

## PARKER POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL

6.2	EFFECTIVE: August 3, 2012	James Tsurapas, Chief of Police
	REVISED: June 15, 2021	
SUBJECT: STANDARDS OF CONDUCT, OBEDIENCE TO ORDERS, POLICIES AND LAWS		
CALEA: 12.1.3; 12.1.4; 26.1.1		PAGE: 1 of 4

### 6.2.1 PURPOSE

The purpose of this policy is to establish standards of conduct, obedience to orders, policies and laws.

### 6.2.2 POLICY

The Department's standards of conduct exist to ensure that Department members are aware of the Department's expectations concerning member conduct and to ensure the community's respect.

### 6.2.3 DEFINITIONS

The *Standards of Conduct* that follow are directed at specific areas of conduct, behavior and productivity. They do not constitute an exhaustive list of all expectations or situations that create cause for disciplinary action or termination. Additionally, not all standards, policies or expectations are in written form. A supervisor's order is one example of a verbal directive. Department members are required at all times to exercise sound, mature judgment in situations not governed by specific policies and behave in a socially and professionally acceptable manner. The goal is to promote a harmonious working relationship with other Department members, a positive public image and to ensure our mission, goals and objectives are achieved. <12.1.4> <26.1.1>

### 6.2.4 PROCEDURE

- A. Department members are responsible for contacting a supervisor for clarification on standards they do not understand. It will not be an acceptable defense to claim ignorance of a standard if the Department member has made no reasonable effort to seek an explanation. <26.1.1>
- B. Department members shall affirmatively promote the Department's value-based policy system and exercise sound mature judgment. <26.1.1>
- C. Department members shall, during working hours, come to the aid of another Department member when a legitimate request or need is made known. <26.1.1>
- D. Department members shall not possess or consume alcoholic beverages or drugs during working hours, as provided in the PD Manual and the Operations Manual. <26.1.1>
- E. Department members shall not be unnecessarily or excessively absent or unavailable for work. <26.1.1>
- F. Department members shall not use gender, sexual orientation, race, religion, national origin, ethnicity, disability or age in their words, actions, gestures, conducts or behaviors that could reasonably be construed or perceived by another as hostile, offensive or intimidating. <26.1.1>

- G. Department members shall not commit unlawful acts or behave in such a manner that has the potential for endangering or injuring themselves, property or another person.
- H. Department members shall not create conflicts of interest or potential conflicts of interest with the duties and obligations of their positions.
- I. Department members are required to affirmatively seek ways to cooperate and work with other Department members, other public officials and members of any organization with whom there needs to be a good working relationship in order to achieve our mission, goals or objectives.
- J. Supervisors shall treat subordinates with the same courtesy and respect that is required of subordinates towards supervisors. Any criticism of a Department member's performance will be made directly to the subordinate, will be constructive and, when practical, in a private setting.
- K. Department members shall not unlawfully discriminate in words, deeds, gestures, performance of jobs, duties, tasks and delivery of services; nor shall they establish a pattern of adverse impact in the delivery of services when such discrimination has a basis in such areas as a person's gender, ethnic background, race, color, national origin, lifestyle, preferred sexual orientation, religion, age, disability or social status.
- L. Department members shall not lie, give misleading information or omit obviously important information, or falsify written official reports, written statements or verbal communications with supervisors, other people or organizations, when it is reasonable to expect that such information may be relied upon because of the Department member's position or affiliation with the Department.
- M. Department members shall competently perform all assigned or assumed job responsibilities, duties and tasks.
- N. Department members shall not establish patterns of absenteeism. Establishing a pattern of absenteeism is a violation regardless of whether any part of the absenteeism within the pattern has been approved or disapproved or scheduled by supervisors.
- O. Department members shall report to work and while working remain drug free and medically, psychologically and physically ready to assume and competently perform all their assigned or assumed responsibilities, duties, tasks and essential functions.
- P. Department members shall give a full day's work for a full day's pay and not establish patterns of nonproductive work time.
- Q. Department members shall observe and obey the lawful verbal and written rules, duties, policies, procedures and practices contained in the PD Manual. Department members shall also subordinate their personal preferences and work priorities to lawful verbal and written rules, duties, policies, procedures and practices, as well as to the lawful orders and directives of supervisors. <12.1.3>

- R. Department members shall make affirmative and consistent efforts to observe and comply with the lawful policies and expectations established for the effective, efficient and safe operations.
- S. Department members shall obey all constitutional, criminal and civil laws, both on and off duty.
  - 1. Any Department member charged with a traffic violation involving alcohol or drugs, or any violation that may result in the loss of the driver's license, will report the charge in writing through the chain of command to the Chief of Police on or before the member's next scheduled work day after being charged with such a violation. This same requirement applies when any official action is taken regarding the charges noted above.
  - 2. Any commissioned officer who is served with a domestic violence protection order, no contact order or charged with a domestic violence offense will notify the Chief of Police through the chain of command in writing by 0800 hours on the next business day after being served. The commissioned officer will be automatically prohibited from performing any armed police duty, possessing a firearm or acting in an official police capacity until a review of the circumstances can be completed by the town attorney and the Chief of Police. The review will assess the commissioned officer's legal authority to carry a firearm and other relevant issues.
  - 3. Any Department member charged with a criminal offense will notify the Chief of Police through the chain of command in writing by 0800 hours on the next business day after being charged.
- T. Department members shall comply with all policies and procedures described in the PD Manual. Department members are responsible to become thoroughly familiar with the provisions of the PD Manual and the other documents described in the PD Manual.
- U. Department members shall display courtesy and respect in words, deeds, gestures and actions towards other Department members.
- V. Department members shall not unlawfully possess, sell, consume, use or assist another in the use of any illegal or unauthorized drugs or medications on duty or off duty, nor shall any Department member consume any unauthorized drug or medication in proximate time to their reporting time for duty, nor shall the member report to duty with evidence of having consumed such drugs or medication.
- W. Department members are accountable for the proper use and care of any property or equipment assigned to them, used by them or under their direct or constructive care.
- X. Department members shall obey lawful orders. It is immaterial whether the order is written or verbal, or if it is relayed from a supervisor by a commissioned officer. <12.1.3>
  - 1. Command and supervisory commissioned officers are responsible for knowing whether their orders are legal and in compliance with Department requirements.
  - 2. Any command or supervisory commissioned officer who issues an order that appears to violate law or Department requirements must have specific articulable facts that prove the order to be reasonable and necessary under the existing special circumstances at the time.

3. Commissioned officers who receive an order that violates a law or Department requirement will explain to the commissioned supervisor or command officer that they believe the order to be unlawful. If the commissioned supervisor does not rescind the order, the Department member may:
  - a. *Accept the order as issued.* This indicates the Department member concurs with the order and the commissioned supervisor's reason for issuing the apparently unlawful order.
  - b. *Obey the order under protest.* Noting the protest in a written memorandum to the Chief of Police through the chain of command following the incident.
  - c. *Refuse to obey the order.* A Department member who refuses to obey an order will specifically articulate in writing as soon as practicable why the order was unlawful and why the special circumstances did not make the order reasonable or necessary. The written account will be forwarded through the chain of command to the Chief of Police. If it is later determined that the order was indeed a lawful order, the Department member may be held accountable for failure to obey it.
  - d. *Conflicting Orders.* Department members who are given a lawful order that is clearly in conflict with a previous lawful order will inform the commissioned supervisor of the conflict. If the original order is not rescinded, it will stand. The commissioned supervisor will be responsible for making this decision. <12.1.3>
- Y. Department members shall use sound, mature judgment and refrain from conduct which reflects unfavorably on the Department and/or the Town.
- Z. Department members shall assist and cooperate with any Department authorized investigation.
  1. Cooperation includes full disclosure of all pertinent information known to the Department member at the time of the investigation.
  2. If information pertinent to the investigation is not disclosed during any part of the investigation and it is discovered at a later time that the information was known to the Department member at the time of his or her interview, it may be assumed that withholding the information was intentionally dishonest.
- AA. Department members shall treat official business of the Department as confidential and shall not:
  1. access, review or remove any report or record for other than Department purposes;
  2. communicate any information which may jeopardize an investigation, arrest, law enforcement action or prosecution or which may aid a person to escape, destroy or remove any evidence or report; and communicate any information which may endanger the safety or well-being of others or jeopardize the operation of the Department.
- BB. Department Members shall comply with all procedures outlined in the Evidence Section SOP regarding the collection, handling, booking, storage, processing, transferring, and final disposition of property or evidence that comes into the possession of a Department Member.