



OFFICIAL ORDER

MICHIGAN STATE POLICE

Chapter: Member Conduct and Authority
Subject: 02-51 – Conflicts of Interest and Disclosure of Interests
Effective: April 19, 2022
Supersedes: Official Order 33, Sections 33.1.2, 33.1.3, and 33.1.4, dated March 18, 2021
Distribution: Department Members

PURPOSE: This Order establishes department policy related to members conflict of interest and disclosure of interests.

02-51-1 CONFLICT OF INTEREST

- A. The department has statutorily imposed regulatory responsibilities. Supplemental employment with persons or organizations regulated by the department is viewed as a potential conflict of interest and shall not be approved for enlisted members. Requests by all other members of the department to engage in supplemental employment with any person or organization regulated by the department shall be reviewed on a case-by-case basis to determine if a conflict of interest exists.
- B. Unless collective bargaining agreements specify otherwise, members of the department shall not:
 - (1) Divulge or release for financial gain for the member or a person in the member's immediate family any confidential information that is not by law, rule, regulation, or court order available to public. However, this provision shall not prohibit a member from disclosing to a public body a violation or suspected violations as authorized in [Rule 2-10, Whistleblower Protection](#), unless where otherwise prohibited by statute, court order, or professional ethics.
 - (2) Engage in or agree to engage in for financial gain for the member or a person in the member's immediate family any business transaction or private arrangement that accrues from or is based on the member's official position or on confidential information gained because of the member's position.
 - (3) Solicit, accept, or agree to accept anything of value:
 - a. From any designated representative (as defined in [Rule 9-1](#)); or
 - b. Under any circumstances that could reasonably be expected to influence the way the member performs work or makes decisions.
 - (4) Make available any consideration, treatment, advantage, or favor beyond that which is generally granted or made available to others under similar circumstances.

- (5) Represent or act as an agent for any private interests, whether for compensation or otherwise, in any transaction in which the state has a direct and substantial interest and which could reasonably be expected to result in a conflict between the private interests of the member and the member's official state responsibilities.
- (6) Exercise any decision-making authority of the state regarding any state regulation, enforcement, auditing, licensing, or purchasing with respect to any business or entity in which the member or a person in the member's immediate family has any financial interest.
- (7) Engage in supplemental employment that conflicts with the satisfactory or impartial performance of the member's state duties.
- (8) Engage in supplemental employment without the express written consent of the member's appointing authority.
- (9) Engage in any supplemental employment during actual duty time.
- (10) Request or use sick leave to engage in supplemental employment.
- (11) Use any state funds, property, or equipment in or for the benefit of any supplemental employment.
- (12) Fail to timely, fully, and accurately report to the member's appointing authority any of the following:
 - a. Any interest of the member or a person in the member's immediate family in any business or entity with which the member has direct contact while performing official duties as a member.
 - b. Any supplemental employment or change in approved supplemental employment required by this rule, applicable regulation, or departmental work rules.

02-51-2 DISCLOSURE OF INTEREST

- A. All classified members of the department are required to disclose to the Director annually all personal or financial interests and the interests of persons in their immediate families, in any business or entity with which they have direct contact while performing official duties as a state classified employee.

The Disclosure of Interest form, CS-1783, and information contained therein shall remain strictly confidential and will be disclosed only to persons authorized by the Director.

- B. On notification, the following members shall be required to complete an Annual Procurement Disclosure Statement, DTMB-3563, issued by the Department of Technology, Management and Budget:
- (1) Members who have authority to purchase or award contracts.
 - (2) Members who, as part of their official duties, develop or approve specifications for contracts or recommend the purchase or award of contracts.
 - (3) Supervisors of the above members.
 - (4) Members with responsibility for payment approval for contractual services.

C. Definitions

- (1) "Immediate family" in this Order means a member's parent, grandparent, parent-in-law, stepparent, sibling, spouse, child, or stepchild.
- (2) "Substantial" in this Order shall mean something worthwhile as distinguished from something without value or merely nominal. The department, not the member, shall make the determination of what is nominal.

02-51-3 COMPLIANCE PROCEDURE

A. Conflict of Interest

Members involved in a conflict of interest shall be subject to discipline proceedings. The Human Resources Division shall review all information of actual or perceived violations of conflict of interest and shall recommend appropriate action.

B. Disclosure of Interest

The Human Resources Division shall review any information of actual or perceived violations of the disclosure of interest rule. After a hearing and regardless of whether discipline is invoked, the Human Resources Division has authority to recommend to the Director that a cease-and-desist order be directed to the member found to be in violation of the disclosure of interest rules. Such member shall be given an adequate opportunity to comply with the order. If the member does not comply, the matter will be reviewed by the Human Resources Division which shall make further recommendations to the Director to enforce compliance.

C. Appeals

Appeals of decisions under these procedures are subject to the grievance procedure.

DIRECTOR

Annual Review Responsibility: Human Resources Division

Accreditation Standards: CALEA TBD