforcement purposes, not to include using their vehicle to commute to and from their assignment and work place.





#### **4.4.4 Operation of City Vehicles or Vehicles used for law enforcement purposes**

1. Atlanta Police Department personnel will operate all city vehicles and vehicles used for law enforcement purposes in such a manner as to avoid injury to persons or damage to property at all times.
2. Atlanta Police Department personnel will park all city vehicles and vehicles used for law enforcement purposes in such a manner as to cause the least interference with traffic flow without compromising their safety.

#### **4.4.5 Vehicle Appearance**

Employees assigned to operate city vehicles or vehicles used for law enforcement purposes are responsible for ensuring their cleanliness.

#### **4.4.6 Safe Driving Techniques**

Atlanta Police Department personnel will exercise due caution and exhibit good driving habits when operating all city vehicles and vehicles used for law enforcement purposes.

#### **4.4.7 Vehicle Maintenance Checklist**

Employees will complete a vehicle checklist before operating a city vehicle on a tour of duty. The completed vehicle checklist will be kept on file, ready for inspection, for 60 days.

#### **4.4.8 Personal use of property**

Employees will not convert to their own use, or have any claim on, any found or recovered property, property held as evidence, or property purchased, leased, or owned by the Department or the City.

#### **4.5 PUBLIC ACTIVITIES**

Employees of the Department will observe and abide by the following work rules while on duty or representing the Department as it concerns public activities that relate to their employment with the Department.

##### **4.5.1 Endorsements and Testimonials**

Employees will not permit their names, photographs, or identities as employees of the Department to be used to endorse any product or service without the prior written permission of the Chief of Police.

##### **4.5.2 Authoring Books, Pamphlets, or Articles**

Any written material for publication or distribution outside the Department (except personal correspondence) which draws on the writer's experience as an employee of the Department or identifies the writer as an employee thereof, must be submitted to the Chief of Police for approval, prior to submission for publication, for determination of the correctness of any references to Department operations or policy and the appropriateness of making public any information which might be prejudicial to the lawful interest or privacy of any person.

##### **4.5.3 Improper Organizations**

Employees will not join, or in any way participate with, any organization which advocates the violation of any of the laws, statutes, or ordinances of federal, state, or local governments, unless authorized by the Chief of Police or his or her designee.



#### **4.5.4 Soliciting Advertising**

Employees will not solicit advertising which is to appear in any commercial publication, nor lend their support in any manner to such solicitation, which would identify themselves with the Department.

#### **4.5.5 Political Activity**

1. Employees will not solicit or receive any contribution or political service for any political purpose during duty hours or utilizing city-issued property.
2. Employees having charge of any Department facility will not permit any person to solicit any type of political contribution on such premises.
3. Employees will not use their authority or influence to coerce the political action of any person or body or to interfere with any nomination, appointment, or election to public office of any person.
4. Employees will not take part in any political management or campaign or engage in any political activity whatsoever for or against any person, candidate, or party while on duty.
5. Expressing opinions on political subjects is prohibited during the performance of their official duties.

#### **4.5.6 Contributions**

Employee will not be penalized in any way for contributing or refusing to contribute to any charitable, political, or professional organization, unless said organization is deemed improper.

#### **4.6 FIREARMS**

Employees of the Department will observe and abide by the following work rules while on duty or representing the Department as it concerns firearms and other weapons and equipment. (CALEA 6<sup>th</sup> ed. Standards 4.3.1, 4.3.2, 4.3.3, 4.3.4 and 4.2.4)

##### **4.6.1 Approved Type**

(CALEA 6<sup>th</sup> ed. Standard 4.3.1a)

While on duty or performing official duties employees will only carry firearms and weapons that have been issued and/or approved by the Department.

##### **4.6.2 Issuance**

The Department will issue employees firearms and other weapons. The firearm issued will remain with the employee throughout their period of employment and will be surrendered upon their separation from the Department.

##### **4.6.3 Personal Weapons**

(CALEA 6<sup>th</sup> ed. Standard 4.3.1 and 4.3.2)

1. Employees may carry personally owned or other issued firearms that have been approved by the Department while on duty or performing official duties.
2. An employee may carry concealed a second firearm that has been approved by the Department

#### **4.6.4 Ammunition**

Employees will only carry and/or use ammunition issued and/or approved by the Department. Ammunition issued and/or approved by the Department for training purposes will only be carried and/or used for training purposes while participating in training activities. (CALEA 6th ed. Standard 4.3.1b)

#### **4.6.5 Qualifying**

Employees will qualify with all firearm(s) they carry on duty on an annual basis as determined by the Chief of Police. (CALEA 6th ed. Standards 4.3.2 and 4.3.3)

#### **4.6.6 Carrying of Firearms**

Employees will be armed with a fully loaded and approved firearm whenever on duty, in uniform, performing official duties, or when traveling to and from their place of duty. (CALEA 6th ed. Standard 4.3.2)

#### **4.6.7 Carrying a Firearm Aboard Commercial Aircraft**

Employees will abide by all applicable local, state, or federal laws and regulations when carrying firearms aboard commercial aircraft.

#### **4.6.8 Safeguarding of Firearms**

(CALEA 6th ed. Standard 4.3.1f)

1. Employees will secure all Department issued and/or approved weapons when such weapons are not in their immediate possession. Weapons must be locked in a secure enclosure that is not readily accessible to persons not authorized to use such weapons.
2. Employees will secure all Department issued and/or approved weapons in their immediate possession to ensure that such weapons are not readily accessible to persons not authorized to use such weapons.

#### **4.6.9 Use of Firearms**

(CALEA 6th ed. Standard 4.1.2)

1. Employees will only use deadly force to apprehend a suspected felon when: (a) he or she reasonably believes that the suspect possesses a deadly weapon or any object, device, or instrument which, when used offensively against a person, is likely to or actually does result in serious bodily injury; (b) when he or she reasonably believes that the suspect poses an immediate threat of physical violence to the officer or others; (c) or when there is probable cause to believe that the suspect has committed a crime involving the infliction or threatened infliction of serious physical harm (O.C.G.A. Section 17-4-20) if the employee reasonably believes that the suspect's escape would create a continuing danger of serious physical harm to any person.
2. Employees will not point or aim firearms at persons in circumstances unless the discharge of that firearm would be justifiable. Employees who find it necessary to point a firearm at a person should not interpret this necessity as an obligation to discharge the weapon.

***\*This Section, 4.6.9(2), may not be deleted, revised, or amended pursuant to Court Order in Calhoun, et al. v. Pennington, et al. 1:09-CV-3286-TCB. Consult the City of Atlanta Department of Law with any questions or concerns.\****

3. The firing of "warning shots" to caution or deter a specified and undesirable course of action is prohibited. (CALEA 6th ed. Standard 4.1.3)



4. An employee may discharge a firearm at a dog or other animal to prevent imminent harm to self or others.
5. Employees who handle firearms will do so in a safe manner, so as to avoid unintentional discharges.

#### **4.6.10 Reporting Discharge of Firearm**

1. Employees will report all discharges of their Department issued or approved firearms, whether accidental or intentional and regardless of who was responsible for the discharge, to their immediate supervisor as soon as possible. Discharges for training purposes are excluded.
2. Employees, whether on or off duty, will notify their immediate supervisor as well as the officer in command of the zone or district in which the discharge took place. The employee will submit all necessary reports without undue delay.
3. All firearm discharges require the submission of an incident report completed in its entirety. Incident reports will also include: the employee's duty status at the time of the discharge; the make, model, and serial number of the weapon discharged; the ownership of the weapon discharged; whether the firearm and ammunition was Department issued or approved; the person who fired the weapon; the number of shots fired; the reason for the discharge; the distance between the employee and the person fired at when first shot was fired; who fired the first shot; if the employee was being fired on; and how many shots were fired at the employee. (CALEA 6<sup>th</sup> ed. Standard 4.2.1)

#### **4.6.11 Display of Firearms**

Employee, when not in uniform, will refrain from unnecessarily displaying their firearm or holster and from making reference to the fact that they are carrying a gun.

#### **4.6.12 Loss or Theft**

The loss or theft of a Department issued or personally owned firearm will be reported promptly to the employee's immediate supervisor. The supervisor so notified will cause an immediate and thorough investigation in each case of loss in an effort to effect recovery. When the supervisor forwards his report of the investigation; it will include a recommendation as to whether or not charges should be filed. This report will be forwarded to the Office of Professional Standards. Employees may be required to pay for lost or stolen equipment. (CALEA 6<sup>th</sup> ed. Standard 4.3.1d)

#### **4.6.13 Maintenance and Repair**

(CALEA 6<sup>th</sup> ed. Standard 4.3.1c)

1. Firearms will be maintained in a clean, safe, and dependable working condition. Responsibility for the safe operation and maintenance of the firearm rests with the employee to whom the firearm is issued.
2. Weapons found to be in need of repair will be presented to the issuing authority who will determine what action should be taken toward making repairs and arrange for a replacement weapon.
3. The cost of any repairs to a personally-owned approved weapon will be the personal responsibility of the employee.

#### **4.6.14 Altering Firing Mechanism**

1. No alteration of the firing mechanism of any Department-owned firearm will be permitted. Personally owned firearms will not be approved if they have been found to have undergone modification which has rendered them unsafe.
2. Firearms with a trigger pull of less than three pounds will not be permitted or approved. Radical alteration of trigger guards, triggers, and/or hammers will not be permitted.

#### **4.6.15 Inspection**

Employees will have all Department issued and personally owned and approved firearms inspected as necessary by their immediate supervisor. (CALEA 6th ed. Standard 4.3.1c)

#### **4.6.16 Investigations of Firearms Use**

(CALEA 6th ed. Standard 4.2.2)

1. The employee's immediate supervisor will investigate all firearm discharges. If the firearm discharge resulted in injury to a person, the immediate supervisor will notify the employee's commanding officer immediately. A copy of the investigative report will be sent to the Chief of Police, the Office of Professional Standards, and the division commander through the chain of command.
2. When an employee uses a firearm off duty and within the jurisdiction of the Department, the investigation will be initiated by the ranking officer on duty within the command in which the firearm use occurred. The results of the investigation will be distributed.
3. When an employee uses a firearm off duty and outside the jurisdiction of the Department, the investigation will be initiated by the employee's section commander.
4. Whenever the discharge of a firearm results in the physical injury or death of another, the on-duty zone supervisor will immediately notify the Communications Section of the incident, request the on-duty Homicide units, the Identification unit, the Office of Professional Standards (OPS), and respond to the scene. The zone supervisor will take control of the scene until relieved by a Homicide unit to ensure that the crime scene is secure, a crime scene log has been started, and all witnesses (including officers) remain at the scene and separated.
5. When an employee who is off duty and outside the jurisdiction of the Department uses a firearm and as a result of such use a person is injured the investigation will be conducted by the Office of Professional Standards.

#### **4.6.17 Other Weapons and Equipment**

Employees will not arm themselves while on duty, or in the performance of their official duties, with any firearm, ammunition or weapon that is not approved by the Department.  
(CALEA 6<sup>th</sup> ed. Standard 4.3.1)

### **5. DEFINITIONS**

Department vehicle: Any vehicle owned, leased, or otherwise controlled by the City of Atlanta or another governmental entity that is assigned, or otherwise available, for use by a Department employee.

Personally Owned Vehicles: Any vehicle that is owned, rented, leased, or borrowed by the employee, and is not owned, operated or leased by the City of Atlanta Police Department.



**6. CANCELLATIONS**

APD.SOP.2010 “Work Rules,” effective April 20<sup>th</sup>, 2022

**7. REFERENCES**

Court Order in Calhoun, et al. v. Pennington, et al. 1:09-CV-3286-TCB

APD.SOP.2020 “Disciplinary Process”

Commission on Accreditation for Law Enforcement Agencies, (CALEA) 6th Edition Standards  
1.1.1, 1.1.2, 4.1.2, 4.1.3, 4.2.1, 4.2.2, 4.2.4, 4.3.1, 4.3.2, 4.3.3, 4.3.4, 2.1.2, 11.3.2, 12.1.4, 22.2.2,  
26.1, and 26.1.1

Graham v. Connor, 490 U.S. 386 (1989)