

## PARKER POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL

6.5	EFFECTIVE: August 3, 2012	James Tsurapas, Chief of Police
	REVISED: October 1, 2017	
SUBJECT: PROHIBITED ACTIVITY		
CALEA 22.2.7; 26.1.1		PAGE: 1 of 5

### 6.5.1 PURPOSE

The purpose of this policy is to outline prohibited activity for Department members.

### 6.5.2 POLICY

It is the policy of the Department that Department members will not use their official position, official identification cards or badges for personal or financial gain or benefit, or for any other purpose which would create or tend to create the appearance of impropriety.

### 6.5.3 PROCEDURE

#### A. Abuse of Position

1. Department members will not lend to or knowingly allow another person to utilize their identification cards, badges or other departmentally-owned equipment, or permit them to be photographed or reproduced without the approval of the Chief of Police, Deputy Chief or authorized designee.
2. Department members will not authorize the use of their names, photographs or official titles, which identify them as commissioned officers, in connection with testimonials or advertisements of any goods, services or commercial enterprise, without the approval of the Chief of Police, Deputy Chief or authorized designee.

#### B. Responding to Requests to View Department Members Identification <22.2.7 a.,b.>

If, during the course of a Department member's duty, a request is made to view an issued Department member identification card, they shall present that information unless such action is likely to jeopardize the successful completion of a police assignment. The intent of this is to ensure the public can identify a commissioned officer and be certain the person they are dealing with is in fact a Department member.

#### C. Computer Use and Security Systems

1. Telecommunication and computer technology is rapidly evolving. The Department recognizes the need to make these technologies available to our members. The ability to access information services is an essential job requirement. These services include records management systems, CCIC/NCIC, the Internet and Intranet, and telecommunications devices such as telephones, mobile data computers, and other electronic devices.
2. Data stored on these systems is to be used within the parameters of the member's job assignment. Certain federal or state statutes may regulate and restrict the access, release,

and use of this data. Violation of law may include criminal charges, civil sanctions and/or discipline under the Personnel Manual, up to and including termination. <6.8.4 d.>

3. Use of this information for other than professional purpose, assisting unauthorized persons to obtain or access information, or releasing information to unauthorized persons are grounds for removal of access and/or discipline under the Personnel Manual, up to and including termination. <6.8.4 e.> <6.1.4 a.,b.,c.>
4. Improper use of telecommunication devices is also prohibited. Use of telecommunication devices, e-mail, and other Town-owned messaging systems for personal messages should not be abused. <6.8.4 e.>
5. E-mail transmissions, correspondence and Internet Usage files and logs are subject to review by internal staff at any time and may be subject to public access under the Public Records Act. Files stored on local, network or removable drives are open for inspection at any time. There is no expectation of privacy on any Department/Town-owned electronic device to include but not limited to cell phones, smart phones, tablets or other network appliances and computers. <1.2.2> <6.8.4 c.,f.>
6. The Internet is a powerful way to access information, but is not without risk. Despite the use of software to limit access to certain sites, users of the Internet might encounter inappropriate material or contact undesirable people when communicating. <6.8.4 a.>
7. Users may not install or download programs, drivers, screen savers, or demonstration software without authorization from the Town of Parker Information Technology Department support staff. Many of these contain malicious programs or viruses that can place the network and information at risk. E-mail messages with unknown attachments should not be opened. Users may not modify or manipulate any software function beyond its intended use. <6.8.3> <6.8.4 b.,e.> <41.3.7 a.,b.>
8. Password Access and Security

Pursuant to the Criminal Justice Information System (CJIS) Security policy; Standard Authentication (Password), Departments shall follow the secure password attributes, below, to authenticate an individual's unique ID. Passwords shall: <6.8.7 a.>

- a. Be a minimum length of eight (8) characters on all systems.
- b. Not be a dictionary word or proper name.
- c. Not be the same as the User ID.
- d. Expire within a maximum of 90 calendar days. <6.8.7 b.>
- e. Not be identical to the previous ten (10) passwords.
- f. Not be transmitted in the clear outside the secure location.
- g. Not be displayed when entered.

Passwords and access codes should be considered confidential information. Town of Parker Information Technology Department will be responsible for password access termination when employment status or position changes. CCIC Coordinator is responsible for any CJIS password modifications. <6.8.7 c.>

D. Solicitation and Acceptance of Gratuities <26.1.1>

1. Department members must exercise discretion concerning the receipt of goods or services to establish and maintain the highest possible levels of credibility, integrity and ethical standards which are incumbent upon the law enforcement profession.
2. Department members will not solicit or accept from any person, business or organization any gift, gratuity, money or other benefit or other thing of value (including food, beverage or entertainment), either for services rendered pursuant to their duties as commissioned officers or because of their capacity as Department members, except:
  - a. Lawful salary.
  - b. Goods or services offered to the general public as part of a marketing program, *e.g.*, entertainment passes or discounts offered through Credit Unions or other businesses.
  - c. Acceptance of food or beverage during the performance of duty, with no expectation by the Department member of preferential treatment, is permitted when offered as refreshment during the investigation of a reported offense or during or in conjunction with meetings, etc. Acceptance of food or beverage free or at a discount at fast food establishments, restaurants, coffee shops or convenience stores is prohibited.
  - d. Food, beverages or floral arrangements offered to Department members for the benefit of the Department at large may be accepted with the permission of the Chief of Police, Deputy Chief, or designee.
  - e. Promotional materials of nominal value provided to other organizations besides the Department will not be prohibited, *e.g.*, appointment books, calendars, etc.
  - f. Donations offered to the Department are subject to the Parker Municipal Code and the PD Manual and subject further to approval by the Chief of Police, Deputy Chief, or designee and the Town Administrator.

E. Associations

1. Department members will avoid regular or continuous associations or dealings with persons whom they know or reasonably should know are under criminal investigation or charges, or who have had a reputation in the community or the Department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties or where unavoidable because of geographic or other personal family relationships of the Department members.
2. Department 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

pending 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 or Deputy Chief.

F. Sexual Misconduct

1. Criminal sexual misconduct is any act by a commissioned officer for sexual purposes that violate law.
2. Sexual misconduct is any sexual activity while on-duty or stemming from official duty. Sexual misconduct includes but is not limited to use of official position or resources to obtain information for purposes of pursuing or engaging in sexual conduct.
  - a. Sexual misconduct of any nature while on duty is prohibited.
  - b. Any member having knowledge of a violation of this policy, who fails to report said violation may also be subject to discipline.

G. Intervention

Commissioned officers will not knowingly interfere with cases being handled by other commissioned officers of the Department or by any other governmental agency, unless ordered to intervene by a supervisor; or the intervening commissioned officer believes beyond a reasonable doubt that a manifest injustice would result from failure to take immediate action. Commissioned officers will not undertake any investigation or other official action not part of their regular duties without obtaining permission from their supervisor, unless the exigencies of the situation require immediate police action.

H. Possession of Keys

No Department member, unless authorized by his or her supervisor, will possess keys to any business premise not his or her own. No Department member will possess any departmental keys not specifically issued to them and where there is no need to possess them.

I. Endorsements and Referrals

Department members will not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service, *e.g.*, an attorney, tow service, bondsman, mortician, alarm products. In the case of an ambulance or tow service, when such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, Department members will proceed as set forth in the PD Manual.

J. Visiting Prohibited Establishments

Except in the performance of duty or while acting under proper and specific orders from a supervisor, Department members will not knowingly visit, enter or frequent an establishment wherein the laws of the United States, the state or the local jurisdiction are being violated.

**6.5.4 CONSTITUTIONAL REQUIREMENTS**

- A. It is incumbent upon each Department member to stay abreast of court decisions that relate to police duties, pursuant to the policy on Training and Career Development contained in the PD Manual.
- B. Commissioned officers will follow all established constitutional guidelines and requirements pertaining to arrests, interrogations, search or seizure. No commissioned officer will refuse a suspect the right to counsel, when requested, during any investigation or interrogation.
- C. Department members shall not engage in activity which they know or reasonably should know is contrary to established legal precedent or statutory law.