

## PARKER POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL

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|--|-----------------------------|---------------------------------|
| 6.4  | EFFECTIVE: August 3, 2012   | James Tsurapas, Chief of Police |
|  | REVISED: September 20, 2021 |                                 |
| SUBJECT: PROFESSIONAL CONDUCT AND RESPONSIBILITY |                             |                                 |
| CALEA: 1.2.9;22.1.3; 22.1.8; 26.1.1; 26.1.5      |                             | PAGE: 1 of 5                    |

### 6.4.1 PURPOSE

This policy will outline the conduct and responsibility of Department members both on and off duty.

### 6.4.2 POLICY

Department members should conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Unprofessional and irresponsible conduct include that which brings the Department into disrepute, publicly or among its Department members, discredits the member, or impairs the operation or efficiency of the Department or its commissioned officers. <26.1.1>

### 6.4.3 PROCEDURE

#### A. Unsatisfactory Performance

1. Department members will maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. <26.1.1>
2. Examples of unsatisfactory performance include: a lack of knowledge of the application of laws to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the Department member's rank; grade or position; the failure to take appropriate action concerning a crime, disorder or other condition deserving police attention; absence without leave or habitual tardiness; or a violation of the above policy. These examples are illustrative rather than inclusive.
3. Among other indications of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: poor evaluations, an official written report or reports showing major infraction or repeated infractions and/or violations of policies and/or corrective action reports.

#### B. Conduct Toward Superior and Subordinate Commissioned Officers and Other Department Members <26.1.1> <26.1.5>

Department members will treat superior commissioned officers, subordinates and other Department members with respect. They will be courteous and civil in their relationships with one another. Failure to do so may result in discipline, up to and including termination. When on duty, and particularly in the presence of other Department members or the public, commissioned officers should refer to each other by rank.

**C. Making a False or Untruthful Statement**

Department members will not, in the course of their official duties, willfully or knowingly make a false or untruthful statement either orally or in writing. Doing so may result in discipline, up to and including termination. This rule is applicable regardless of the materiality of the declaration.

**D. Dissemination of Information**

1. Department members will treat the official business of the Department as confidential. Information regarding official business will be disseminated only to those for whom it is intended.
2. Department members will not disclose one another's address, telephone number, email address or information from personnel files to the public or to news media, except with the consent of the concerned Department member or by due process of law.
3. Department members will not divulge the identity of persons giving confidential information to any person or organization outside of the Department, except as directed or authorized by a Court or administrative agency or the Chief of Police or authorized designee.
4. Any Department member receiving a written communication for transmission to a higher command will, in every case, forward such communication. Any Department member receiving a communication from a subordinate directed to a higher command will endorse his or her indication of approval, disapproval or acknowledgment.
5. All images and/or recordings taken at a crime scene, accident scene or to further the investigation of any police-related matter are considered evidence. This evidence is property of the Department. Department members shall attempt to take these images or make recordings with Department-provided equipment. If necessary, Department members may use their own cameras or cell phones. However, all images or recordings taken at a crime scene, accident scene or to further the investigation shall be uploaded to the Department-approved media storage system. Once transferred to the media storage system, all images and/or recordings shall be deleted from the device used to capture them. Such images or recordings shall only be transferred outside of the Department for official business, in accordance with the Colorado Criminal Justice Records Act (CCJRA) or other applicable law, or with the written approval of the Chief of Police or authorized designee.

**E. Neglect of Duty**

1. All Department members are required to take appropriate police action to aid a fellow commissioned officer exposed to danger.
2. Department members will not play games, watch television or movies, social media or otherwise detour from their assigned responsibilities while on duty, except as may be required in the performance of their duties specifically or as authorized by the Chief of Police or designee. They will not engage in any activities or personal business which could cause them to neglect or be inattentive to the job responsibilities.

3. Department members will report for duty at the time and place required by assignment or order and will be physically and mentally fit to perform their duties. They will be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoena and official notification will constitute an order to report for duty under this section.
4. Department members will remain awake while on duty. If unable to do so, they will report to their supervisor, who will determine the proper course of action.
5. Department members will not leave their assigned duty posts until relieved or authorized by proper authority.

**F. Notification of Address and/or Telephone Change**

1. Upon change of address or phone number, Department members will promptly notify their supervisor, in writing, of their exact street address and phone number. The supervisor will forward the information to the appropriate administrative assistant.
2. All Department members are required to have an operational telephone in their residence.

**G. Leave, Illness and Injury <22.1.3 a.,b.,c.,d.>**

1. Department members will report for duty at the time and place specified, unless the absence is authorized by a supervisor from the member's division prior to the member's regularly scheduled duty time. Department members will make direct verbal contact with the appropriate supervisor.
2. Department members will not fail, while off duty due to illness or injury, except while hospitalized, to contact their supervisor each day to report their condition and progress of recovery, unless the reporting is excused by their supervisor.
3. Department members will not feign illness or injury or falsely report themselves ill or injured.
4. When a Department member is absent without permission for more than three consecutive work days and there has been no contact made by the member with his or her immediate supervisor or, if unavailable, someone in the member's chain of command:
  - a. the Department member's position will be declared vacant; and
  - b. the Department member's absence will be considered a nondisciplinary, voluntary resignation.

**H. Police – Community Relations**

The Department is committed to community policing, which involves a commitment to improve community relations. A Department member who is aware of any actions, practices or attitudes on the part of any Department member that may be contributing to community tensions should bring that matter to the attention of his or her immediate supervisor. The supervisor should make every effort to correct these actions, practices or attitudes at an early stage to avoid further problems. If the actions taken by the supervisor are not successful, the supervisor should forward the information to his or her supervisor.

1. Department members will be courteous to the public. Department members will be tactful in the performance of their duties, will control their tempers and exercise the utmost patience and discretion and will not engage in argumentative discussions. Members will verbally identify themselves when answering the telephone or making phone calls to a member of the public unless such action is likely to jeopardize the successful completion of a police assignment. <22.1.8 c.>
2. When any person asks for assistance or advice or makes complaints or reports either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon, consistent with established departmental procedures.

**I. Use of Tobacco Products**

1. Department members who are on duty or working in an off-duty capacity, will not smoke any tobacco or simulated products within one hundred (100) feet of any Town building and will only smoke in designated areas.
2. Department members will not use any tobacco or simulated products within any Town building.
3. Department members will not use any tobacco or simulated products while in a town-owned or leased vehicle.
4. Department members will not use any tobacco or simulated products while interacting with the public.

**J. Reporting Responsibility**

1. Reports submitted by Department members either written or oral will be truthful and complete to the best of their knowledge, information and belief. No Department member will knowingly enter or cause to be entered any inaccurate, false or improper information, nor will they withhold information favorable to a suspect.
2. Accidents involving Department members, property and/or equipment must be reported according to Town and Department procedures.

**K. Member Identification**

Except when impractical, infeasible or when their identity is obvious, commissioned officers will identify themselves both verbally and by displaying the official badge or identification card with photograph before taking police action. All other members will provide their Department-issued ID with photograph. <22.1.8 a.,b.>

**L. Discrimination**

1. Department members shall exercise duties, responsibilities and obligations in a manner that does not unlawfully discriminate on the basis of race, sexual orientation, gender, national origin, ethnicity, age, religion, disability and economic status, pursuant to the policy on "Anti-Bias" contained in the PD Manual. <1.2.9 a.>
2. Department members should report any violations of discrimination by Department members pursuant to the Personnel Manual.

**M. Duty to Intervene and Duty to Report Use of Force**

1. Commissioned officers shall intervene to prevent or stop another commissioned officer, regardless of rank, from using "physical force" (as defined by the Colorado Revised Statutes) that exceeds the degree of force permitted, if any, per Statute.
2. Commissioned officers should make an announcement, (e.g.; "Disengage!") to give the other commissioned officer(s) opportunity to provide a response if there is a justification for the level of force being used. If there is either no response or the response doesn't justify the level of force being witnessed, then the intervening officer can use physical force to attempt to remove the other officer from the subject. This should be the least amount of force reasonable.
3. Commissioned officers who intervene as required by Statute shall immediately or as soon as practicable, report the intervention to his/her immediate supervisor and make a report, in writing, within ten (10) days of the use of force, to include all information required by Statute.
4. Members are required to intervene within their scope of authority and training and notify an appropriate supervisor if they observe another Department member or commissioned officer (including those from another agency) engage in any unreasonable use of force. Members are required to notify a supervisor as soon as feasible if they become aware of any violation of departmental policy, state or federal law, or local ordinance. <1.2.10>

**N. Notification from P.O.S.T. Board Regarding Suspension or Revocation of Certification**

- O. Commissioned officers who receive a notification from the P.O.S.T. Board regarding any suspension or revocation of their certification or any potential suspension or revocation of their certification shall notify their immediate supervisor either during their current shift upon receiving such notification, or if off-duty when notified, prior to their next scheduled shift.

- P. Sustained violations of the above policy may result in discipline, up to and including termination.