POLICY AND PROCEDURE NO. 210

Worcester Police Department Code of Conduct

Massachusetts Police Accreditation Commission Standard 26.0.3

Date Issued: December 30, 1975
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41 Pages

AUTHORITY

By virtue of Chapter 2, Article XX, Section 15 of the Revised Ordinances of the City of Worcester, Massachusetts, 1974, the enclosed Rules and Regulations are hereby prescribed.

The right and power to alter, amend, add to, or rescind, in whole or in part, any of the Rules and Regulations is reserved.

All prior Rules and Regulations are hereby rescinded.

These Rules and Regulations shall take effect on the first day of January 1976. They shall remain in full force and effect until modified or rescinded.

Eric D. Batista
City Manager

Paul B. Saucier
Chief of Police

Established by the Worcester City Council
Date: December 30, 1975

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Introduction

These Rules and Regulations are promulgated to provide a basic outline of the composition of the Worcester Police Department, the authority and duties of the Chief of Police, the rules of conduct to which police officers and employees must comply, the disciplinary and grievance procedures of the Department, and miscellaneous other provisions relating to the operation of the Police Department.

Two themes which run through these Rules and Regulations should be of particular concern to the officers and employees of the Police Department and to the citizenry of Worcester as a whole: the governmental nature of the Police Department and the high standard to which police officers and personnel are held.

The governmental nature of the Police Department is derived from state laws and municipal ordinances. The relationship between the Police Department and the City Manager and the relationship between the Police Department and the citizenry at large should be studied closely and respected highly by the officers and employees of the Department. Also, it should be made clear that the purpose of the Police Department is to protect the rights of citizens as well as to enforce the laws. That a police department is, first and foremost, a governmental body and that its role is the dual one of protection and enforcement should be kept uppermost in the minds of the readers of these Rules and Regulations.

With respect to the rules applicable to police officers and employees, it should be pointed out that police officers and employees are invested with a public trust and that the standard of conduct to which they are held is the highest standard known in public service. It is not to be denied that these Rules and Regulations cannot explicitly cover all of the possible situations which may arise in the course of police operations. The intelligent application of lawful discretion will sometimes be the police officers only guideline. That guideline is to be exercised at all times in light of the high standard to which he is held by the Department and by the public and in light of the basic dictum of democracy—that ours is a government of laws, not of men.

It is hoped that these Rules and Regulations will make clear to the officers and employees of the Worcester Police Department what is expected of them and what they can expect of their fellow officers and employees.

1000.0 **COMPOSITION OF THE POLICE DEPARTMENT**

1001.1 Legal Foundation of the Police Department:

The Police Department of the City of Worcester is established under the authority of the General Laws, Chapter 43, Section 5 as implemented through 1974 Revised Ordinances of the City of Worcester, Chapter 2 Article XX, Section 1. 1002.1

1002.1 Function

It is the function of the Police Department to provide police service for the City of Worcester except as otherwise provided for in the Civil Defense Act, Chapter 639, Acts of 1950. (1974 Rev. Ord. City of Worcester, c. 2, art. XX, sec. 2.)

1003.1 Complement

The Police Department consists of a Chief of Police and such number of Deputy Chiefs, Captains, Lieutenants and Sergeants as provided for in the Revised Ordinances of the City of Worcester and such number of police officers and employees as the City Council, with the advice of the City Manager, shall from time to time authorize in the city budget.

1004.1 Auxiliary Police

The City Manager may appoint members of the Auxiliary Police as 'Special Police 0fficers and the Department may contract, subject to appropriation by the City Council and upon approval of the City Manager, for the voluntary service of said members of the Auxiliary Police and for the purchase of appropriate insurance coverage for such members while on duty and under the directions of the Chief of Police. (1974. Rev. Ord. City of Worcester, c. 2, art. XX, sec. bA.)

1005.1 Special Police Officers

The City Manager may appoint special officers for a term of a calendar year, and he may remove the same at any time. Said police officer shall have and exercise police powers only for the area designated by the City Manager and shall be subject to such conditions as the City Manager shall establish. (1974 Rev. Ord. City of Worcester, c. 2, art. XX, sec. lOB.)

1005.11 Weapons Carries by Special Police Officers

No special police officer shall carry a weapon while on duty unless he has received special permission to do so by the Chief of Police. (1974 Rev. Ord. City of Worcester, c. 2, art. XX, sec. lOB.)

1006.1 Rules and Regulations

The City Manager shall promulgate, with the approval of the City Council, rules and regulations as may be deemed necessary for the Department and its personnel.(1974 Rev. Ord. City of Worcester, c. 2, art. XX, sec. 15.) 1007.1 MPAC 12.2.1

1007.1 Departmental Orders, Directives, Standard Operating Procedures, etc.

The Chief of Police shall have the authority to promulgate, administer, revise and rescind orders (general and special), directives, standard operating procedures, and such other official requirements, not in conflict with state law, the Revised Ordinances of the City of Worcester, or these Rules and Regulations, as may be necessary and proper. MPAC 12.2.1

1100.0 **PROFESSIONAL RESPONSIBILITIES AND JURISDICTION OF POLICE OFFICERS**

1101.1 Professional Responsibilities

A police officer is a professional. He is expected to maintain an exceptionally high standard in the performance, of his duties. The effective and efficient performance of his duty requires that a police officer maintain the respect and cooperation of his community.

1101.11 General professional responsibilities include taking action to:

(a) Protect life and property,

(b) Preserve the peace,

(c) Prevent crime,

(d) Detect and arrest violators of the law,

(e) Enforce all laws coming within Departmental jurisdiction,

(f) Supervise public functions where public order requires police presence,

(g) Respond to all public emergencies,

(h) Carry out the lawful orders of his Superior and Commanding Officers,

(i) Perform such other public services as are required or appropriate,

(j)Improve the quality and caliber of law enforcement and its administration. To this end officers and employees of the Department may

forward suggestions for the improvement of the police service to the Chief of Police through official channels.

1102.1 Police Officers are Agents of the State

Police officers should be aware that they are considered, legally, to be agents of the Commonwealth of Massachusetts or state officials and that their actions while in the performance of official duties may constitute state action.

1103.1 Jurisdiction

The specific powers of police officers to respond to crime and in other ways carry out the police mission are provided for in law, including Chapter 41, Section 98 of the General Laws. As a general rule officers are permitted to exercise their powers only within the boundaries of the city where they are police officers. However, officers of one city may execute certain police functions beyond the city limits as herein specified.

1103.2 Requests from another City or Town

The Chief of Police is authorized to extend such aid as he may deem necessary to another city or town at the request of the other city or town in suppression of riots and other forms of violence, provided, however, that the Chief of Police receives prior approval of the City Manager before extending assistance outside the standard metropolitan area. (1974 Rev. Ord. City of Worcester, c. 2, art. XX, sec. 10)

1103.3 Fresh and Continued Pursuit

An officer on “fresh and continued pursuit” of an offender who committed a crime in the officer’s presence in his own city for which an arrest without a warrant can be made may arrest the offender in any other city or town in Massachusetts. (General Laws, c. 41, sec. 98A.)

1103.4 Serving a Warrant

An officer may serve a warrant and arrest the person named in the warrant in any community within the Commonwealth. (General Laws, c. 41, sec. 95 and 98.)

1104.1 Concurrent Jurisdiction with the Federal Government

Officers have authority for police purposes over all lands and waters within the limits of the City of Worcester except that in reservations owned by the United States and used for naval, military, postal, customs, or other Federal purposes, the authority of the United States is supreme. However, an officer who witnesses the commission of a crime in a federal building or reservation, or is engaged in the pursuit of a criminal who goes thereto, or is called upon for assistance by any law enforcement person or citizen in such place shall do his duty as a police officer in the same manner as if he were in any other part of the city.

1200.0 **THE CHIEF OF POLICE**

1201.1 The Chief of Police as Executive of the Department

The Police Department is headed by the Chief of Police, who is appointed by the City Manager in accordance with the requirements of Chapter 31 of the General Laws. (1974 Rev. Ord. City of Worcester, c. 2, art. XX, sec. 4.)MPAC 12.2.1

1201.11 Command of Police Department

In the administration and command of the Department, the Chief of Police shall be responsible to and under the direction and control of the City Manager. (1974 Rev. Ord. City of Worcester, c. 2, art. XX, sec. 7, paragraph 2.)

1201.12 City Manager Orders/Directives via Office of the Chief

All orders and directives to the Police Department emanating from the City Manager shall be directed through the office of the Chief of Police.

1202.1 Conferring with the City Manager

The Chief of Police shall confer with the City Manager before taking any of the following actions:

a. Making important changes in the duties of the Deputy Chiefs of Police.

b. Making changes in the organization of his force.

c. Making a change in assignments of officers or transfer thereof.

d. Making important changes in operating procedures.

e. Leaving the city for an extended period.

f. Bringing disciplinary proceedings against any officer or employee of the Department.

1203.1 Departmental Orders, Directives, Standard Operating Procedures, etc., and the Manual(s) of the Department

Departmental orders, Departmental directives, standard operating procedures and other official requirements issued by the Chief of Police shall be compiled and collated in a Departmental manual or manuals. The Chief of Police shall outline in a Departmental manual the duties of the organic units and officers and employees of the Department. A copy of such manual or manuals shall be *stored electronically and* available to each officer and employee of the Department. *The Chief of Police or the designee of the Chief shall conduct documented reviews of* such manual or manuals *on a triennial basis (once every three years)*. MPAC 12.2.1

1204.1 Duties and Responsibilities of the Chief of Police

It is the duty and responsibility of the Chief of Police:

a. To perform all duties prescribed by Chapter 41, Section 98 of the General Laws and the Rules and Regulations of the Department.

b. To have charge and supervision of all the constables and of all officers of the Department.

c. To enforce all laws, ordinances, and rules and regulations affecting the public.

d. To receive and answer complaints of violations of law, ordinances, and rules and regulations affecting the public.

e. To supervise the training of all police officers.

f. To maintain discipline within the Department.

g. To have control of and direction of all civilian employees of the Department.

h. To supervise the maintenance of all equipment and buildings of the Department.

i. To administer the Department.

j. To perform such other duties as may be prescribed by law.

(1974 Rev. Ord. City of Worcester, c. 2, art. XX, sec. 5.) 1205.1

1205.1Organizing the Department

The Chief of Police shall develop an organizational structure for the Department including, among other elements, the following:

1205.2 Establishing Duties

Establishing and modifying when appropriate a routine of daily duties to be performed by the officers and employees of the Department and establishing a chain of command.

1205.3 Assigning, Detailing, Transferring Officers and Employees

Assigning, detailing or transferring any officer or employee of the Department to or from any position or assignment and arranging and altering work schedules, the taking of furloughs and related matters whenever he shall deem such action, in his opinion, to be in the best interest of the Department.

1205.4 Inspections and Tests of Appearance, Equipment, Skills

Causing the appearance, equipment and skills of the officers and employees of the Department to be inspected and tested periodically or randomly, as the Chief may deem appropriate.

1205.5 Organizing a Training Program

Causing an effective and progressive program of training to be organized and conducted for the officers and employees of the Department.

1205.6 Publishing and Circulating the Daily Bulletin

Publishing the Daily Bulletin of the Department and assuring its distribution among the officers and employees of the Department and such other persons, departments, and agencies as the Chief may designate.

1206.1 Authority to Establish Control Devices

The Chief of Police shall establish such control devices as the Chief may deem necessary to insure the effective administration of the Department including, but not limited to, inspections, efficiency ratings, activity reports, and follow—up reports.

1207.1 Investigation—Making Authority

The Chief of Police shall have the authority to investigate all matters involving the Department including, but not limited to, investigating allegations and charges of insubordination, neglect of duty or incompetence made against any officer or employee of the Department and Investigating the operations and efficiency of the Department.

1208.1 Study—Authorizing Authority

The Chief of Police shall have authority to conduct such studies and research related to the operation of the Department and the enforcement of the laws as he deems necessary and appropriate. Such studies shall include, but not be limited to, studies of Departmental efficiency, studies of legislation or judicial decisions affecting Departmental affairs, and studies of other matters affecting the operation of the Department.

1209.1 Planning Authority

The Chief of Police shall have authority to conduct such planning activities as are necessary and proper for the present operation and future effectiveness of the Department. This planning authority shall include, but not be limited to, formulating procedures to be used in the event of an emergency, plans for the future development of the Department, and plans for the construction or alteration of departmental buildings and facilities.

1210.1 Budgeting Authority

The Chief of Police shall prepare annual budget estimates for the Police Department. Included in the budget—preparing process shall be a determination of the priorities to be given the various programs, offices and services of the Department with recommendations for change where appropriate.

1211.1 Public Relations

The Chief of Police shall represent the Police Department in its external relations with other public officials, including other law enforcement agencies, and with the community. The Chief of Police shall establish policies governing public relations. Such policies shall be binding on all officers and employees of the Department.

1212.1 Excusing Officers from Duty

The time and manner of excusing members of the Department from duty shall be determined by the Chief of Police. A member so excused shall be exempt from duty and from attendance at a police station or other place, but otherwise shall be subject to all laws and rules and regulations relating to the members of the Department. (1974 Rev. Ord. City of Worcester, c. 2, art. XX, sec. 11, paragraph 1.)

1213.1 Preventing Officers from Taking Time Off

The Chief of Police shall have authority, whenever, in his judgment, any public emergency or any unusual demand for the services of the police requires, to prevent any members of the Department from taking any time off when the member is entitled thereto at the time assigned therefor, or to recall such uniform members back to duty for such duration and to such extent as the Chief deems necessary. (1974 Rev. Ord. City of Worcester, c. 2, art. XX, sec. 11, paragraph 2.)

1214.1 Reports and Records

The Chief of Police shall submit all reports and maintain all records as required by law, including:

1214.2 Reports to the City Manager

The Chief of Police, in addition to keeping the City Manager advised on the affairs of the Department, shall report to the City Manager all of the following incidents:

(a) The reassignment of detectives.

(b) The suspension of any officer or employee.

(c) The death of any officer or employee.

(d) The injury in line of duty of any officer or employee.

(e) The injury of any person in consequence of any police action.

(f) Serious damage to police property or vehicles.

(g) Damage to public (other than police) property or private property in consequence of any police action.

(h) Unusual occurrences or crimes.

(i) Arrests of city employees and state and federal officials by the Worcester Police Department.

(j) Serious complaints against officers or employees of the Department or its operation and the results of any investigation thereof.

1214.3 Contents of the Annual Report to the City Manager

The annual report of the Chief of Police to the City Manager shall contain the following information:

(a) Personnel information (distribution among organic units of the Department, changes in strength, number of sick and injured and days lost, number of separations and reasons.)

(b) Information regarding police buildings and equipment.

(c) The number and rates of Part I and Part II crimes, as classified by the Federal Bureau of Investigation, and clearances by arrest of Part I crimes.

(d) The amount of stolen and recovered property and the number of lost and found persons, animals, and property.

(e) The number and nature of investigations made for other jurisdictions.

(f) The number, age, sex, and charge against persons arrested.

(g) The number of traffic accidents, persons killed, persons injured, and other pertinent traffic accident data.

(h) The number of traffic accidents investigated and other pertinent data on the safety activities of the police.

(i) The number of arrests and Notices of Violation issued for traffic offenses by type of violation.

(j) The plans and recommendations of the Department for future activities in traffic safety, crime and vice control, delinquency prevention and other Departmental matters.

1214.4 Reports to the Registrar of Motor Vehicles

The Chief of Police shall notify the Registrar of Motor Vehicles, upon blanks furnished by the Registrar, of the particulars of every traffic accident within the city limits of Worcester which must be reported as required under Chapter 90, Section 29 of the General laws.

1214.5 Records required to be Kept:

The Chief of Police shall maintain records of the following:

(a) Violations of state laws and city ordinances.

(b) Cases of lost and found persons, animals, and property.

(c) Reportable automobile accidents, personal injuries, bodies found, suicide attempts, and damage to public property.

(d) Cases in which an on—duty officer is involved in damage to public or private property or the injury of any person.

(e) Warrants and subpoenas issued by a court and turned over to the Police Department for service.

(f) Arrests made and violation notices issued by members of the Department.

(g) Such other records as the Chief of Police deems appropriate.

1214.6 Uniform Crime Reports and National Safety Council Reports

The Chief of Police is responsible for maintaining such reports from among those recommended in the Uniform Crime Reports and the National Safety Council Reports as he deems necessary and appropriate. Copies of monthly and annual reports shall be forwarded to the City Manager.

1214.7 Records of Persons Arrested

The Chief of Police shall cause to be kept at police headquarters a complete descriptive list of each and every person arrested. Such list shall give the arrested person's name, nativity, age, height, complexion, weight, color of hair and eyes, the amount of money he may have in his possession, his present residence, the offense for which he is arrested and any other information that he may deem appropriate. All of the above shall be entered in a book to be furnished by the City. (1974. Rev. Ord. City of Worcester, c. 2, art. XX, sec. 6.)

1214.8 Records of Disciplinary Actions

The Chief of Police shall keep a complete written record of each disciplinary case and shall include it as a part of the personnel file of the disciplined officer or employee and an entry of the action shall be made on his or her service record.

1215.1 Authority to Prohibit Parking or Close Streets Temporarily

When official signs are erected giving notice thereof, the Chief of Police, or Deputy Chief, is authorized to prohibit, temporarily, parking on or closing of any street or highway or part thereof in an impending or existing emergency, or for a lawful assemblage, demonstration or procession or in the event of extraordinary circumstances, provided there is reasonable justification for such prohibition. Vehicles parked in places where parking is prohibited temporarily may be moved by or under the direction of an officer. (1974 Rev. Ord. City of Worcester, c. 9, sec. 52.)

1300.0 **ORDERS**

1301.1 Orders Generally

An order is a command or instruction written or oral, given by a Commanding Officer, a Superior Officer, or the Dispatcher. All lawful orders, written or oral, shall be carried out fully and in the prescribed manner. Officers shall not publicly criticize instructions or orders they have received: if an order is thought to be unlawful, unjust, improper or in conflict with a previous order, that fact shall be pointed out to the officer giving the order as discreetly as possible under the circumstances. It shall be no excuse or justification for anything an officer may do or omit to do contrary to any law or these Rules and Regulations, that the officer followed the advice, suggestion or instruction of any person, whether that person is connected with the Police Department or not, except when an officer of higher rank takes upon himself the responsibility of issuing orders.

1302.1 General Orders

General orders are written orders issued by the Chief of Police outlining policy matters which affect the entire Department. A general order is the most authoritative written order which the Chief of Police issues and may be used to amend, supercede or cancel any previous order. General orders remain in full effect until amended, superceded or cancelled by the Chief of Police.MPAC 12.2.1

1303.1 Special Orders

Special orders are written orders issued by the Chief of Police outlining instructions covering particular situations usually of a temporary nature. Special orders are automatically cancelled when their objective is achieved.MPAC 12.2.1

1304.1 Chain of Command

Orders, communications and directives emanating from the Chief of Police or a Commanding Officer and all requests for assistance from one organic unit to another shall follow the chain of command, except in emergencies or where the element of time renders this procedure impractical and ineffective in the proper and expeditious performance of police duties.

1305.1 Through Official Channels

Official channels shall be followed by all officers and employees in their dealings with the Department, including, but not limited to, requesting transfers and filing grievances.

1306.1 Unlawful Orders

No officer shall knowingly issue an order in violation of any law, ordinance, these Rules and Regulations, or any guideline issued in pursuance thereof. Unlawful orders shall not be obeyed. The officer to whom the order is given shall notify the ordering officer of the illegality of his order. Responsibility for refusal to obey rests with the officer to whom the order was given. He shall be strictly required to justify his action.

1307.1 Unjust or Improper Orders

Lawful orders which appear to be unjust or improper shall be carried out. After carrying out the order, the officer to whom the order was given may file a written report to the Chief of Police via the chain of command indicating the circumstances and the reasons for questioning the order and requesting clarification of Departmental policy.

1308.1 Conflicting Orders

Should any order given by a Superior Officer, Commanding Officer or the Dispatcher conflict with any previous Departmental order, the member to whom such order is issued shall call the attention of' the issuing officer to the conflict. If the issuing officer does not change his order to avoid such conflict his order shall be obeyed, but the member obeying such order will not be held responsible for disobedience of the previous order. The conflict in orders should be reported to the Chief of Police in writing for clarification.

1400.0 **REQUIRED CONDUCT**

1401.1 Application

In addition to the specific duties of each rank, position, office and assignment as set forth in the Department manual or manuals, the following provisions are applicable to *all sworn and non- sworn personnel* of the Department. MPAC 26.0.3

1402.1 Truthfulness

An officer or employee of the Department shall truthfully state facts in all reports as well as when he appears before or participates in any judicial, Departmental or other official investigation, hearing, trial or proceeding. He shall fully cooperate in all phases of such investigations, hearings, trials and proceedings.

1402.11 Divulging Sensitive Information

In any case where Departmental policy does not allow the divulging of all or certain information, no officer or employee shall inform the inquiring party of such and refer that person to the appropriate authority.

1402.12 Self Incrimination

An officer or employee at appropriate times may exercise his right against self—incrimination. If, however, an officer or employee should do so when the subject

matter of the requested testimony or question relates to his performance of his duties or office, he may subject himself to disciplinary action.

1403.1 Submitting Reports

Officers and employees must promptly, accurately and truthfully complete and submit all reports, forms, and records as requested.

1403.11 MGL Chapter 268 § 6A Advisory

Officers and employees should be aware that it is illegal for them, in the course of their official duties, to execute, file or publish any false written report, minutes or statements, knowing the same to be false in a material matter. (General Laws, c. 268, sec. 6A.)

1404.1 Reporting Illegal Activities and Information Concerning Such

An officer or employee shall report to the appropriate Superior or Commanding Officer all incidents and information which come to his attention concerning organized crime, vice conditions, violations of the criminal statutes of the United States or of the Commonwealth of Massachusetts, violations of the ordinances of the City of Worcester, violations of these Rules and Regulations, the provisions of any other Departmental manual as well as Departmental orders and directives, and violations of the conditions of any license issued to any person or premises. Such reports shall be in writing where required.

1405.1 Reporting for Duty

Officers must report for duty whenever so ordered by proper police authorities. Officers must report for duty at the appointed time and not absent themselves from duty without authorization. Officers shall be present at roll calls properly uniformed, equipped and ready for duty.

1406.1 Duty to Inform Oneself

Upon returning to duty from any absence an officer shall inform himself about all new orders, regulations, directives and all other matters concerning the police generally and his assignment in particular.

1406.11 Awareness of Activities: Knowledgeability of Laws, Rules and Regulations, etc.

Officers shall study and understand all police practices and procedures, general orders, special orders pertaining to their assignments, these Rules and Regulations, the provisions of any other Departmental manual, city ordinances, and state and federal laws, so that they will be competent in the execution of their duties and aware of both their authorities and their responsibilities. Officers shall be especially well—informed concerning the orders, rules, regulations, procedures, duties and laws concerning their specific assignments.

1406.12 Review of Daily Bulletin

Officers shall study the police Daily Bulletin each day and familiarize themselves with all orders, descriptions of missing and wanted persons, stolen and lost automobiles and other property, and with other information contained therein.

1407.1 Action to be taken on Requests for Services

Officers shall, consistent with their duty obligations, promptly assist all persons needing police service. Upon observing a need for or receiving a request for police service or assistance, an officer shall immediately take appropriate action. Where Departmental procedures require, the officer shall notify the appropriate Superior Officer of his observation or the request received and await orders or instructions. The officer should indicate what he would consider to be appropriate action or an appropriate response and make reference to relevant or explanatory facts or circumstances.

1408.1 Departmental Work

Officers and employees shall cooperate with and assist other officers and employees in their Departmental work in accordance with Department procedures. In the absence of a proper order, an officer or employee shall avoid interfering with any case or other police matter not assigned to him.

1409.1 Extra—Departmental Cooperation

Officers and employees shall cooperate with all agencies engaged in the administration of criminal justice and with public agencies and city departments, giving to each all aid and information they are entitled to receive. Officers answering a call wherein another city agency or department should be notified shall, through official channels, have the appropriate agency or department notified of the appropriate details of the matter.

1410.1 Giving Identification

An officer or employee shall give his name, rank and command and/or unit in a civil manner to any person who may inquire, except where the safety of any person is jeopardized or when authorized not to do so.

1410.11 Carrying of Identification

A police officer shall carry on his person his identification card while on or off duty and shall exhibit such upon lawful request for purposes of Identification. (See General Laws, c. 41, sec. 98D.)

1411.1 Chief's Signature Requirement

All official correspondence, telegrams, circulars, and other communications shall be sent over the signature or upon the authority of the Chief of Police.

1412.1 Address and Telephone

An officer or employee shall have a telephone in his residence by which he can be reached. He shall report any change of phone number or address to his Commanding Officer and the Chief of Police through official channels prior to such change or as immediately thereafter as is practicable.

1412.11 Residency Distance

Police officers shall, in accordance with law, make their residence within ten miles of the perimeter of the City of Worcester. (General Laws, c. 31, sec. 48A.)

1413.1 Physical Fitness

An officer or employee shall maintain good physical condition in accordance with a standard determined by the Chief of Police.

1414.1 Physical Examination

An officer or employee shall submit to a physical examination at any time, at the expense of the Department, when so ordered by the Chief of Police.

1415.1 Mental Fitness

An officer or employee shall maintain a degree of mental alertness and capacity sufficient to carry out his duties.

1416.1 Mental Examination

An officer or employee shall submit to a mental examination, such as a personality profile or psychiatric examination, at the expense of the Department, when so ordered by the Chief of Police.

1417.1 In-Line-of-Duty Disability, Injury or Illness

Any disability, injury or illness incurred by an officer or employee during the lawful execution of police duties shall be reported in accordance with Departmental directives. Hospitalization and other medical care and indemnification for such medical care shall be requested In accordance with Departmental directives and law.

1500.0 **PROHIBITED CONDUCT** MPAC 26.0.3

1501.1 Application

The following actions or conduct by an officer or employee of the Department are prohibited or restricted as indicated:

1502.1 Criminal Conduct

Commission of any felony or misdemeanor.

1502.11Fraudulent Claim of Hours Worked

MGL Chapter 231 Section 85BB(a): A law enforcement officer, as defined in section 1 of chapter 6E, who knowingly submits to a state agency, state authority, city, town or agency, as defined in said section 1 of said chapter 6E, a false or fraudulent claim of hours worked for payment and receives payment therefor or knowingly makes, uses or causes to be made or used a false record or statement material to a false or fraudulent claim of hours worked for payment that results in a law enforcement officer receiving payment therefor or any person who conspires to commit a violation of this section shall be punished by a fine of 3 times the amount of the fraudulent wages paid or by imprisonment for not more than 2 years. MPAC 26.0.3

1502.12 Indecent assault and battery committed by law enforcement officers on certain vulnerable persons in their custody MPAC 26.0.3

MGL Chapter 265 Section 13H1/2. (a) For the purposes of this section "law enforcement officer" shall mean a police officer, an auxiliary, intermittent, special, part-time or reserve police officer, a police officer in the employ of a public institution of higher education pursuant to section 5 of chapter 15A, a public prosecutor, a municipal or public emergency medical technician, a deputy sheriff, a correction officer, a court officer, a probation officer, a parole officer, an officer of the department of youth services, a constable, a campus police officer who holds authority as a special state police officer or a person impersonating one of the foregoing. MPAC 26.0.3

(b) A law enforcement officer who commits an indecent assault and battery on a person who has attained the age of 14 and who is in the custody or control of such law enforcement officer shall be punished by imprisonment in the state prison for not more than 5 years, or by imprisonment for not more than 21/2 years in a jail or house of correction. In a prosecution commenced under this subsection, a person shall be deemed incapable of consent to contact of a sexual nature with a law enforcement officer. MPAC 26.0.3

(c) A law enforcement officer who commits an indecent assault and battery on an elder or person with a disability, as defined in section 13K, and who is in the custody or control of such law enforcement officer shall be punished by imprisonment in the state prison for not more than 10 years, or by imprisonment in the house of correction for not more than 21/2 years, and a law enforcement officer who commits a second or subsequent such offense shall be punished by imprisonment in the state prison for not more than 20 years. In a prosecution commenced under this subsection, a person shall be deemed incapable of consent to contact of a sexual nature with a law enforcement officer. MPAC 26.0.3

(d) A law enforcement officer who commits an indecent assault and battery on a person in their custody or control who is known to such law enforcement officer as having an intellectual disability shall for the first offense be punished by imprisonment in the state prison for not less than 5 years or not more than 10 years; and for a second or subsequent offense shall be punished by imprisonment in the state prison for not less than 10 years. Except in the case of a conviction for the first offense for violation of this subsection, the imposition or execution of the sentence shall not be suspended, and no probation or parole shall be granted until the minimum imprisonment herein provided for the offense shall have been served. In a prosecution commenced under this subsection, a person shall be deemed incapable of consent to contact of a sexual nature with a law enforcement officer. MPAC 26.0.3

(e) A law enforcement officer who commits an indecent assault and battery on a child under the age of 14 and who is in the custody or control of such law enforcement officer shall be punished by imprisonment in the state prison for not more than 10 years, or by imprisonment in the house of correction for not more than 2 and one-half years. A prosecution commenced under this subsection shall neither be continued without a finding nor placed on file. In a prosecution commenced under this subsection, a child under the age of 14 shall be deemed incapable of consent to contact of a sexual nature with a law enforcement officer. MPAC 26.0.3

1503.1 Unnecessary Force

Using more physical force than that which is reasonably necessary to accomplish a proper police objective.

1504.1 Discourtesy

Being discourteous, rude or insolent to any member of the public or any other officer or employee of the Department. Officers and employees shall not use

profane or abusive language or actions while in the performance of their official duties. Officers and employees shall be courteous to the public and their colleagues. They shall be tactful in the performance of their duties and shall control their tempers, exercising the utmost patience and discretion even In the face of extreme provocation.

1505.1 Conducting Personal Business While on Duty

Conducting personal business while on duty.

1506.1 Unauthorized Use of Name, Identification or Position

Permitting or authorizing the use of an officer's or employee's name, photograph, identification or official position or title, in any manner which identifies him as a police officer or employee in connection with any testimonial for or advertisement of any commodity or commercial enterprise or for any personal reason, unless approved by the Chief of Police.

1507.1 Recommending Private Services

Recommending or suggesting, in any manner which could be construed as an official endorsement, the employment or purchase of any particular professional or commercial service or product (such as lawyers, bondsmen, undertakers, towing services or burglar alarm companies) other than informing the inquiring party of the services or products available as permitted by Departmental procedures. However, an officer or employee shall inform people in need of municipal, county, state or federal services for which they qualify of those services.

1508.1 Improper Dissemination of Information

Failing to treat the official business of the Department as confidential. Information regarding official business shall be disseminated only in accordance with Departmental procedures. An officer or employee shall, not remove or copy any record or report except in accordance with Departmental procedures.

1509.1 Unauthorized Statements

Making any statement for publication or broadcast in any form relating to Departmental operations or matters without the prior consent or authorization of the Chief of Police.

1510.1 Detrimental Criticism

Publicly criticizing or ridiculing the Department, its policies or other officers or employees by speech, writing or other form of expression when such speech,

writing or other form of expression is defamatory, obscene, unlawful, tends to undermine the operation of the Department by impairing its efficiency, interferes with the maintenance of discipline, or is made with reckless disregard for its truth or falsity.

1511.1 Utilizing Improper Influence within the Department

Seeking or utilizing the influence or intervention of any person outside of the Department for the purpose of the preferment, advantage, transfer or advancement within or appointment to the Department of any person, including the utilization of any political influence to effect any such end.

1512.1 Improper Obligations and Favored or Biased Treatment

Attempting by any means to obligate any Superior Officer to any officer or employee or improperly ingratiating any officer or employee into the favor of any Superior Officer. Conversely, no Superior Officer shall allow any form of improper obligation to arise between himself and any other officer or employee nor allow any officer or employee to receive favored or biased treatment or consideration.

1513.1 Improper Associations and Dealings

Voluntarily maintaining or establishing an association or dealings with any criminal, racketeer, gambler or other person engaged in unlawful activities, except in the discharge of official duty and with the knowledge of the officer's Commanding Officer or the Chief of Police. The required notice to the Commanding Officer or Chief of Police shall be given prior to the association or dealings. In any case where prior notice is impossible, notice shall be given as soon as possible following the establishment of the association or dealings.

1514.1 Conduct Unbecoming an Officer or Employee

On or off duty conduct that reflects discredit upon the officer or employee, upon fellow officers or employees or upon the department, or any conduct or act that interferes with the operation, efficiency, or discipline of the department, is prohibited. Conduct unbecoming includes, but is not limited to, engaging in sexual contact or other activity of a sexual nature while on duty, including working a paid detail or extra-duty-assignment, regardless of consent.

1515.1 Insubordination

Deliberately failing or refusing to obey a law fully issued order.

1516.1 Neglect of Duty

Being absent from assigned duty without leave or failing to take suitable and/or required police action when any crime, public disorder or other incident re quires police attention.

1517.1 Incompetence

Incompetence, which may be demonstrated by, among other things, the following;

(a) a lack of knowledge of the application of the laws required to be enforced.

(b) an unwillingness or inability to perform assigned tasks.

(c) failure to conform to work standards established for the officer or employee's rank, position, office or assignment.

(d) repeated poor evaluations or repeated infractions of these Rules and Regulations.

1518.1 Careless Use of Weapons

Using or handling any weapon in a careless or imprudent manner or not using weapons strictly in accordance with Departmental procedures.

1519.1 Mishandling of Evidence

Handling property which is to be or has been received as evidence other than in accordance with Departmental procedures or converting to his own use, manufacturing, tampering with, destroying, or removing any evidence or other material found in connection with any investigation or other police action, except in accordance with Depart mental procedures.

1520.1 Voluntary Intoxication

Being voluntarily intoxicated when reporting for duty or while on duty, through the use of alcoholic beverages, narcotics or drugs.

1521.1 Intake or Storage of Intoxicants

Consuming alcohol or taking, in any manner, any narcotic or drug while on duty, unless involuntarily or when and as authorized by a Superior Officer, or storing any alcoholic beverage, narcotic or dangerous drug in any police facility or vehicle except where it is held as evidence or otherwise authorized by the Chief of Police.

1522.1 Visiting Certain Establishments

Entering or visiting, while on duty or in uniform, any place where alcoholic beverages are sold or dispensed, any alleged house of ill fame, gambling house, or other disreputable house or any establishment wherein the laws of the United States or of the Commonwealth of Massachusetts are violated, except on official business or in the performance of official duties.

1523.1 Using Department Letterhead Improperly

Using the Department letterhead or stamps for private correspondence or sending official correspondence out of the Department without the permission of or not over the signature of the Chief of Police.

1524.1 Using the Department as a Mailing Address

Using the Department as a mailing address for private purposes.

1525.1 Possessing Keys to Private Buildings in Patrol Areas

Having keys to private buildings or premises in patrol areas without the permission of the Chief of Police, other than keys to the officer’s own private property or premises.

1526.1 Improper Posting, Removal, etc of Notices

Altering, defacing or removing properly posted notices of the Department or posting notices on the Department bulletin board without the permission of the Chief of Police.

1527.1 Soliciting, Accepting, etc. Contributions to Charities, etc. While on Duty

While in uniform or on duty or after having informed the other party that he is a police officer or employee, soliciting, collecting, accept or receiving money or other things of value for charitable, gift or testimonial purposes, except as approved by the Chief of Police and in accordance with state law. (See General Laws, c. 268, sec. 9A.)

1528.1 Sleeping While on Duty

Sleeping while on duty.

1529.1 Non—Duty Related Reading While on Duty

Reading any non-department or non-duty-related material while on duty.

1530.1 Smoking While on Duty

Conspicuous public smoking while on duty, unless approved by the Chief of Police.

1600.0 **CONFLICT OF INTEREST**

1601.1 Introduction

The position of a police officer or employee is one involving a public trust of the highest order. Any conflict of interest on his part would impair his ability to perform his duties and would severely compromise the effectiveness and reputation of the Police Department. (See General Laws, c. 268A.)

1602.1 Accepting Things of Value Which Influence the Performance of Official Duties and Acts; Fraud

An officer or employee shall not, directly or in directly corruptly ask, demand, exact, solicit, seek, accept, receive or agree to receive anything of value for himself or for any other person or entity, in return for (1) being influenced in his performance of any official act or any act within his official responsibility, or (2) being influenced to commit or aid in committing, or to collude in, or allow any fraud, on the Commonwealth or on a state, county or municipal agency, or (3) being induced to do or omit to do any acts in violation f his official duty. (General Laws, c. 268A, sec. 2.)

1603.1 Accepting Things of Value for Performance of Official Acts

An officer or employee shall not, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly ask, demand, exact, solicit, seek, accept, receive or agree to receive anything of substantial value for himself for or

because of any official act within his official responsibility performed or to be performed by him. (General Laws, c. 268A, sec. 3.)

1604.1 Compensation

No officer or employee shall, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly receive or request compensation from anyone other than the city in relation to any particular matter in which the city is a party or has a direct and substantial interest. (General Laws, c. 268A, sec. 17.)

1605.1 Acting as Agent or Attorney

No officer or employee shall, otherwise than in the proper discharge of his official duties, act as agent or attorney for anyone other than the city in prosecuting any claim against the city, or as agent or attorney for anyone in connection with any particular matter in which the city is a party or has a direct and substantial interest. (General Laws, c. 268A, sec. 17.)

1606.1 Financial Interest

No officer or employee shall participate as a municipal employee in any particular matter in which to his knowledge he, his immediate family or partner, a business organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest, except in compliance with the notice, disclosure and approval requirements set out in the General Laws, Chapter 268A, Section 19.)

1607.1 Financial Interest in Municipal Contracts

No officer or employee shall have a financial interest, directly or indirectly, in a contract made by a municipal agency of the city, in which the city is an interested party of which financial interest he has knowledge or has reason to know, except under the circumstances and conditions specified in the third paragraph of Chapter 268A, Section 20 of the General Laws.

1608.1 Standards of Conduct

The following are established as standards of conduct for officers and employees for the violation of which appropriate administrative action as is warranted may be taken; no officer or employee shall:

(a) Accept other employment which will impair his independence of judgment in the exercise of his official duties.

(b) Accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority.

(c) Improperly disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.

(d) Use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others or give the appearance of such action.

(e) By his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is unduly affected by the kinship, rank, position or influence of any party or person.

(f) Pursue a course of conduct which will raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust. (General Laws, c. 268A, sec. 23.)

1609.1 Outside Employment

Prior to accepting or continuing outside employment not involving police services, an officer or employee shall notify and obtain the approval of the Chief of Police. Officers shall be aware that state law (Chapter 44, Section 53C of the General Laws) requires that all payments for paid details, where an officer provides police services, must be channeled through the City Treasurer's Office. No officer shall accept compensation directly from private employers for such paid details.

1610.1 Membership In or Affiliation with Organizations

An officer or employee shall not affiliate with or become a member of any organization if such affiliation or membership would in any way interfere with or prevent him from performing his duty.

1611.1 Labor Activities

An officer or employee shall not engage in any strike. "Strike" includes the willful failure to report for duty, willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a physician's statement, the stoppage of work, or the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment for the purposes of inducing, influencing or coercing a change in conditions, compensation, rights, privileges, or obligations of employment.

1612.1 Political Activities

Participation by an officer or employee in political activities while in uniform or on duty is prohibited except where allowed by state law. Using an officer's or employee's official position to influence or affect the electoral process for partisan purposes is prohibited.

1612.11 Receipt or Solicitation of funds for Political Purpose

No officer or employee shall directly or indirectly solicit or receive any gift, payment, contribution, assessment, subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever, but this section does not prevent police officers and employees from being members of political organizations or committees. (General Laws, c. 55, sec. ii.)

1613.1 Seeking or Accepting Gifts, Gratuities, Loans, Transactions of Material Value, Bribes, Rewards

An officer or employee shall not solicit, seek or accept any gift or gratuity, including food or drink, or any loan or enter into any transaction of material value at substantially lower than fair market value or the value at which the good or service is being offered to the public generally, if the transaction is intended to affect or be an attempt to affect his official duties. Moreover, an officer or employee shall not receive, seek, ask for, or share in any fee, reward, or other reimbursement or gratuity for the performance of his official duties except such as may be established by or approved by the Chief of Police.

1614.1 Resolution of Questions on Actual or Prospective Conflict of Interest Situations

Any officer or employee shall be entitled to the opinion of the city solicitor upon any question arising under Chapter 268A of the General Laws relating to his duties, responsibilities and interests. All requests for such opinions by a police officer shall be made in confidence directly to the Chief of Police, who shall in turn request in confidence such opinion of the city solicitor on behalf of the police officer. The Chief of Police may make direct confidential requests for such opinions on his own account. The city solicitor shall file such opinion in writing with the city clerk and such opinion shall be a matter of public record; however, no opinion will be rendered by the city solicitor except upon the submission of detailed existing facts which raise a question of actual or prospective violation of any provision of Chapter 268A. (General Laws, c. 268A, sec. 22.)

1614.11 Requests for Opinion

When an officer or employee is in doubt whether his present or future conduct is or will be in violation of state law or the Rules and Regulations on Conflict of Interest, he shall, to protect himself and to provide the Department with an authoritative statement, submit a written request to the Chief of Police for an opinion by the City Solicitor.

1700.0 UNIFORMS, APPEARANCE AND DEPT. PROPERTY AND EQUIPMENT

1701.1 Uniforms and Appearance

Officers and employees shall be neat—appearing and well—groomed while in uniform. All articles of clothing shall conform to the Departmental uniform regulations. Civilian clothing shall not be worn with any distinguishable part of the uniform.

1702.1 Wearing the Uniform

Uniforms shall be kept neat, clean, and well—pressed at all times. Care should be taken not to wear thread bare or faded items. The uniform cap shall be worn out of doors unless otherwise directed by Departmental procedures. Other regulations relating to wearing of uniforms shall be adhered to as required by Departmental procedures.

1703.1 Civilian Clothing

Civilian clothing worn by officers or employees shall be in conformity with directions set by the Commanding Officer and in accordance with Departmental procedures.

1704.1 Hair Styles

An officer shall maintain a hair style in accordance with Departmental directives.

1705.1 Civilian Employee Uniform

Civilian employees shall wear and maintain a non-police uniform when so directed by the Chief of Police.

1706.1 Uniform and Equipment Damage Claims

any claims for damage to clothing, equipment or eyeglasses caused by performance of duty shall be made in accordance with Departmental procedures and law.

1707.1 Departmental Equipment and Property

Equipment issued to officers and employees shall remain the property of the Department. Officers and employees shall maintain Departmental property and equipment assigned to them in good condition. Damaged or lost property may subject the responsible individual to reimbursement charges and/or appropriate disciplinary action.

1708.1 Damaged and Inoperative Property and Equipment

Officers and employees shall immediately report to their Commanding Officer on designated forms any loss of or damage to Departmental property or equipment assigned to them and any defects or hazardous conditions existing in any Departmental property or equipment. In the event that Departmental property or equipment is lost or found bearing evidence of damage which has not been reported, the last person using the property or equipment may be held responsible for failure to report such and may be held responsible for the damage.

1709.1 Authorized Equipment

While on duty an officer shall carry only such equipment as is issued to him by the Department or authorized by the Chief of Police.

1710.1 Surrender of Departmental Property

Officers and employees shall surrender all Depart mental property in their possession upon separation from the service or when otherwise ordered to do so. Failure to return items may obligate the person to reimburse the Department for the fair market value of the article.

1711.1 Care of Departmental Buildings

Officers and employees shall not mark or deface any surface or damage any part of any departmental building. No material shall be affixed in any way to any wall in Departmental buildings by officers or employees without specific authorization from a Commanding Officer.

1712.1 Departmental Vehicles

A valid Massachusetts driver's license is required of all officers. Officers shall not use Departmental vehicles without the permission of their Commanding Officer. Officers or employees shall not use Departmental vehicles for personal business or pleasure.

1713.1 Transporting Civilians

Civilians shall be transported in Departmental vehicles only when necessary to accomplish a proper police purpose. Such transportation shall be done in conformance with Departmental procedures or at the direction of a Commanding Officer, a Superior Officer or the Dispatcher.

1714 Reporting Accidents and City Liability Conditions

Accidents involving Departmental property, personnel and/or equipment and conditions with respect to city- owned property or equipment which pose a potential liability to the city as the source of injury or damage shall be reported in accordance with procedures established by the Chief of Police.

1715.1 Destruction or Permanent Removal of Departmental Records

No Departmental record shall be destroyed or permanently removed from its file except with the approval of the Chief of Police.

1716.1 Lost, Stolen, Abandoned, etc. Property

All lost, stolen or abandoned property or property required as evidence or property taken from a prisoner or from an insane, intoxicated or incapacitated person shall be protected, identified, reported and handled by officers and employees in accordance with Departmental directives.

1800.0 GENERAL OBLIGATION, DISCIPLINE AND GRIEVANCES

1801.1 Knowledge of and Up-Keep of Rules and Regulations

All officers and employees who are issued a copy of these Rules and Regulations are responsible for its maintenance. They shall be knowledgeable as to its contents and shall make appropriate changes or inserts as directed by the Chief of Police.

1802.1 General Obligation

Officers and employees of the Police Department are expected to conform their behavior to the standard of conduct outlined in these Rules and Regulations and in the Departmental orders, directives and other guidelines issued in pursuance of these Rules and Regulations. Officers and employees of the Police Department are further expected to comply with the procedures and fulfill the duties and responsibilities outlined in these Rules and Regulations and in the Departmental orders, directives and other guidelines issued in pursuance thereof.

1803.1 Violations

Failure to comply with these Rules and Regulations and the official guidelines issued in pursuance thereof may subject the offending officer or employee to disciplinary action in accordance with law.

1804.1 Types of Discipline

A police officer or employee may be subject to discharge, suspension exceeding five days, transfer from his office or employment, reduction in grade or compensation, or abolition of his office, without his consent in writing, in accordance with the procedures provided in the General Laws, Chapter 31, Sections 43, 45 and 46A and other applicable laws.

1804.11 Suspension: Five Day

An officer or employee is subject to suspension for five days or less in accordance with the procedures set forth in the General Laws, Chapter 31, Section 43 (e) and other applicable laws and to punishment duty in accordance with the procedures set forth in Chapter 31, Section 43 (g) and other applicable laws.

1804.12 Chief to Notify City Manager

The Chief of Police shall notify the City Manager of any disciplinary measures to be brought against any officer or employee. The Chief of Police shall comply with any hearing procedures established in regard to such disciplinary measures.

1804.13 Lesser Discipline

Officers and employees are also subject to lesser disciplinary actions than those covered by statute. These lesser disciplinary actions, administered by the Chief of Police or under his authority, may include, but are not limited to, oral and written reprimands.

1805.1 Investigation and Hearing Authority of the Chief of Police

The Chief of Police has the authority to conduct such disciplinary investigations and hearings as he deems necessary and proper and are not inconsistent with law or the constitutional rights of the officers or employees of the Department.

1805.11 Disciplinary Proceedings: Evidence

In all disciplinary proceedings the Chief of Police shall assure that evidence relating to alleged offenses is discovered and properly documented.

1806.1 Suspension of Police Officers While Under Indictment

An officer may, during any period he is under indictment for misconduct in office or for misconduct in any elective or appointive public office, trust or employment at any time held by him, be suspended by the City Manager, whether or not such appointment was subject to approval in any manner. Notice of suspension shall be given in accordance with Chapter 268A, Section 25 of the General Laws. Any officer so suspended shall not receive any compensation or salary during the period of suspension, nor shall the period of suspension be counted in computing his sick leave or vacation benefits or seniority rights, nor shall any officer who retires from service while under such suspension be entitled to any pension or retirement benefits, notwithstanding any contrary provision of law, but all contributions paid by him into a retirement fund, if any, shall be returned to him. If the criminal proceedings against the suspended officer are terminated without a finding or verdict of guilty on any of the charges on which he was indicted, his suspension shall be forthwith removed, and he shall receive all compensation or salary due him for the period of his suspension, and the time of his suspension shall count in determining sick leave, vacation, seniority and other rights, and shall be counted as creditable service for purposes of retirement. (General Laws, c. 268A, sec. 25.)

1807.1 Grievance Procedures

Any officer or employee who wishes to file a grievance complaint may do so in accordance with the procedures set forth in the applicable laws and ordinances and in the officer’s or employee’s collective bargaining agreement.

1900.0 **MISCELLANEOUS PROVISIONS**

1901.1 Severability Clause

If any provision of these Rules and Regulations or the application thereof to any person is held invalid, that invalidity shall not affect any other provision or the application thereof which can be given effect without the invalid provision or application. To this end the provisions of these Rules and Regulations are severable.

1902.1 References

References to the General Laws of the Commonwealth of Massachusetts and the Revised Ordinances of the City of Worcester are made solely for the sake of reference to the relevant or paraphrased law or ordinance and in no way are intended to limit the legal interpretation of the subject matter solely to the statute or ordinance so referenced or paraphrased. Any changes or additions to the statute or ordinance referred to or paraphrased will supercede that which is referenced or paraphrased and such reference or paraphrasal should be changed accordingly as well as the content of any rule or regulation affected thereby.

1903.1 Commendations

Any officer who, under circumstances requiring an exceptionally high degree of courage, risks his own life in the prevention of a crime, in the apprehension of a criminal, or in saving or in attempting to save the life of another; or any officer who, under circumstances requiring the highest degree of diligence, initiative, and ability, performs a difficult and important police service; or any officer who performs conduct above and beyond the call of duty or conduct which brings credit to the Police Department, the individual officer or his unit in a distinguished manner, shall merit an official commendation by the Chief of Police.

1903.11 Departmental Award Classification

The Chief of Police shall promulgate a classification of official Departmental commendations, honors, awards, etc. for meritorious and distinguished service.

1903.12 Process to Commend Officers

When an officer has performed some meritorious or distinguished police service, his Commanding Officer shall submit a written report of the case and make such recommendations as he deems appropriate to the Chief of Police.

1904.1 Criminal and Civil Cases and Court Appearances

The procedures to be followed by officers and employees in the discharge of their duties in relation to all aspects of criminal cases, in filing civil suits arising out of incidents occurring in the line of duty, in court appearances and in all other matters which relate to criminal and civil cases and other judicial proceedings shall be those set forth in Departmental orders and directives issued by the Chief of Police.

Employee's Copy

Acknowledgement of Receipt

I, the undersigned, hereby acknowledge receipt of a copy of the Rules and Regulations of the Worcester Police Department (1976 ed.) and further acknowledge that it is my responsibility to insure that this copy of the Rules and Regulations is understood by me and kept up—to—date as directed by the Chief of Police.

_____

(Signature/Date)

I, the undersigned, hereby acknowledge the issuance of one copy of the Rules and Regulations of the Worcester Police Department (1976 ed.) to _____

_____

(Signature/Date)

One copy of this Receipt of Acknowledgement shall be kept in the personnel file of the officer or employee receiving the Rules and Regulations. The second copy of this Acknowledgement of Receipt shall be retained by the officer or employee for his own records.

Department Copy:

Acknowledgement of Receipt

I, the undersigned, hereby acknowledge receipt of a copy of the Rules and Regulations of the Worcester Police Department (1976 ed.) and further acknowledge that it is my responsibility to insure that this copy of the Rules and Regulations is understood by me and kept up—to—date as directed by the Chief of Police.

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TO BE FILES IN ERMPLOYEE'S WPD-201 FILE