



MARYLAND STATE POLICE PERSONNEL DIRECTIVE



Rules of Conduct

Distribution: All Employees	Index: PER 17.03
DLI Reference: N/A	Rescinds: Chapter 5, Sec. I (C)
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.01 Purpose

To describe the rules of conduct for all MSP employees.

.02 Policy

All personnel obey the rules of conduct listed below.^{1,2}

.03 CALEA Standards

LE: 12.2.1 26.1.1 26.1.3 **TA:** 3.1.6 4.6.1 4.6.2 **CM:** 2.1.5 3.6.1 3.6.4

.04 Procedures

A. Disciplinary Guidelines

1. All administrative charges preferred by a commander should be based on the rules listed in this directive.
2. Commanders may prefer charges based on other written directives when more appropriate.

B. Courtesy

1. An employee will courteously and promptly accept and process any allegation or complaint made by a citizen against any MSP employee per established MSP procedures.
2. An employee will be courteous to the public and to fellow employees. He will be tactful in the performance of his duties, will control his temper and exercise utmost patience and discretion, and will not argue, even in the face of extreme provocation. While on duty or in the performance of his duties, he will not use coarse, violent, profane or obscene language or gestures toward the public or fellow employees. He will not express any prejudice or use language which is insulting or demeaning to the public or fellow employees concerning race, sex, religion, politics, national origin, lifestyle, mental or physical disabilities or other personal characteristics.
3. Troopers will show respect for their fellow employees and conform to the rules of military courtesy and military discipline as prescribed by the Superintendent.

¹ LE: 26.1.1 TA: 4.6.1 CM: 3.6.1

² LE: 12.2.1(g) TA: 3.1.6(g) CM: 2.1.5(g)

C. Unbecoming Conduct

1. Every employee will conduct himself, both on and off-duty, in a manner which reflects most favorably on the MSP. The phrase "reflects most favorably" pertains to the perceptions of both citizens and other MSP employees. Conduct unbecoming of an employee will include that which tends to bring the MSP into disrepute, discredits the employee as a representative of the MSP or tends to impair the operation or efficiency of the MSP or employee.
2. A commander or supervisor will not injure or discredit a subordinate through unreasonable, unjust, arbitrary or tyrannical conduct, or abusive language.
3. An MSP employee will not maliciously threaten, strike or assault any other MSP employee.

D. Insubordination

1. MSP employees will, unless otherwise directed by competent authority, transact all official business with employees senior in rank or classification only through the chain of command.
2. An employee will promptly obey all lawful orders of a superior, including those from a superior relayed by an employee of equal or lesser rank.
3. An employee will obey all orders from superiors, whether written or verbal, except when compliance with such orders would require the commission of an illegal act.
4. No employee, without adequate justification, will intentionally issue an order that is contrary to an order issued by a superior per [ADM 02.02](#). Accountability for all action taken in compliance with orders remains that of the person taking such action.
5. At the scene of any incident, the assigned trooper will be in charge until relieved at the direction of another trooper who is senior in rank.

E. Criticism

An employee will not criticize or ridicule the MSP, or any other State agency, the Maryland Judiciary, or any other police department and/or member, their policies, or their officers by speech, in writing, or by expression in any other manner, when such speech, writing, or other expression is defamatory, obscene, unlawful, exhibits a reckless disregard for truthfulness, or tends to undermine the operation of the State Police, other police MSP, other State agency, or the Judiciary by impairing their efficiency or interfering with their operation or maintenance of discipline.

F. Abuse of Position

1. While deprived of police powers, troopers will not wear the uniform and will not represent themselves in an official capacity as an MSP employee with police powers.
2. An employee is prohibited from using his official position or his official identification card or badge for personal or financial benefit or as a means of obtaining privileges not otherwise available to him, or for avoiding consequences of illegal acts.
3. An employee may not lend his identification card or badge to another person, or permit it to be reproduced without the approval of the Superintendent.
4. An employee will not permit or authorize the use of his name, photograph or title identifying him as an employee of the MSP in connection with testimonials or advertisements of any commodity or commercial enterprise or for personal reasons without the approval of the Superintendent.

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5. An employee will not sign a petition without the authority of the Superintendent when his signature identifies him as an employee of the MSP; nor will an employee sign a petition that has an unlawful purpose. An employee may sign a lawful petition as a private citizen.
6. An employee will not release or divulge investigative information or any other matters of the MSP that are not available to the public from other sources without first having obtained permission from his commander.

G. Associations

1. An employee will avoid associations or dealings with persons whom he knows, or should know, are racketeers, illegal gamblers, felons, persons under criminal investigation or indictment, or others who have a reputation in the community for felonious or criminal behavior, except as directed otherwise by a superior. The purpose of this rule is to maintain the integrity of the employee and to avoid relationships which would tend to impair the operation of the MSP. In each case, the superior will be mindful of the need for such persons to be rehabilitated, of the fact that such persons already may have been rehabilitated at the time that the association occurs and of the necessity for some associations because of the relationship of the employee to such person.
2. An employee will not visit or enter a house of prostitution, illegal gambling house or any other establishment wherein the laws of the United States, the laws of the State or any other law or ordinance of a political subdivision are violated except in the performance of duty and while acting in response to lawful and specific orders of a superior
3. An employee of the MSP will not in any manner affiliate himself 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 rights 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.

H. Immoral Conduct

Every employee will maintain a level of conduct in his personal affairs which is in keeping with the highest standards of the law enforcement profession. No employee will be a participant in any incident which compromises, or has the potential to compromise, his ability to perform as a law enforcement officer or as an employee of the MSP, or causes the MSP to be brought into disrepute.

I. Conformance to Laws

An employee will not violate his oath of office and trust or any other condition of his employment with the State or commit an offense punishable under the laws or statutes of the United States or any sovereign nation, the State, public local laws, ordinances or commit civil violations. Any employee who has been charged with a violation of any law, statute, public local law or ordinance stipulated in this subsection must report the facts concerning such violation immediately to his commanding officer. Parking, speed camera and red light camera violations, except when they are issued to an MSP vehicle, are exempted from this subsection.

J. Payment of Debts

Employees of the MSP will make every effort to pay all debts and legal liabilities. Disciplinary action may be taken when:

1. judgments of creditors have been finally adjudicated and the employee, even though able to

pay, has refused to comply with such judgment; or

2. the effects of such indebtedness have adversely affected the ability of the employee to perform his job or have negatively reflected on the reputation or effectiveness of the MSP. (Absent extenuating circumstances, disciplinary action will be inappropriate where the employee has made a genuine and sincere effort to pay his debts or the employee has filed a voluntary bankruptcy petition.)

K. Seeking or Accepting Gifts, Gratuities or Bribes

1. A trooper will not solicit, seek or accept any gift or gratuity, including food or drink for himself or another from any individual, business establishment or merchant, where such offer of acceptance can be construed to be an effort to influence his official conduct as a trooper.
2. A trooper will not receive, seek, solicit or share in any fee, reward, or other reimbursement for the performance of his official duties, or for his failure to perform official duties, except as directed by the Superintendent. He will immediately report to his supervisor any offer of money, gift or other gratuity made in an effort to influence his official conduct as a trooper.
3. Employees of the MSP will not solicit or accept any subscription or contribution for any purpose whatsoever except in conformance with MSP policy.

L. Labor Activities

An employee will not engage in any strike or job action.

M. Secondary Employment

An employee will not be employed in any capacity in any business, trade, occupation or profession while employed by the MSP except as established by MSP policy and approved by the Superintendent.

N. MSP Communications

1. An employee will submit all reports, both verbal and written, required by the MSP, on time and in accordance with established procedures.
2. An employee will, upon order of a supervisor, submit a written and/or oral statement detailing the facts concerning his involvement in an incident being investigated where the incident is related specifically, directly and narrowly to the performance of his official duties.
3. Whenever a MSP employee is ordered to submit a detailed report or oral statement concerning an incident in which he 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 employee in a disciplinary hearing, then the authority ordering the report will, at the time of such order, provide the member with a copy of Form 178, Notification of Complaint-Waiver of Rights. The form will clearly state that the recipient is the subject of an investigation and briefly describe the nature of the investigation. These criteria do not apply to the submission of procedural reports required by MSP standard operating procedure, rule or policy.
4. A trooper will report, without delay, to his superior all information that comes to his attention concerning criminal activity.
5. All reports submitted by MSP employees will be truthful; no employee will knowingly report or cause to be reported any false information. A clear distinction must be made between reports which 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.

6. All reports submitted by MSP employees will be complete and will not contain improper or inaccurate information. Inaccurate or improper information may be characterized as that which is untrue by mistake or accident or made in good faith, after the exercise of reasonable care.
7. An employee will treat the official business of the MSP as confidential. Information regarding official business will be disseminated only to those for whom it is intended in accordance with established MSP procedures. An employee may remove or copy official records or reports from a police installation only in accordance with established MSP procedures. An employee will not divulge the identity of a person giving confidential information, except as authorized by proper authority in the performance of police duties.
8. The content of draft promotional and transfer lists or other material labeled "Draft" or "Confidential" must be treated with the utmost sensitivity, as items of this nature may differ significantly when finalized. Only those employees officially directed under competent authority to review, discuss or have input into draft and confidential material may divulge the content of said material and then only to employees specifically authorized by official directive.
9. The use of MSP telephones, fax machines and computers will be in accordance with established policy.
10. An employee who participates in the promotional process or has been exposed to questions and/or answers to any promotional testing material prior to the completion of the examination period will not disclose the questions and/or answers to any other person, unless authorized to do so by the Commander of Promotional Testing Division.

O. Interrogations & Interviews

1. During any administrative investigation, an employee will, at the direction of competent authority, submit to an interrogation, interview or polygraph examination. The questions to be asked during the interrogation, interview or polygraph examination will be related specifically, directly and narrowly to the performance of an employee's official duties and to the subject matter of the current investigation.
2. On the order of competent authority, an employee will submit to any medical, chemical or other test, photographs or lineups. All procedures carried out under this rule will be specifically, directly, and narrowly related to the nature and scope of the employee's employment and conduct.

P. Reporting For Duty

1. An employee of the MSP will not be absent without properly approved leave.
2. An employee will report for duty at the time and place specified by his superior and will be physically and mentally fit to perform his duty; he will be properly equipped and cognizant of information required for the proper performance of duty so he may immediately assume his duties.
3. An employee will log, or have logged for him on the appropriate form, the time his tour of duty began and ended as required by his commander.
4. If an employee is unable to report for duty due to sickness or other causes, such employee will, as soon as possible, make notification in conformance with established policy.

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5. An employee will not feign illness or injury, or otherwise deceive or attempt to deceive any official of the MSP as to the condition of his health.
6. Troopers, while off-duty, will be subject to call. In the event of an emergency or potential emergency, troopers ordered to an "inactive - on call" duty status and those required to leave work where they may be reached, will notify their installation duty officer of the location and telephone number where they can be contacted.

Q. Interference with Duty

1. An employee will not attempt to bring influence to bear on the Superintendent for the purpose of securing promotion or transfer, or to avoid penalties for violations of the MSP's policies, rules, procedures or orders.
2. An employee will not interfere with cases assigned to other employees for investigation without consent, except by order of a superior officer; nor will he interfere with the operation of a unit. An employee will not interfere with any lawful arrest or any prosecution brought by other troopers or by any other agency or person. A trooper will not undertake any investigation or other police action not a part of his regular police duties without first obtaining permission from his superior unless he can justify the need for his immediate intervention.
3. An employee of the MSP will not be directly or indirectly involved with making arrangements, agreements or compromises between a criminal and a person who has suffered from his criminal acts for the purpose of allowing the criminal to escape any punishment prescribed by law. Any employee having knowledge of such an arrangement, agreement or compromise will immediately report such to his immediate superior.
4. An employee of the MSP will not reveal the identity of a trooper assigned to plain clothes or covert investigative work. An employee will not acknowledge such employees unless such other member acknowledges him first.

R. Tampering/Manufacturing and Withholding Evidence and False Criminal Charges

An employee will not intentionally manufacture, tamper with, falsify, destroy, or withhold evidence or information, or make any false accusations of a criminal charge.

S. Evidence/Found and Recovered Property

Property which has been received as evidence in connection with an investigation or for any other reason comes into the custody of this MSP, will be processed in accordance with established procedures. An employee will not convert to his own use, manufacture, tamper with, damage through negligence, destroy or in any other way misappropriate any evidence or any other material or property found in connection with an investigation or other police action, except in accordance with established MSP procedures.

T. Suggestions Pertaining to Services

An employee will not recommend or suggest in any manner, except in the transaction of personal business when representing himself only as a private citizen, the employment or procurement of a particular product, professional service or commercial service (e.g., attorney, towing service, bondsman). In the case of a towing service, when such service is necessary and the person needing service is unable or unwilling to procure it, the trooper will proceed as a law enforcement officer in accordance with MSP procedure.

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U. Requests for Assistance

1. 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 MSP procedures.
2. Troopers will not act in an official capacity, without authority, in any civil case, except where such action will prevent a breach of the peace or assist in quelling a disturbance.

V. Identification

1. During the times that a trooper is not readily identified by uniform, he will carry his badge or identification card on his person. He will furnish his name, identification number and assignment to any person properly entitled to this information, at any time except when authorized not to do so by proper authority and when such refusal may be necessary for the proper performance of his police duties.
2. When a trooper makes a traffic stop or makes an arrest while in plainclothes, he will identify himself to the violator and display his badge and/or identification card.

W. Personal Appearance

A trooper will maintain his appearance in conformance with current MSP policy.

X. Neglect of Duty

1. Employees will be punctual in attendance to all calls, requirements of duty, court appointments and other assignments.
2. An employee will not engage in any activity or personal business while on duty that would cause him to neglect or be inattentive to that duty.
3. Police and civilian supervisors will actively oversee the performance of subordinates to ensure compliance with all MSP policies and procedures.
4. The failure of a trooper to take appropriate action, either on or off duty, on the occasion of a crime, disorder or other condition deserving police or MSP administrative attention is considered neglect of duty.
5. A trooper will not, without proper authorization, be absent from his assigned place of work during his tour of duty.
6. An employee will remain awake and alert while he is on duty. If unable to do so, he will report to his superior officer, who will determine the proper course of action.
7. A trooper may be authorized to suspend patrol or other assigned activity, subject to immediate recall, for the purpose of having meals during his tour of duty but only for such periods and at such times as are authorized by his commander. He will inform his installation of the telephone number and location when he leaves service.

Y. Use of Alcoholic Beverages

1. An employee will not drink alcohol while in uniform or while on-duty unless it is necessary for the performance of his duty and in accordance with current MSP policy. An employee given written permission to consume alcohol while on duty may not do so to the extent that his ability to perform his duty is impaired.
2. An employee will not report to work with any measurable level of alcohol in his system.

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3. An employee who is placed on an inactive on-call duty status will not consume alcoholic beverages.
4. An employee not in an inactive on-call who has consumed alcoholic beverages and is recalled to duty will notify the supervisor on duty of his condition and will refrain from further consumption of alcoholic beverages. The employee will be afforded sufficient reporting time to assure that a measurable amount of alcohol is no longer in his system.
5. No employee will bring any intoxicating beverage into any building or quarters officially occupied by the MSP, nor will he permit the same to be brought therein, except as evidence, pursuant to MSP procedures, or in conjunction with a training seminar relating to the detection of alcoholic beverages.

Z. Use of Drugs

An employee will not use any controlled substance, narcotic or hallucinogen, except in the conformance with established policy.

AA. Treatment of Persons in Custody

1. A trooper will not mistreat persons who are in his custody. He will handle persons in accordance with established procedures.
2. A trooper will not, without proper authority, release any prisoner or, through negligence or design, allow any prisoner to escape.

BB. Use of Force

A trooper, acting in his official capacity, will only use force as authorized in current MSP policy.

CC. Firearms

Weapons will not be used, displayed or handled in a careless or imprudent fashion or contrary to current MSP policy or statute.

DD. MSP Equipment

1. MSP equipment will be used and maintained in accordance with established MSP procedures and will not be abused, damaged, altered or lost through negligence or carelessness. An employee may not misappropriate or convert to his own use or in any way MSP equipment or property.
2. An employee will operate an official vehicle in a careful and prudent manner and will not incur or cause damage to be incurred to MSP property or to the property of another through negligence or reckless operation. He will obey all laws of the State and all local ordinances, and conform to all MSP procedures and regulations pertaining to operation and maintenance of any MSP vehicle assigned to him permanently or temporarily.
3. Damage to or loss of MSP equipment will be reported per current MSP procedure.
4. An employee will not have any item of MSP equipment repaired, adjusted or modified without official authorization.
5. Only employees of the MSP are permitted to operate or attempt to operate any MSP-owned vehicle, or use any MSP-issued firearm or use any other item of property owned by the MSP; however, specific exceptions may be authorized by the employee's commander.

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EE. Incompetence

Employees of this MSP will be held strictly responsible for the proper performance of their duties. Employees will maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Employees will perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the MSP.

FF. Sexual Behavior

An employee will not engage in any sexual behavior while on-duty. While off-duty MSP personnel will not engage in any sexual behavior in an MSP facility or MSP vehicle.

GG. Unauthorized use of Law Enforcement Computer Systems

Employees are prohibited from using or assisting in the use of the MILES, NCIC, or CJIS system for personal reasons or for any purposes other than those authorized by MSP policy.

HH. Citizen Contact

A trooper, in the course of performing law enforcement functions, will not solicit, for personal benefit, personal information from a citizen or provide his personal information, in a manner which could reasonably be construed as using his position as a trooper for personal benefit or personal reasons or for any reason that would not be required for law enforcement purpose.

II. Discrimination, Harassment and Retaliation

1. MSP employees will not engage in any form of discrimination.
2. MSP employees will not engage in any form of harassment.³
3. MSP employees will not take action against another employee because he has opposed any unlawful employment practice or because he has made a charge, testified, assisted or participated in any manner in an investigation, proceeding or hearing.

JJ. Race-Based Profiles

1. MSP employees will not unlawfully detain any person based upon race, color, ethnicity, national origin, gender, age, sexual orientation, disability or genetic information.
2. Troopers will not participate in the use of any race-based profiling as a cause for stopping, detaining or searching motorists traveling on Maryland roadways.
3. MSP employees will not participate in the use of any unlawful discriminatory characteristic as a cause for taking any law enforcement action against any individual or group of individuals.
4. Nothing in this policy statement precludes officers from relying upon race as a part of a description where a specific suspect is sought.

Approved:

Colonel Marcus L. Brown
Superintendent 01/01/2014

³ LE: 26.1.3 TA: 4.6.2 CM: 3.6.4