



City of Manassas Police Department General Duty Manual



Effective Date: 10-16-2007	GENERAL ORDER	Number: 02-01
Subject: Rules of Conduct		
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PURPOSE:

The purpose of this regulation is to outline, as a general guide, minimum acceptable standards of personal conduct, both on and off-duty, and areas of responsibility, both on and off-duty, for members of the Department.

POLICY:

The conduct of a sworn or non-sworn member, on or off-duty, reflects directly upon the Department. A member must, at all times, conduct himself in a manner that does not bring discredit to himself, the Department or the City.

DISCUSSION:

Any member of the Department is the most conspicuous representative of government of the City of Manassas. To the majority of people, he is a symbol of stability and authority upon which they can rely. A member's conduct is closely scrutinized, and when his actions are found to be excessive, unwarranted, or unjustified, they are criticized far more severely than comparable conduct of persons in other walks of life.

PROCEDURE:**I. General Responsibilities**

- A. Knowledge of laws, ordinances, regulations and policies.
 - 1. Every member is required to establish and maintain a working knowledge of all laws and ordinances in force in the City and State, all General Orders and Standard Operating Procedures of the Department, and the regulations outlined in the City of Manassas Employee Handbook.
 - 2. In the event of improper conduct or violation of any portion of these rules and or laws, it will be presumed that the member was familiar with that standard. Violation of any law, ordinance, General Order, Standard Operating Procedure, or City personnel regulation may result in disciplinary action.
- B. Obedience to laws, ordinances and regulations.
 - 1. Every member will observe and obey all laws and ordinances, all rules and regulations of the City of Manassas, and all General Orders and Standard Operating Procedures of the Department.
- C. Establishing elements of violation.
 - 1. The existence of facts confirming a violation of law, ordinance, rule or regulation is all that is necessary to support any allegation for a charge under this section. It is not necessary that formal complaints be filed or sustained.
- D. Performance of duty.
 - 1. All members shall perform their duties as required or directed by law, departmental rule, policy, or order, or by order of a superior officer.
 - 2. All lawful duties required by competent authority shall be performed promptly.
- E. Truthfulness.
 - 1. All members shall be truthful in all matters related to the scope of their employment and the operations of the department.
 - 2. Members shall provide complete and honest answers when questioned by competent authority.

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3. Members shall not knowingly create or put forth any false or misleading information in any manner as related to their official duties.
- F. Discredit to the Department.
1. All members shall conduct their private and professional lives in such a manner as to avoid bringing discredit upon the City or the Department. Loyalty to the Department and to associates is an important factor in Department morale and efficiency.
 2. Members shall maintain a loyalty to the Department and their associates as is consistent with law and personal ethics.
- G. Duty to report violations.
1. Any member who has knowledge of other members, individually or collectively, who are knowingly or unintentionally violating any laws or statutes, ordinances, or rules and regulations of the Department, or who disobey orders, shall immediately bring any and all facts pertaining to the matter to the attention of a supervisory or command officer.
 - a. Supervisory or command personnel contacted shall then take appropriate action, in accordance with existing laws and regulations. Any members may bypass the official chain of command and directly advise the Chief of Police of the violation(s).
 2. Any member, who is arrested, indicted, released on a summons, served with a show cause order or charged with any moving violation, is responsible for reporting the information to his immediate supervisor as soon as possible.
 - a. The member is responsible for informing his immediate supervisor of the final disposition of any situation noted above as soon as possible subsequent to a final adjudication.
- H. Preservation of peace and protection of life and property.
1. It shall be the duty of each sworn officer of the Department to to:
 - a. Preserve the public peace.
 - b. Protect life and property.
 - c. Enforce and uphold the laws of the Commonwealth of Virginia and the ordinances of the City of Manassas.
- I. Standards of conduct.
1. Unbecoming conduct.
 - a. Members shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department.
 - b. Conduct unbecoming is described as conduct that brings the Department into disrepute or reflects discredit upon the member as a component of the Department, or which impairs the operation or efficiency of the Department or member.
 2. Immoral conduct
 - a. Members shall maintain a level of moral conduct in their personal and business affairs that is in keeping with the highest standards of the law enforcement profession.
 - b. Members shall not participate in any activity involving moral turpitude that impairs their ability to perform their duties or causes the Department to be brought into disrepute.
- J. Associations.
1. Members shall avoid regular or continuous associations or dealings with a person or persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in felonious or criminal behavior, except as necessary for the performance of official duties, or where unavoidable because of other personal relationships of the employees.
- K. Cooperation / coordination.
1. Members shall coordinate their efforts with all other employees of the Department and City agencies, with the objective of ensuring maximum achievement and continuity of purpose through teamwork.
 2. All members are charged with the responsibility of fostering and maintaining a high degree of cooperation both within the Department and all other agencies.

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- L. Employee Identification and Personal Contact Information.
 - 1. All members are issued Employee Identification cards upon being hired by the City. The ID card uniquely identifies the employee as a member of the Department and includes the following information:
 - a. Employee photo, signature, ID #, and date of employment
 - b. Department, division and job title
 - c. A unique key scan chip that controls authorized access to restricted areas within the Department.
 - 2. Members are required to carry their ID with them at all times while on duty unless assigned to an undercover position in Vice/Narcotics or the Regional Gang Task Force
 - 3. Lost or stolen identification cards must be reported immediately to the member's supervisor.
 - 4. All members shall keep the Department informed of their current address and telephone number. This notification will occur within five working days of any change. P.O. Box addresses are not allowed.
- M. Assistance to fellow officers.
 - 1. No officer shall fail to aid, assist, or protect a fellow officer to the full extent of his capability in time of need in accordance with established procedures.
- N. Obligation to duty.
 - 1. Officers of the Department are always subject to duty, although periodically relieved from its routine performance.
 - 2. They shall at all times respond to the lawful orders of superior officers and other proper authorities as well as requests for police assistance from citizens. Proper police action must be taken whenever required.
 - 3. Lawful orders from a superior officer to any member of the Department may be delivered by a member designated by the superior officer for that purpose. Members shall recognize such orders as coming from the superior officer.
 - 4. All members of the Department shall at all times respond to the lawful orders of police officers and other supervisors. All members of the Department shall respond to requests for assistance from citizens.
 - 5. Officers assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.
- O. Reporting for duty.
 - 1. Members shall report for duty at the time and place required by assignment or orders, and shall be properly uniformed, equipped, and prepared to assume duty.
 - 2. They shall give their undivided attention to orders, instructions, and any other information that may be disseminated.
- P. Inspections.
 - 1. Inspections of a member's dress, uniform, equipment, or assigned City vehicle may be made at any time by competent authority.
 - 2. Such inspections include, but are not limited to, City vehicles, examination of lockers, desks, or any other space on Departmental premises used by any employee.
 - 3. Members are reminded they are subject to searches as a condition of employment.
- Q. Human relations.
 - 1. All members are expected to perform their duties in an efficient, courteous and orderly manner, employing patience, good judgment and professionalism at all times.
 - 2. All members shall refrain from harsh, profane, or insolent language or acts and shall be courteous and civil in their dealing with others.
 - a. Members shall not use racial ethnic, sexual, religious, or gender based slurs. They shall use respectful, civil forms of address to all persons, regardless of their lifestyle.
 - 3. Displays of bias toward any person on account of race, sex, religious preference or lifestyle shall be considered unbecoming conduct.

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4. During the course of their normal duties, police officers are sometimes subjected to obscene gestures, name calling, harsh or rude language from citizens. Generally, such communications are protected by the First Amendment, and cannot be used as the sole basis for criminal prosecution.
5. This does not imply that officers cannot arrest a person under the provisions of 18.2-416, Code of Virginia ("Curse and Abuse"). The Supreme Court defined "fighting words" as "... those words which by their very utterance inflict or tend to incite an immediate breach of the peace." Federal and State court decisions reveal four generally accepted principles that can assist officers in deciding whether to arrest for speech directed to them:
 - a. Direct threats to officer safety generally constitute "fighting words" and are not constitutionally protected speech.
 - b. Speech that clearly disrupts or hinders officers in the performance of duty is not constitutionally protected speech.
 - c. Obscene gestures, name calling, harsh or rude language not directed at officers or any other person, generally is protected speech under the First Amendment to the Constitution and does not constitute a crime.
 - d. The Supreme Court has determined that professional law enforcement officers are expected to exercise greater restraint in their response to "fighting words" than the average citizen.

R. Training.

1. All members shall attend all training, as assigned, at the direction of the Chief of Police, or competent authority. Such attendance is considered a duty assignment.

S. Standby duty.

1. An officer who is placed on standby duty shall furnish the Public Safety Communications Center with the location and / or telephone number where he can be immediately contacted.

T. Physical fitness, medical examinations.

1. The role of a police officer often demands quick response to situations requiring physical exertion after long periods of sedentary activity. The safety of the general public and individual officers demands that officers maintain themselves in good physical condition regardless of assignment. Poor physical condition, such as obesity, is as much a detriment to the Department as improper demeanor or unkempt uniform appearance. All officers are encouraged to keep fit and to undertake such programs of exercise as may be required to do so. All officers shall have physical examinations conducted by a designated City agency, as required.

U. Duty to Intervene:

1. Definition: Intervene- To come between, whether verbally or physically, so as to prevent or alter a result or course of events.
2. All members must recognize and act upon the duty to intervene to prevent or stop any member from conducting any act that is unethical, or that violates law or policy (e.g., excessive force, theft, fraud, inappropriate language, sexual misconduct, harassment, falsifying documents, inappropriate behavior, etc.). Intervention may be verbal and/or physical. **Failure to intervene may subject a member to disciplinary action.**
3. All City of Manassas Police Department members benefit when potential misconduct is not perpetrated or when a potential mistake is not made. Preventing misconduct increases public trust and preserves job security and integrity of all department members, ultimately protecting members from destroying their careers as a result of misconduct or, in some instances, as a result of a failure to intervene to prevent misconduct by others.

II. Sexual Harassment

- A. Sexual harassment is a form of sex discrimination. Like discrimination on the basis of race, color, religion, national origin, age or handicap, it is a violation of Title VII of the Civil Rights Act of 1964, as amended, and shall not be tolerated. It shall be the policy of the Department that sexual harassment is prohibited in any form.

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- B. Unlawful sexual harassment includes, but is not limited to, any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that are made a condition of any employment decision affecting such individual's (e.g., assignment, training, or advancement).
- C. Unlawful sexual harassment also includes any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, which create an offensive, hostile, or intimidating work environment.
- D. The use of signs, pictures, slogans or excerpts of periodicals are examples of some items that are considered to affect the employee's work environment.
- E. Cooperation in preventing this type of conduct is required at all levels and positions within the Department.
- F. Nothing in this General Order shall amend or supercede the sexual harassment policy located in the Manassas City Employee Handbook, Chapter 6, titled "Employee Relations."

III. Aid to Citizens

- A. While on duty, members shall aid and / or assist citizens within the City whenever such aid or assistance appears to be called for and is not in conflict with the general principles of law enforcement or in violation of legal statutes or departmental rules and regulations.
- B. Officers shall provide general and emergency assistance to highway users to include, but not limited to:
 - 1. General information and directions.
 - 2. Arranging for towing, gasoline delivery or mechanical help.
 - 3. Arranging for or providing transportation within the City (transports out of the City must be approved by a supervisor).
- C. When rendering assistance, officers should remain on the scene until help has been requested, hazardous situations are neutralized, EOC directs the officer to leave for an assignment, or at the direction of a supervisor. Additionally, the officer is required to render all possible assistance to citizens who wish to make any report in accordance with established policies and procedures of the Department.
- D. In an off-duty status, a member has a professional obligation to act in a bona fide emergency situation which may be encountered or where assistance is requested.

IV. Public Conduct

- A. Members shall be courteous and orderly in their dealing with the public. When meeting in public, officers shall conform to normal courtesy standards. Supervisory officers shall be addressed by rank when conversing in formal and / or official surroundings.
- B. Identification as a law enforcement officer and City employee.
 - 1. Except when impractical or not feasible or where identity is obvious, officers shall identify themselves by displaying the official badge and / or identification card before taking action.
 - 2. Upon request of a citizen, members shall willingly supply name and unit identification number in a courteous manner.
 - 3. In cases where it is not readily apparent that a member is acting in official capacity as a City employee (i.e. a plainclothes officer making a traffic stop or a non-sworn member acting in an official capacity), members shall, upon request, produce their City issued photo ID.
- C. Public availability.
 - 1. Members shall be immediately and readily available to the public during duty hours. Concealment may be employed for police purposes only and not to avoid this responsibility.
- D. Military honors.
 - 1. Uniform members shall render full military honors to the National Anthem and Colors at appropriate times.
 - 2. Members in civilian dress shall render proper civilian honors to the National Anthem and Colors at appropriate times.
- H. Liability admission.

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1. Members of the Department shall refrain from, or use extreme caution in expressing opinions to members of the public concerning matters of City liability.
 2. Before admitting liability on the part of the City to unauthorized members of the public, the member shall contact his supervisor and the City Attorney's Office for guidance.
- I. Telephone communication.
1. Members shall maintain a normal standard of courtesy at all times during any telephone communication. See the City Employee Handbook, Section 3, XI.
 2. Efficient, courteous and polite telephone communication is an essential component of the Department's public relations efforts, and shall be maintained by all members.
 3. Members shall identify themselves using their name, title, Manassas City Police Department, and such other applicable information, during telephone communication with the public.
 4. Members shall make return telephone calls promptly.
- J. Voice mail system.
1. Each member with an assigned desk telephone is also assigned a voice mail system, in order to provide the member with an efficient, reliable system for receiving telephone messages.
 2. Members shall maintain a normal standard of courtesy in all voice mail greeting messages.
 3. The member's voice mail greeting shall include, at a minimum:
 - a. The member's name, along with his rank or title.
 - b. Manassas City Police Department.
 - c. The member's Division or Section assignment.
 - d. An instruction to the caller, requesting his name, telephone number and a brief message to be recorded after the signal tone. The member's assurance that he will make a return call as soon as possible.
 - e. Such other information as may be appropriate.

V. PROHIBITED ACTIVITIES

- A. Loitering, sleeping, and loafing on duty.
1. No member shall loiter, sleep, or loaf on duty, or in any other manner shirk responsibilities in the performance of duty.
- B. Malingering.
1. A member shall be absent from duty because of sickness only when suffering from an illness or injury, which would prevent the proper performance of duty. Members shall not feign sickness or disability, nor attempt to deceive a supervisor concerning their physical or medical condition.
 4. Notification of the use of sick leave will be made to the member's supervisor prior to the member's scheduled reporting time.
- C. Use of tobacco products.
1. All sworn members of the Manassas City Police Department are prohibited from using tobacco products while working an on-duty or off-duty assignment, regardless of whether or not you are in uniform or plain clothes. For clarification, tobacco products shall be defined as smoked, smokeless to include e-cigarettes, vapors, and any similar products. In addition, sworn members will comply with Section 9.7 of the City of Manassas Employee Handbook.
- D. Consumption and purchase of intoxicants.
1. Members shall not consume intoxicants while off-duty to the extent that evidence of such consumption is apparent when reporting for duty, or to the extent that the ability to perform duty is impaired. Members, unless in the performance of official business, shall not consume or purchase any intoxicant while on duty.
- E. Intoxication.
1. Members shall never be intoxicated while on duty, nor shall they ever be intoxicated in public view at any time.
- F. Intoxicants on Departmental premises.
1. Members shall not bring onto or keep any intoxicants on departmental premises, except when necessary in the performance of duty. Intoxicants shall not be transported in any police vehicle, on duty or off duty, except as necessary in accordance with official duties.

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- G. Drugs / controlled substances.
1. Members shall not use, while on or off duty, controlled substances except those substances prescribed to them by a medical doctor or dentist for a specific medical condition.
 2. The possession of illegal controlled substances shall only be while handling drug evidence in accordance with Department policy and procedure.
 3. Members shall not possess or use, while on or off duty, controlled substances in the form of anabolic steroids, androgenic steroids, human growth hormones, or any controlled substance used or designed to enhance physical development and / or athletic performance, or having the effect of enhancing physical development and / or athletic performance, unless the possession / use has been prescribed by a physician for treatment of a specific medical condition, and has been approved by a City contract physician at City expense.
 4. Members shall notify their immediate supervisor when required to use prescription medication that they have been informed has the potential to impair job performance.
 5. No member shall ingest any prescribed or over-the-counter medication in amounts beyond the recommended dosage.
 6. Any member who has a reasonable basis to believe that another member is illegally using, or illegally in possession of any controlled substance shall immediately report the facts and circumstances to his supervisor.
- H. Personal publicity.
1. Members shall not use their position within the Department to enhance or promote any private enterprise, or to seek personal publicity. This provision is required to protect individual officers and the Department from potential conflicts of interest.
- I. Debts – incurring and payment.
1. Financial irresponsibility is contrary to the special public trust granted all members of the Department. To protect this trust and the integrity of the Department, members shall make every reasonable effort to pay all debts for which they are legally responsible.
- J. Accepting gifts, gratuities, bribes or rewards, etc.
1. Members shall not knowingly accept gifts, gratuities, rewards, or bribes, obtained by virtue of their status as members of the Department. This may take the form of, but not limited to, currency, credit, meals, beverages, services or other material benefits at a complimentary or discounted rate, or at a rate lower than offered to the general public, while on duty or by virtue of their position with the Department, unless previously approved by a division commander or above. Knowledge of the violation is determined using the “reasonable and prudent man” approach.
- K. Other transactions.
1. Members are prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention, or which arose out of their departmental employment except as may be specifically authorized by the Chief of Police.
- L. Free admission and passes.
1. Members shall not solicit or accept free admission to theaters and other places of amusement for themselves or others except in the line of duty.
- M. Disposition of unauthorized gifts, gratuities, etc.
1. Any unauthorized gift, gratuity, loan, fee, reward, or other material benefit which comes into the possession of any member shall be forwarded to the Office of the Chief of Police, along with a written report explaining the circumstances. The Chief of Police shall determine whether to arrange for the return of the gift and / or to pursue an investigation against the giver. The members involved shall be notified in writing of the disposition. This section shall not apply to exemptions as provided in 15.1-138 Code of Virginia.
- N. Commercial testimonials.
1. Members shall not permit their names or photographs to be used in endorsing any product or services connected with law enforcement without the permission of the Chief of Police, or allow their names or photographs to be used in any commercial testimonial, which alludes to their position or employment with the Department.

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- O. Membership in organizations.
 - 1. Except for Armed Forces Reserve components, members shall not become affiliated with any organization which in any way would prevent its members from rendering proper and efficient service to the Department.
- P. Political activity.
 - 1. Members shall not use their position in the Department to endorse political candidates, nor shall they use their position to solicit, directly or indirectly, funds or other services in support of a political issue. Members shall not use their official capacity in any manner to influence the outcome of any political issue.
 - 2. Nothing in this section is intended to prevent members from exercising their First Amendment Rights to free speech.
- Q. Personal preferment.
 - 1. Members shall not seek the influence or intervention of any person outside the Department for purposes of personal preferment, advantage, transfer, advancement or to gain favor or preferential treatment of any kind.
- R. Shopping while on duty.
 - 1. Members shall not shop or trade while on duty nor devote any of their on-duty time to any activity other than that related to police work, unless approved by their supervisor. This does not include eating or replenishing necessary police supplies.
- S. Dissemination of confidential police information.
 - 1. Members shall not reveal police information, in whole or in part, outside the Department except as provided elsewhere in this manual or as required by law or competent authority.
 - 2. Specifically, information contained in police records, other information ordinarily accessible only to members, and names of informants, complainants, witnesses and other persons known to the police are considered confidential information.
 - 3. Violation of the security of this type of information reflects gross misconduct.
- T. False police reports.
 - 1. Members shall not make or cause to be made any false report, written or not. This prohibition includes any report, statement, or testimony given in regard to an Internal Affairs Investigation.

VI. Orders

- A. Insubordination.
 - 1. Except as otherwise stated herein, defiance of lawful authority or disobedience to orders constitutes insubordination. Insubordination may also include disrespectful, insolent or abusive language and / or acts toward a supervisor, failure or refusal to obey a lawful order given by a supervisor, and ridiculing the orders of supervisors (whether in their presence or not).
- B. Unlawful orders.
 - 1. No member shall knowingly issue any order that is in violation of any law, statute, or ordinance, or departmental rules and regulations.
- C. Manner of issuing order.
 - 1. Members shall obey any lawful order of a superior, including any order relayed from a superior by a member of the same or lesser rank. Orders shall be issued in a clear and civil tone, in an understandable manner, and in the interest of departmental business.
- D. Disobedience to unlawful orders.
 - 1. No member is expected to or shall obey any order that he knows to be contrary to federal or state law, or City ordinance.
 - 2. At the time the unlawful order is issued, the member shall advise the issuing authority of its illegality.
 - 3. Should that authority persist in demanding compliance, a member of superior rank or status to all parties involved should be summoned to decide the controversy.
 - 4. Responsibility for refusal to obey rests with the subordinate, and he shall be required to justify his actions.
- E. Obedience to improper orders.

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1. Members who receive orders which they feel are unjust or contrary to departmental rules and regulations, are required to obey the order, but may then proceed to appeal that order at the earliest opportunity.
- F. Conflicting orders.
 1. Upon receipt of an order that is in conflict with any previous order or instruction, the affected member will respectfully advise the person issuing the superseding order of the conflict.
 2. Responsibility for countermanding the original instruction then rests with the individual issuing the superseding order.
 3. If the superseding command is held in force, it shall be obeyed, thereby rendering all previous orders ineffective. Orders will be countermanded only when in the best interest of the Department.
- G. Reports and appeals – unlawful or improper orders.
 1. A member receiving an unlawful, unjust or improper order shall, at the first opportunity and prior to the conclusion of the tour of duty in which the order was given, report the fact in writing to the Chief of Police through official channels.
 2. This report shall contain the facts of the incident and the action taken. Appeals for the release from such orders may be made at the same time.
- H. Care of buildings, vehicles and equipment.
 1. Members shall not mar, mark, deface or destroy any surface on any departmental building, vehicle, or other piece of Department equipment unless it is in the proper execution of duty with the consent of competent authority. Nor shall any member engage in any act of vandalism that would render any portion of the facility inoperable or unsightly.
- I. Defacing notices.
 1. Members shall not mark, alter, or deface any posted notice of the Department unless ordered by competent authority. No inflammatory, discrediting, or derogatory notices will be posted at any time.
- J. Alteration and repair of issued weapons.
 1. No member, except qualified Department personnel or Criminal Justice Academy Firearms Unit members shall alter or repair any weapon issued by the Department.
 2. No weapons issued by the Department shall be taken to an outside source for alterations or repairs of any form without the expressed permission of the Department Chief Firearms Officer.
 3. Officers shall be responsible for the care, security and maintenance of Department issued weapons.
- K. Wearing of police uniform during court appearances.
 1. Officers or other uniformed members shall not attend any court in any jurisdiction attired in a Manassas City Police uniform, unless such attendance is related solely to testifying to acts that occurred during the performance of official duties.
 2. Officers or other uniformed members appearing as a defendant in any court in any jurisdiction shall not appear attired in a Manassas City Police uniform.
- L. Wearing of police uniform while suspended from duty.
 1. Officers shall not wear the police uniform while suspended from duty.

Attachments: N/A.

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References: Code of Virginia Section 18.2-416, available at: <http://leg1.state.va.us/000/src.htm>.