



Newport News Police Department - Administrative Manual

ADM-235 - GIFTS AND GRATUITIES

Amends/Supersedes: ADM-235 (03/30/2006)

Date of Issue: 09/11/2017

I. GENERAL

- A. §2.2-3103 of the Code of Virginia prohibits an employee from accepting any money, loan, gift, favor, service, or business or professional opportunity (all hereinafter referred to as gifts) that would reasonably tend to influence that person in the performance of his official duties.
- B. Employees shall exercise good judgment concerning the receipt of any gift that does not fall under the purview of §2.2-3103 offered gratis and shall make every attempt to pay for any such item offered.
- C. All employees should be cognizant that the acceptance of any free or discounted gift, good, or service may be looked upon poorly by the public.
- D. Acts of hospitality and appreciation by citizens and organizations are not considered gratuities.

NOTE: "Gratuity" is defined as *the act of giving a person something more than the usual pay for performing a service.*

1. Hospitality

- a. The act of being welcoming (i.e. providing food, drinks, shelter, etc. for acquaintances or guests of an individual organization). Possible instances of hospitality may include, but are not limited to:

- 1) Neighborhood Watch meetings;
- 2) Coffee-With-A-Cop events;
- 3) Faith-based events;
- 4) Police Academy graduations;
- 5) Fraternal Order of Police "FTO Meet & Greet" events.

2. Appreciation – Appreciation to police department employees displayed as (but not limited to):

- a. The act of honoring public servants/City employees for their commitment to the community through a publicized and/or occasional event/sale; or
- b. Specific events showing appreciation such as;
 - 1) Public Servant Appreciation Sales (for Military, Police, Fire, etc. personnel);
 - 2) First Responder Appreciation Days (held at museums, parks, restaurants, stores, etc.)

II. PROCEDURE

[26.1.1]

- A. Employees shall not solicit from any person, business, organization or other entity any gift or discount when the employee is on-duty, in uniform, or in any situation where it may be construed that such solicitation is made based on the employee's status as a police department employee, except as authorized by the Chief of Police.
- B. An on-duty employee may solicit gifts on behalf of a civic, police or other non-profit or tax exempt organization only if such solicitation has been authorized as part of a specific job task (e.g., Torch Run, golf charity tournaments, United Way, etc.).
- C. An off-duty employee may solicit gifts for any civic, religious or other organization provided that the employee neither identifies himself or herself as a police department employee nor intimates that such gift would benefit the police department.
- D. To avoid the perception of impropriety, employees are prohibited from accepting money, loans, favors, gifts, services, and/or business or professional opportunities from informants or concerned citizens as defined in OPS-465 (Informants).
- E. If any gift is received by an employee of the NNPd for the benefit of the Police Department, the gift, gratuity, or check will be immediately forwarded to the Chief's Office.
 - 1. The gift will be accompanied by a memo outlining the following information:
 - a. Donor's name and address,
 - b. Gift type (if money, the amount of the cash or check donation),
 - c. Restriction on the use of the gift by the donor (example, check for use for police canine donation fund),
 - d. Person who received the gift on behalf of the department.

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Acting Chief of Police