



Barre City Police Department

Barre, Vermont

Braedon S. Vail
Chief

CONDUCT & RESPONSIBILITY

<u>Subject:</u>	<u>Number:</u>	<u>Effective Date:</u>
Rules of Conduct	104	9/1/22

Note: These Rules & Regulations, Operational Policies and/or Procedures are for internal use only and does not enlarge a member's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with the respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

Policy: Members of the Barre City Police Department shall maintain an exemplary standard of personal integrity and ethical conduct in their relationship with other members, the community and the courts. All members shall comply with the Rules of Conduct as herein stated, with the additions and amendments to these rules that may be promulgated and, with all other orders and directives, either verbal or written, that may be issued by competent authority.

Purpose: To establish a professional standard governing members' conduct that protects employee rights and promotes the public trust.

Contents:

- I. Authority
- II. Definitions
- III. Rules of Conduct
- IV. Exemptions
- V. Cancellation

I. Authority

The Chief has the authority to make necessary rules that promote effective and efficient performance of the Department duties and insures proper government of the Department and its members. The authority of the Chief also includes the power to suspend, amend, rescind, abrogate, or cancel any rule or policy adopted by the current or any former Chief.

II. Definitions

The following definitions are established to identify types of personnel:

A. Employee: All civilian (non-sworn) employees of the Barre City Police Department

- B. Officer:** All VCJC certified (sworn) police officers
- C. Auxiliary:** All citizen (non-sworn) volunteers
- D. Member:** All members; civilian, police and auxiliary
- E. Plainclothes Officer:** A plainclothes officer is any sworn officer who is not in uniform. This shall include a drug task force officer, criminal investigative officer and any officers on special assignment from any law enforcement agency or the Barre City Police Department.

III. Rules of Conduct

A. RULE 1: Conformance to Laws, Written Directives, Rules & Procedures

Members are required to adhere to the Police Department's written directives, rules and procedures, City of Barre Ordinances and to conform to all laws applicable to the general public.

- Members shall obey all laws pertaining to the criminal code of the United States and of all local, state and foreign jurisdictions in which they are present.
- A misdemeanor conviction adversely affecting in any manner the performance of official duties of any member shall be prima facie evidence of a violation of this section.
- A felony conviction for any offense shall be prima facie evidence of a violation of this section.
- Neither the placement of charges nor the entering of a conviction shall be required prior to the commencement of administrative action by the Police Department under this section.
- The suspension, revocation, cancellation or refusal of a member's driver's license shall be immediately reported by the member to their immediate supervisor and it shall be prima facie evidence of a violation of this section.
- Members shall report in writing to their immediate supervisors the fact that they have been arrested, and/or charged with any criminal or traffic offense, or violation of any civil order. That report shall be made immediately upon their return to duty.

B. RULE 2: Authority to Suspend

With just cause, the Chief, supervisor in charge, or other persons designated by the Chief may temporarily suspend, with pay, a member from duty and/or require the surrender of credentials and/or issued weapons. Emergency suspension without pay as well as subsequent procedures in the case of police officers will be in accordance with Title 20 Vermont Statutes Annotated § 2355: Powers and Duties, Police Department Rules and Procedures, and the active collective bargaining agreement between the City and the Barre City Police Officers Association and the Fraternal Order of Police.

C. RULE 3: Chain of Command

Members will follow the established chain of command in conducting official business. Specific supervisors may be omitted if that supervisor is the object of a complaint. Members will not contact persons outside the department without first advising the Chief of Police via the chain of command.

D. RULE 4: Use of Force

Members shall use force only in accordance with law and Department procedures and shall not use more force than is reasonably necessary under the circumstances to affect an arrest or protect themselves or citizens from harm. No member shall use force in a discriminatory manner.

E. RULE 5: Unbecoming Conduct

Every member shall conduct themselves at all times, both on and off duty, in a manner, which reflects most favorably on the Police Department. The phrase "reflects most favorably" pertains to the perception of both the citizens and other Department members. Conduct unbecoming a member shall include that which tends to bring the Police Department into disrepute or reflects discredit upon the member as a representative of the department, or that which tends to impair the operation or efficiency of the Department or member.

- A supervisory member will not injure or discredit a subordinate through unreasonable, unjust, arbitrary, or tyrannical conduct, or abusive language.
- Members of the Police Department shall not maliciously threaten, strike, or assault any other member of the Police Department.

F. RULE 6: Insubordination

Members of the Police Department shall, unless otherwise directed by competent authority, transact all official business with members senior in rank or classification only through the official chain of command.

- Members shall promptly obey all lawful orders of a supervisor, including those from a supervisor relayed by a member of equal or lesser rank. A lawful order is any order, either verbal or written, which a member should reasonably believe to be in keeping with the performance of their duties or the responsibilities of their assignment.
- Members will obey all orders from supervisors, whether written or verbal, except when compliance with such orders would require the commission of an illegal act. No member without adequate justification will intentionally issue an order that is contrary to an order issued by a supervisor. Members to whom conflicting orders are issued will call immediate attention to such conflict; however, if the conflict is not resolved, the last order will be obeyed.
- Any order may be countermanded in an emergency. A member countermanding a prior order will immediately report the reason for their action to the Deputy Chief. Responsibility for all prudent and reasonable action necessary for compliance with orders will remain with the supervisor issuing the order. Accountability for all actions taken in compliance with orders remains that of the person taking such action.

- At the scene of an incident, the assigned member shall be in charge until relieved at the direction of another officer senior in rank or as may otherwise be directed by competent authority.

G. RULE 7: Immoral Conduct

Members shall maintain a level of moral conduct in their personal affairs, which is in keeping with the highest standards of the law enforcement profession. No member shall be a participant in any incident involving moral turpitude which compromises or has the potential to compromise their ability to perform as a law enforcement officer or as a member of the Barre City Police Department or causes the Police Department to be brought into disrepute.

H. RULE 8: Neglect of Duty

Members shall be held responsible for the proper performance of their duties. Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions.

- Members shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Police Department.
- Members are to perform their duties diligently. Indifference, carelessness, or negligence will constitute grounds for disciplinary action. Any avoidance of responsibility is considered neglect of duty.
- Members will not read, play games, watch television/movies, engage in any activity or personal business while on duty that would cause neglect or inattentiveness to that duty.

I. RULE 9: Attendance

Members shall be punctual in attendance to all calls, requirements of duty, court appointments, and other assignments.

- Members will not, without proper authorization, be absent from an assigned place of work or patrol area during their tour of duty.
- Members will remain awake and alert while on duty. If unable to do so, they will report to a supervisor, who will determine the proper course of action.

J. RULE 10: Abuse of Position

Any officer whose police powers are suspended will not wear the uniform and will not represent themselves in an official capacity as a member of the Police Department.

- Members are prohibited from using their official position or their official identification card or badge for personal or financial benefit or as a means of obtaining privileges not otherwise available to them, or for avoiding consequences of illegal acts. A member may not lend their identification card or badge to another person or permit it to be photographed or reproduced without written approval of the Chief.

- Members shall not permit or authorize the use of their name, photograph, or official title identifying them as a member of the Barre City Police Department in connection with testimonials or advertisements of any commodity or commercial enterprise, or for personal reasons without the written approval of the Chief.
- Members shall not sign a petition, without the authority of the Chief, when the signature identifies them as a member of the Police Department; nor shall any member sign any petition which has an unlawful purpose. However, any member may sign a lawful petition as a citizen, or in relation to non-department matters involving bargaining unit business.
- Members shall not address public gatherings, appear on radio or television, prepare any article for publication, act as a correspondent to a newspaper or a periodical, release or divulge investigative information or any other matters of the Police Department, either in an official or unofficial capacity without first having obtained permission from their supervisor.

K. RULE 11: Abuse of Process/Withholding Evidence

Members shall not intentionally manufacture, tamper with, negligently handle, falsify, destroy, or withhold evidence, information or legal process, or make any false accusations of a criminal charge.

L. RULE 12: Interference with Duty

Members shall not attempt to bring influence to bear on the Chief or any supervisor for the purpose of securing promotion or transfer, or to avoid penalties for violations of the Police Department's policies, rules, procedures, or orders.

- Members shall not interfere with investigations assigned to other members without consent, except by order of a supervisor, nor will they interfere with the operation of a division, section or unit.
- Members shall not interfere with any lawful arrest or any prosecution brought by other Police Department Officers, or by any other agency or person.
- Members shall not undertake any investigation or other police action a part of their regular duties without first obtaining permission from their supervisor unless they can justify the need for immediate intervention.
- No member will, directly or indirectly, be involved with making arrangements, agreements, or compromises between a criminal suspect and a person who has suffered from the criminal acts for the purpose of allowing the criminal suspect to escape punishment prescribed by law.
- Any member having knowledge of such an arrangement, agreement, or compromise shall report such to his/her immediate supervisor without delay. If a member has knowledge of a supervisor making such arrangements, agreements, or compromises, the member shall report the information directly to the Chief.

M. RULE 13: Discrimination/Harassment

Members of the Department shall not discriminate against nor harass any other member or

members, member of the public or person in custody on the basis of sex, age, race, color, national origin, religion, marital status, political affiliation, disability, or any other basis as prohibited by City or Department policy, local ordinance, state, and federal Law.

- Members shall not use any derogatory, demeaning or insulting language that could be inciting or harassing in nature, directed toward or within listening distance of any person in custody, member of the public or member of this Department.
- Members shall not take nor contribute to any reprisal or adverse action against any individual or group of individuals having opposed discriminatory practices or having participated or assisted in a charge, investigation, or proceeding brought under Department Policy, State, or Federal Law.
- Supervisors and managerial members shall act promptly and appropriately upon observing and/or receiving a complaint of sexual harassment. Their responsibility extends beyond simply handling complaints, they shall take proactive steps to prevent and eliminate sexual harassment from occurring. All information regarding such allegations will be immediately documented and forwarded to the Chief of Police.

N. RULE 14: Carrying of Badge and Credentials

All members shall carry their issued photo identification/credentials while on duty.

- Officers shall carry their badge and credentials while on duty, and off duty when armed.
- Members will identify themselves to any citizen requesting identification by displaying their credentials and supplying their full name and identification number, except when authorized not to do so by proper authority and when such refusal may be necessary for the proper performance of duties.
- Officers who make a traffic stop or arrest while in civilian clothes shall properly identify themselves to the violator and display their badge and credentials.

O. RULE 15: Reporting for Duty

No member will be absent from duty without approved leave or without authorization from their supervisor.

- Members shall report for duty at the time and place specified by supervisors and shall be physically and mentally fit to perform assigned duties. Members shall be properly equipped and cognizant of information required for the proper performance and prepared to immediately assume assigned duties.
- A member shall report for duty with and use any prescription lenses, eyeglasses or contact lenses that are required for the safe and/or effective performance of duties.
- Any member unable to report for duty due to sickness or other reason shall, not less than one hour prior to reporting time, notify, or cause to have notified, their immediate supervisor of the reasons for their absence.
- Off-duty officers are subject to call back at all times. In the event of an emergency or

potential emergency, officers may be ordered back to active-duty status.

P. RULE 16: Personal Appearance

All members will maintain a neat, well-groomed appearance and hairstyle. Officers shall wear uniforms consistent with established policy and procedures.

Q. RULE 17: Secondary Employment

Members will not engage in any outside employment without the written permission of the Chief of Police or their designee.

R. RULE 18: Fictitious Illness or Injury Reports

Members shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive the Police Department as to the condition of their health.

- Members shall report promptly in writing to their immediate supervisor any injuries to their person, persons in their custody or department equipment in their possession or control irrespective of when or where such injury occurs. This report shall be in complete detail and give the full information of any witness.
- If a member is sick or injured to an extent that makes this impossible, their immediate supervisor or the on-duty supervisor, shall promptly notify the Deputy Chief or Chief, and submit a written report as soon as practical afterward.

S. RULE 19: Use of Alcohol/Drugs

Members shall not consume or be impaired by any alcoholic beverage while on duty. Further, all members are prohibited from operating a Police Department vehicle with any measurable amount of alcohol in their blood, or while impaired by alcohol, drugs or a combination thereof as defined by the Vermont Statutes Annotated, and;

- Officers will not exercise any authority, take any official action or represent themselves as an Officer with any measurable amount of alcohol in their blood, or while impaired by alcohol, drugs or a combination thereof as defined by the Vermont Statutes Annotated.
- Alcoholic beverages will not be consumed or purchased while wearing any part of the uniform regardless of duty status.
- Officers will not be armed while impaired by alcohol or drugs.
- Members shall not take any narcotic or controlled dangerous substance unless prescribed by a physician.
- Members taking prescription medication that could affect the performance of duty, prior to or while on duty, shall notify their supervisor of the prescribed medication.

T. RULE 20: Leaving/Changing Posts or Assignments

Members are not permitted to leave their assigned post, City, or exchange assigned duties unless properly and officially authorized by their supervisor.

U. RULE 21: Meal Breaks – Police Officers

In accordance with the collective bargaining agreement with the Barre City Police Officers Association and Fraternal Order of Police, officers are considered on-duty while on meal breaks during their workday and will take no more than thirty (30) minutes for a meal break. Officers shall remain available for emergency calls during their meal break.

V. RULE 22: Courtesy

Members shall be courteous and discreet to members of the public and other members, maintaining proper decorum and command of temper, and avoid the use of violent, insolent or obscene language.

W. RULE 23: Citizen's Complaints

Members shall courteously and promptly accept any allegation or complaint made by a citizen against any member of the Barre City Police Department. Receipt and processing of all complaints shall be in conformance with established procedures.

X. RULE 24: Requests for Assistance

When the public requests assistance or advice, either by telephone or in person, all pertinent information will be taken in an official and courteous manner and will be acted upon consistent with established procedures.

- Officers shall act only in an official capacity in civil cases, where such action is consistent with the lawful duties of the Police Department.
- No member shall testify in any civil court action unless served with a legal subpoena except in cases where the member is the plaintiff or is related to the litigant by blood or marriage. Only designated members shall accept service of any civil process or any subpoena on behalf of any other member.
- All members shall confer with their supervisor and the Chief of Police before giving a deposition or affidavit in a civil case resulting from the performance of official duties.

Y. RULE 25: Seeking or Accepting Gifts, Gratuities/Bribes

Members shall not solicit, seek, **or accept** any gift or gratuity, including food or drink for themselves or another individual from any individual, business establishment, or merchant.

- Members shall not receive, seek, solicit, or share in any fee, reward, or other reimbursement for the performance of official duties, or for failure to perform such duties, except as directed by the Chief. Members shall immediately report any offer, or attempt to offer, of money, gift, or other gratuity made in an effort to influence their official conduct to their immediate supervisor.
- Members shall not solicit or accept any subscription or contribution for any purpose

whatsoever except in conformance with policy.

Z. RULE 26: Treatment of Persons in Custody

Members will not mistreat persons in custody. All persons in custody will be handled in accordance with established procedures.

- No member shall request, demand, or accept personal services from any arrestee/prisoner, or from anyone on behalf of an arrestee/prisoner.
- Members will not, without proper authority, release any arrestee in custody, through neglect or design, or allow any arrestee in custody to escape.
- Members shall not deliver or relay any letter, message, or communication of any type (written or oral), into or from, any arrestee or person except as required in the performance of their official duties.

AA. RULE 27: Police Department Equipment

Department equipment will be used and maintained in accordance with established procedures and will not be abused, damaged, altered, or through negligence, lost. Members will not cause or contribute to the damage, abuse, alteration, or loss of any equipment through negligence or carelessness.

- Any officer whose police powers have been suspended, shall turn in all issued equipment designated in the Order of Suspension to their supervisor.
- Members will operate department vehicles in a careful and prudent manner and will not, through negligence or careless operation, incur or cause damage to Department property or to the property of another. Members will obey all laws of the State of Vermont and all local ordinances and conform to all procedures and regulations pertaining to operation and maintenance of assigned vehicles on a permanent or temporary basis. Members will at all times set a proper example for other persons in the operation of a vehicle.
 - Damage to or loss of equipment will be reported in conformance with procedures.
 - Members will not have any item or equipment repaired, adjusted, modified, or add any equipment, to any Department vehicle without prior authorization.
- Only members of the Barre City Police Department will be permitted to operate or attempt to operate any Police Department vehicle, issued firearm, or other item of property owned by the Barre City Police Department. Specific exceptions to this rule may be authorized by the Chief of Police
- All member's operating or occupying a Department vehicle, or any other vehicle used on official business will wear safety belts (lap and shoulder), and;
 - All passengers must wear safety belts. The operating member and/or senior member shall be responsible for compliance by all occupants of the vehicle.
 - Safety belt assemblies shall not be modified or altered in any manner without the express approval of the Chief.

- Vehicles needing service will have all firearms, defensive weapons, computers and other pertinent equipment removed from the vehicle beforehand.

BB. RULE 28: Firearms & Weapons

Only issued or authorized firearms, defensive weapons and ammunition shall be carried while on duty or off-duty. Weapons shall not be stored, used, displayed, or handled in a careless fashion.

CC. RULE 29: Key Control

Members are responsible for maintaining control of all issued keys and shall not duplicate any key without written authorization from the Chief of Police.

DD. RULE 30: City Property

Members shall not remove, or knowingly allow City or Department property to be removed from the workplace without permission from the Chief. Personal use of City or Police Department property is forbidden, unless approved by the Chief. Members are responsible for the proper maintenance of City and Police Department property are expected to exercise reasonable care in preventing arrestees or others from damaging, stealing, or destroying such property.

EE. RULE 31: Personnel File

Personnel files are considered confidential and are not to be handled by anyone other than authorized personnel. Members may review their personnel files and request copies of personnel documents included therein by making an appointment with the Chief of Police.

FF. RULE 32: Evidence/Found and Recovered Property

Property that has been received as evidence in connection with investigations of which, for any other reason, comes into custody will be processed in accordance with established procedures. No member will convert to their own use, manufacture, tamper with, or damage through negligence, or destroy, or in any other way misappropriate any evidence or any other material or property found in connection with an investigation or other law enforcement action, except in accordance with established procedures.

GG. RULE 33: Reports/Records and Dissemination Thereof

Members shall submit all reports, verbal and written, required by the Police Department, on time and in accordance with established procedures. All official business transacted by Police Department members must be processed through official channels.

- The following procedure will govern the submission of reports on administrative investigations:
 - During any administrative investigation an accused member shall, upon order of competent authority, submit a written report detailing the facts concerning involvement in an incident being investigated where the incident is related specifically, directly, and narrowly to the performance of official duties.

- Whenever an officer is ordered to submit a detailed report concerning an incident in which the officer is alleged to have been involved and if the authority ordering the report knows, or should have known, that the report is likely to contain information which may be used as evidence against the officer in a disciplinary hearing, then the authority ordering the report will, at the time of such order, provide the officer with an Internal Investigation Notification.
- The aforementioned criteria does not apply to the submission of procedural reports required by other Police Department rules, procedures or policy.
- All reports submitted by members of the Police Department will be truthful; no member shall knowingly report or cause to be reported any false information. A clear distinction must be made between reports that contain false information and those, which contain inaccurate or improper information. To prove by a preponderance of evidence that one has submitted a false report, evidence must be presented for consideration that such report is designedly untrue, deceitful, or made with the intent to deceive the person to whom it was directed.
- All reports submitted by members of the Police Department will be complete and will not contain improper or inaccurate information. Inaccurate or improper information may be characterized by that which is untrue by mistake or accident.
- Members shall treat the official business of the Barre City Police Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended in accordance with established procedures.
 - Members are prohibited from providing confidential information concerning investigations or operations to any unauthorized person.
 - Members are prohibited from obtaining any information from any Criminal Justice Information System (CJIS) for a non-law enforcement purpose; this includes all local, state and national systems, including Department of Motor Vehicles information.
 - Members are prohibited from disseminating any information obtained through any Criminal Justice Information System (CJIS) or any other source to any unauthorized person, except in the performance of their official duties and in accordance with proper procedure and law.
 - Members who have created personal accounts on Social Networking sites, including but not limited to Facebook, Twitter, and Instagram or similar sites and services are prohibited from posting, transmitting and/or disseminating any photographs, video or audio recordings, likenesses or images, related to operations or investigations of the Barre City Police Department. Members are reminded that these sites are public, and information transmitted to these sites regardless of intention, may negatively impact investigations and the public trust.
- A member may remove or copy official records or reports only in accordance with established procedures. A member shall not divulge the identity of a person giving

confidential information, except as authorized by proper authority in the performance of police duties.

- The content of material labeled "DRAFT" or "CONFIDENTIAL" must be treated with the utmost sensitivity, as items of this nature may differ significantly when finalized. Only those members officially directed under competent authority to review, discuss or have input into draft and confidential material may divulge the content of such material and then only to members specifically authorized by official directive.
- Members shall report to their immediate supervisor any violation of Police Department written directives, rules of conduct, procedures, or laws applicable to the general public of which they have knowledge of and/or have observed. If the member believes the information is of such gravity and importance that it must be brought to the immediate attention of the Chief of Police, official channels may be bypassed.

HH. RULE 34: Telephone Use and Requirements

The use of Police Department telephones, including calls or texts messages from cellular phones, shall be limited to the conduct of official business except for personal or emergency calls made/received in accordance with policy.

- Members are required to maintain a telephone at their residence or on their persons, at the member's expense, and inform the Department of their telephone number.
- Any change of telephone number or, personal address will be communicated in writing to the Chief of Police within twenty-four (24) hours.

II. RULE 35: Recognition of Plainclothes Officers

- No member shall, either visually or verbally, recognize or acknowledge any plainclothes or undercover officer until and unless that officer acknowledges them first.

JJ. RULE 36: Criticism

Members, while acting in their official capacity, shall not criticize or ridicule the City of Barre, the Police Department, and any other department or agency, including the Vermont Judiciary, their policies, or their officers or members by speech, in writing, or other expression in any other manner, when such speech, writing, or other expression which is defamatory, obscene, unlawful, exhibits a reckless disregard for truthfulness, or tends to undermine the operation of the Police Department, other agency, or the judiciary by impairing their efficiency or interfering with their operation or maintenance of discipline.

KK. RULE 37: Associations

Members shall avoid associations or dealings with persons whom they know or should know, are racketeers, gamblers, felons, persons under criminal investigation or indictment, or others who have a reputation in the community for felonious or criminal behavior, except in the course of official police duties or as directed by a supervisor.

- Members shall not visit or enter a house of prostitution, gambling house, or any other

establishment wherein the laws of the United States, the laws of the State of Vermont, or any other law or ordinance of a political subdivision are violated except in the performance of duty and specific orders of a supervisor.

- Members of the Police Department shall not in any manner affiliate themselves with any organization, association, movement, group or combination of persons which advocates the overthrow of the government of the United States or any state, or which has adopted the policy of advocating or approving the commission of acts of force or violence to deny any person his/her right under the Constitution of the United States or any state, or which seeks to alter the form of government of the United States or any state by unconstitutional means.

LL. RULE 38: Gambling

Members shall not engage in any form of illegal gambling at any time, except in the performance of duty and acting under proper and specific orders from a supervisor.

MM. RULE 39: Payment of Debts

Members will make every effort to pay all just debts and legal liabilities. Disciplinary action may be taken when:

- Judgments or creditors have been finally adjudicated and the member, even though able to pay, has refused to comply with such judgment, **or**
- The effects of such indebtedness have adversely affected the ability of the member to perform his/her job or have negatively reflected on the reputation or effectiveness of the Police Department.
- Absent extenuating circumstances, disciplinary action shall be inappropriate where:
 - The member has made a genuine and sincere effort to pay the debts, **or**
 - The member has filed for a voluntary bankruptcy petition.

NN. RULE 40: Political Activity

All members of the Barre City Police Department are expressly prohibited from, and shall not participate in, any political activity while on duty, in uniform and in/on Department property.

OO. RULE 41: Labor Activity

Members shall not engage in any strike or job action. Strike or job action includes, but is not limited to, failure to report for duty, willful absence from duty, unauthorized leave, feigned sickness, 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 purpose of inducing, influencing, or coercing a change in condition, compensation, rights, privileges, or obligations of employment.

PP. RULE 42: Suggestions Pertaining to Service

Members shall not, in the performance of their official duties, suggest, recommend, advise or otherwise counsel the retention of any specific attorney, bail bond service, private process server, towing service or any other specific service to any person coming to their attention as a result of

official business. This prohibition includes any specific suggestion or recommendation to any member under investigation regarding contacting a specific attorney, or representative.

QQ. RULE 43: Health, Wellness & Physical Fitness

Each member is required to maintain a level of general health, physical fitness, mental and emotional wellness sufficient to carry out the essential job functions of their assigned position, with or without reasonable accommodation.

- Should a supervisor observe that a member is unable to perform one of their essential job functions, and it appears that the reason for the member's inability is the result of the member's health, wellness or fitness, the supervisor will document the specific observation and concerns on a Department memorandum, and:
 - Provide the involved member with a copy of the Barre City Police Department Memorandum, forwarding the original to the Deputy Chief or Chief of Police.
 - The Chief, in consultation with the City Manager's Office and Human Resources Administrator, will determine if it is necessary to refer the member to a physician for examination to determine their continued ability to perform the essential job functions of their assigned position.
 - Medical examinations required by the Barre City Police Department will be at the City's expense.
- In addition to supervisory referral, employees may voluntarily access assistance with concerns or problems that may be impacting them personally or professionally through Vermont Center for Responder Wellness or EAP First. Employee access, participation and use of these services is confidential, free of charge, and may be discontinued at any time.


IV. Exemption

In certain instances, the Chief may exempt individuals or sections from complying with specific Police Department written directives, rules and procedures. Such exemptions will be made in writing, and on a case-by-case basis in recognition of individual or section requirement for performance of their assignment.

V. Cancellation

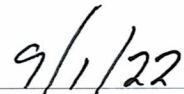
This written directive cancels, replaces and supersedes any directives in conflict therewith.

AUTHORITY:



Braedon S. Vail, Chief of Police

Index As: Rules of Conduct



September 1, 2022