

MESA POLICE Department Policy Manual	Code of Conduct	DPM 1.4.1 Effective 10/18/2012 Revised 03/27/2024 Reviewed 10/24/2024
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1. PURPOSE

It is the policy of the Mesa Police Department (MPD) to apply the disciplinary process in a fair and just manner, to correct and improve member conduct, and to ensure the performance of its members are lawful police actions that are carried out in a professional manner. [\[ALEAP 12.1\]](#)

In addition to complying with the law, members shall comply with the letter and the spirit of the Law Enforcement Code of Ethics, as well as the Code of Conduct. [\[ALEAP 12.1\]](#)

Any inconsistency between City of Mesa (COM) Personnel Rules and Management Policies and this Department Policy, City Rules/Policies shall prevail.

2. DEFINITIONS

Commission of a Crime: The act of committing a criminal offense, regardless of whether the subject member was arrested or indicted.

Conduct Unbecoming an Officer/Member: This shall include any act or conduct not specifically mentioned in the rules and regulations, which has the potential to or brings the Department into disrepute or reflects discredit upon the individual as a member, or which has a tendency to harm the public's respect for the Department, its operation or members, or has an adverse impact or potential for an adverse impact on the Department, and/or is contrary to the Law Enforcement Code of Ethics.

Conviction of a Crime: The result of a criminal trial or process in which the subject member has been found guilty of a criminal offense or in which a member pleads guilty or no contest to a criminal offense.

Dishonesty: Making a false, misleading, or untrue oral or written statement, report, record, and/or communication, including electronic communication.

Improper Application: An impractical use of equipment/weapon, or an act that is not appropriate for a purpose or occasion.

Insubordination: Refusing to perform a lawful order. Exhibit disrespect, gestures, or language of a coarse, profane, or insolent nature to any ranking member or supervisor when given or during the performance of a lawful order. Refusing to perform an unlawful order is not insubordination.

Lawful Order: A lawful order is a directive from a ranking member (to include a member in an acting capacity or a lead officer position) or a supervisor to a subordinate who is expected to carry out the directive as part of their duties.

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Misconduct: Any conduct by an MPD member that violates policy or the law.

Supervisor: A sworn MPD member holding the rank of sergeant or above or a professional staff supervisor. A member-in-training is not considered to be a supervisory member for disciplinary purposes.

Unsatisfactory Performance: This is a result of a member's failure to perform. This can occur from a single act or omission or a series of events.

3. LAW ENFORCEMENT CODE OF ETHICS

- A. "As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all persons to liberty, equality, and justice.
- B. I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my Department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.
- C. I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice, or ill will, never employing unnecessary force or violence and never accepting gratuities.
- D. I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession...law enforcement."

4. GENERAL

- A. In addition to the Code of Ethics, a member must obey all MPD orders and policies as set forth in this policy, other official Department communications, and lawful commands of a ranking officer or supervisor.

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- B. A member must also obey all COM policies and rules as set forth in COM Management Policies, Personnel Rules, and other official COM communications.
- C. Violations of any of the foregoing will subject a member to disciplinary action which may result in remediation, written reprimand, disciplinary probation, suspension, demotion, dismissal, or any other penalty the Chief of Police or designee may lawfully direct.
- D. While any violation of these policies and orders subjects a member to disciplinary action, such discipline may or may not be invoked when, at the discretion of the Chief of Police, extenuating circumstances exist, or the best interest of the Department would not be served.
- E. *Any violation of the Code of Conduct may be subject to disclosure under Brady v Maryland, 373 US 83 (1963) and/or the Arizona Court Rules as outlined in [DPM 1.4.25 Internal Affairs](#).*

5. VIOLATIONS

The following acts are in direct violation of MPD policies, procedures, and/or orders. The violations listed are not all-inclusive and do not prohibit a member from being charged and counseled or disciplined for violations of any other portions of Department policies/orders or COM policies/rules. The following violations are listed in no particular order. **[ALEAP 12.1]**

5.1 List of Violations

1. Failure to perform duties in an impartial manner or showing partiality on the basis of any protected class. See [DPM 1.4.75 Bias-Based Profiling](#).
2. Disparaging or demeaning the age, disability, ethnicity, gender, nationality, race, religion, or sexual orientation of any person.
3. Engaging in conduct that has the purpose or effect of unreasonably interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.
4. Cowardice.
5. Communicating, giving, or divulging in any manner, any sensitive or confidential police information to any person concerning the business of the Department.

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6. Divulging official Department confidential information to anyone except the person for whom it is intended, or as directed by the commanding officer, or under due process of law.
7. Misuse of ACJIS, NCIC, and/or any Department or another law enforcement database. Violations may result in a class 6 Felony.
8. Giving or making transcripts of Department records, photographs, official correspondence, communication tapes, or permitting such records to be removed from any Departmental unit, except by permission of the Chief of Police, their duly appointed representative, or as required by law.
9. Engaging or attempting to take police action in personal controversies or in controversies arising between friends, relatives, and/or neighbors (except in self-defense, to prevent injury to another, or serious threat of injury).
10. Interfering with a departmental, criminal, or governmental investigation, or act in a manner which might aid any person in escaping arrest, delay the apprehension of a criminal, or to secure the removal or concealment of contraband.
11. Withholding any information relative to suspicious persons or places, or any occurrence or circumstances bearing on crimes or attempted crimes.
12. Suggest, recommend, advise, employ, or otherwise counsel the retention of an attorney or bail bondsmen, by name or otherwise, to any person coming to their attention as a result of police business. (Does not apply when a relative of the member is seeking such service or to advise a member as a function of a labor organization).
13. Interfering or using the influence of one's position in elections. (Does not apply to a union official acting within their official capacity).
14. Participating in political activities, soliciting for, or contributing money or other things for political purposes while on duty and/or in uniform unless previously authorized by the Chief of Police or designee. (Does not apply to union official acting in their official capacity).
15. Display, distribute, transport, or store political literature, political bumper stickers, or other political paraphernalia in or on Department vehicles, equipment, buildings, or property.
16. Use any Department-involved meeting as a means of expressing, implying acceptability, or rejecting of any candidate or political issue; whether it is

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national, state, or local, including any issue that directly impacts the Department.

17. Engaging in a collective effort or circulating a petition(s) to affect the promotion, transfer, or restoration to duty of any person. (Does not apply to a union official acting within their official capacity).
18. Selling tickets or soliciting contributions/subscriptions/fundraising efforts for any purpose while on duty, while off duty in uniform, or in any Department building at any time without written permission of the Chief of Police or designee.
19. Using authority or position for financial gain or for obtaining privileges or favors.
20. Accepting bribes of money, valuables, services, or any other form of compensation, benefit, or consideration.
21. Obtaining and/or using personal information related to any citizen or Department member for other than departmental use.
22. Failure to exercise care or control in the use of Department equipment, property, materials, forms, and facilities.
23. Failure to secure, or loss of, Department firearm.
24. Improper application or careless use of a firearm.
25. Improper application or careless use of less lethal weapon.
26. Failure to promptly report lost, stolen, misplaced, or damaged Department equipment to the member in charge of the unit to which the member is assigned (such loss or damage through carelessness) shall be deemed prima facia evidence of misconduct.
27. Granting or facilitating unauthorized access to any Department building, equipment, materials, forms, facilities.
28. Operating a Department vehicle for a purpose other than official Department/City business.
29. Operating a Department vehicle in an unsafe manner (e.g., eating, texting, talking on the phone, etc.). Such carelessness shall be deemed prima facia evidence of misconduct.
30. Operating a Department vehicle in such a manner as to become involved in a traffic collision classified as preventable.

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31. Permitting unauthorized persons to ride in police vehicles.
32. Violation of the vehicular pursuit policy.
33. It shall be a violation to obstruct, hinder, or impede Department investigations or any other Department proceeding, or knowingly conceal or misrepresent any fact, material or not, relating to the subject matter of the inquiry, or to fail to fulfill any of these described duties and responsibilities.
34. Giving oral or written endorsement or granting permission for the use of name or photography in any endorsement of any commercial product or service while representing oneself as a member or representative of the MPD, without written approval from the Chief of Police or designee. (Does not apply to union official acting in their official capacity).
35. Making any public appearance or public speaking appearance representing the Department without prior approval from the Chief of Police or designee.
36. Bringing, storing, or keeping alcoholic beverages in any Department building or vehicle, except when authorized by the Chief of Police or possessed in the performance of duty.
37. Entering or frequenting a house or place where illegal activities are being conducted, except in the performance of duty.
38. Entering or frequenting public places on duty or in uniform, such as bars, taverns, or theaters, except in the performance of duty.
39. While on duty, consuming alcoholic beverages, except in the performance of duty.
40. While on paid call-out or stand-by status, in compliance with [COM Management Policy #357](#), members are prohibited from consuming any alcohol or impairing medication.
41. Conviction in a court of criminal jurisdiction (except for minor traffic violations).
42. Taunting or harassing persons.
43. Discourtesy; using disrespectful, vulgar, obscene, profane, or insolent language or gestures to any Department member or any citizen, directly or indirectly, face-to-face, or by telephone, electronic communication (i.e., e-mail), CAD, or to purposefully use disrespectful, vulgar, obscene, profane or insolent language on the police radio.

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44. Appearance; failure to maintain professional personal appearance, failure to carry Department approved firearm, badge, and/or police identification card, failure to wear a complete authorized uniform in the approved manner. [\[ALEAP 12.1\]](#)
45. Tobacco in a Department uniform or Department vehicle, and/or in public while identified as a Mesa Police Officer/member. In keeping with [COM Management Policy #314](#), this restriction also applies to electronic cigarettes and use of a vaping device.
46. Failure to provide proper care of any person in the custody of the Department.
47. Mistreatment of any person or prisoner.
48. Failure to properly search a prisoner.
49. Exhibit insubordination.
50. Willful disobedience of Department rules or orders.
51. Ignorance of Department rules, orders, or policies, Federal, State, or Local laws.
52. Failure to notify the member's commanding officer of any circumstance that affects a member's ability to perform their duties (e.g., suspended license, medical condition, medication, arrests, or detentions).
53. Failure to obey City of Mesa Management Policies and/or Personnel Rules or official City communications.
54. Failure to attend court, training, or mandatory meeting.
55. Taking more time for meal and/or rest breaks than allowed per [DPM 1.4.45 Duty Requirements](#) without purpose.
56. Attendance; being absent from duty without permission; failure to report for duty without proper authorization; failure to be punctual in attendance to all duties, including briefing, court appearances, training, meetings; failure to notify supervisor as directed or an on-duty supervisor or officer in charge of anticipated tardiness or absence.
57. Incompetence and/or inefficiency in performance.
58. Neglect of duty.

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59. Neglecting to report any member of the Department who engages in violation(s) of any rule, regulation, or order issued for the guidance of the Department or performing assigned duties.
60. Failure of a member to report any use of force to a supervisor.
61. Unnecessary or improper use of force.
62. Improper disposal of seized property or evidence.
63. Neglecting to turn over all property found, seized, or taken from persons arrested to the proper entity prior to the end of shift unless otherwise directed or approved by a supervisor.
64. Failure to secure and/or control property belonging to a person detained or arrested by a member.
65. Failure to notify a supervisor when involved in a matter that would concern the Mesa Police Department.
66. Excessive personal use of cellular phone (talking or texting) while on duty and/or in uniform.
67. Engaging in outside business activities on City time or using City property for personal use unless authorized by written City or departmental policy.
68. Failure to appear or complete controlled substance testing as directed.
69. Failure to complete written report as directed by policy.
70. Make social media posts or electronic communications that lack professionalism and bring disrepute or potential adverse negative impact to MPD, its members or its operations. Refer to [COM Management Policy #359](#) for further information.
71. While on or off duty, Mesa Police Department members are prohibited from posting or broadcasting information on the Internet or any other form of electronic communication of any investigative photographs, videos, audio recordings, images, or documents, without approval by the Chief of Police or designee.
72. Failure to provide name and/or badge number in writing to a citizen upon request unless it would jeopardize the safety of the member.
73. Conduct unbecoming an officer/member.

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74. Unsatisfactory performance and/or unwilling to perform assigned job responsibilities.
75. Dishonesty by false, deceptive, misleading, omitted statements, actions, or documentation.
76. Arrested or indicted or commission of any criminal offense.
77. All non-sworn Department members are prohibited from carrying any firearm inside Department buildings or vehicles, unless authorized by the Department and trained to AZPOST standards, or in accordance with their job duties. Non-sworn Department members must securely lock all unauthorized firearms in their vehicle, which shall be parked inside a secure parking area in compliance with [ARS 12-781](#).
78. Associating with known felons, other than family members, not related to official business.
79. Any violation of Body Worn Camera policy. See [DPM 3.4.35 On-Officer Body Camera Program](#).
80. Modifying any electronic computer file, program, or data from its original intended use without prior proper authorization to do so.

REFERENCES

- [ARS 12-781](#)
- [COM Management Policy #314](#)
- [COM Management Policy #357](#)
- [COM Management Policy #359](#)
- [DPM 1.4.25 Internal Affairs](#)
- [DPM 1.4.45 Duty Requirements](#)
- [DPM 1.4.75 Bias-Based Profiling](#)