

1-5-1 Code of Conduct and Appearance

PURPOSE:

The purpose of this general order is to provide personnel with code of conduct and appearance rules for employment.

PROCEDURE:

- I. Policy: The code of conduct and appearance for the Division is in the form of the "Rules of Conduct." These Rules of Conduct specify both required and prohibited conduct by employees and are prefaced by both the "Law Enforcement Code of Ethics", and the "Canons of Police Ethics."
- II. Rules of Conduct - Violation of any of these rules shall be sufficient cause for corrective action and/or discipline of any member of the Police Division. Personnel are expected to adhere to this code of conduct and operate in a professional and ethical manner. Personnel may be removed for reasons as listed in the Ohio Revised Code, Section 124.34.
- III. The term "members of the Division" applies to all personnel of the Police Division, both sworn and non-sworn. The term "officer" applies only to sworn police officers of the Division. The term "civilian members" applies only to non-sworn personnel employed by the Police Division.
 - A. **Rule 1 - Violation of Rules**
Members of the Police Division shall not commit any acts which constitute a violation of any of the rules, regulations, directives or orders of the Division, whether stated in this rule or elsewhere.
 - B. **Rule 2 - Unbecoming Conduct**
Members of the Police Division shall conduct themselves at all times in such a manner as to reflect most favorably on the Division. Unbecoming conduct shall include that which brings the Division into disrepute or reflects discredit upon the individual as a member of the Police Division.
 - C. **Rule 3 - Immoral Conduct**
Officers shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Officers shall not participate in any incident involving moral turpitude which impairs their ability to perform as law enforcement officers or causes the Division to be brought into disrepute.
 - D. **Rule 4 - Conformance to Laws**
Members of the Division shall obey all laws of the United States and any State or Local jurisdictions in which the members are present. A conviction of the violation of any law may be prima facie evidence of a violation of this section.
 - E. **Rule 5 - Reporting for Duty**
Members of the Division shall be solely responsible to report for duty at the time and place required by assignment or orders whether for a regularly scheduled shift

or for an overtime shift be it voluntary or mandatory. All members shall be properly equipped and cognizant of information required for the performance of duty, so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this section.

F. **Rule 6 - Neglect of Duty**

Members of the Division shall not commit any acts expressly forbidden or omit any acts that are specifically required by the laws of the State of Ohio, the Bowling Green Codified Ordinances, these Rules of Conduct, or any other orders, policies, procedures, or directives of the Division. Members shall not engage in any activity or personal business which could cause them to neglect or be inattentive to duty.

G. **Rule 7 - Fictitious Illness or Injury Reports**

Members of the Division shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Division, as to the condition of their health.

H. **Rule 8 - Sleeping on Duty**

Members of the Division shall remain awake while on duty. If unable to do so, they shall so report to their superior officer, who shall determine the proper course of action.

I. **Rule 9 - Leaving Duty Post**

Members of the Division shall not leave their assigned duty post during a tour of duty except when authorized by proper authority.

J. **Rule 10 - Meals**

Members of the Division shall be permitted to suspend patrol or other assigned activity, subject to immediate call at all times, for the purpose of having meals during their tour of duty, but only for such period of time and at such time and place as established by other Division procedures and directives.

K. **Rule 11 - Unsatisfactory Performance – Sworn Personnel**

Officers shall maintain sufficient competency to properly perform their duties and assume the responsibility of their positions. Officers shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Division. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned work tasks; their failure to conform to work standards established for the officer's rank, grade or position; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention; or absence without leave. In addition to other indicators of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations or a written record of repeated infractions of rules, regulations, directives, or orders of the Division.

L. **Rule 11A - Unsatisfactory Performance - Civilian Personnel**

Civilian members of the Division shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Civilian members shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Division. Unsatisfactory performance may be demonstrated by a lack of knowledge of

Division policy and procedure; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the particular rank, grade or position; the failure to take appropriate action within the responsibilities of the civilian member's assignment; or absence without leave. In addition to other indicators of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: poor evaluations, or a record of repeated infractions of rules, regulations, or directives or other orders of the Division.

M. **Rule 12 - Alcoholic Beverages and Drugs in Police Installations**

Members of the Division shall not store or bring into any police facility or vehicle, alcoholic beverages, controlled substances, narcotics, or hallucinogens except alcoholic beverages, controlled substances, narcotics, or hallucinogens which are to be submitted to the property room as evidence, safekeeping, or for disposal. Alcoholic beverages may be brought into the police facility for law enforcement-related purposes with the advance approval of the chief of police or the deputy chief of police.

N. **Rule 13 - Possession and Use of Drugs**

Members of the Division shall not possess or use any controlled substances, narcotics, or hallucinogens which could affect or impair their ability to function in their job, except when prescribed by a physician or dentist. When any controlled substances, narcotics, or hallucinogens are prescribed, which could affect or impair their ability to function in their job, members shall notify their superior officer prior to beginning their next tour of duty.

O. **Rule 14 - Use of Alcohol on Duty or in Uniform**

Members of the Division shall not consume intoxicating beverages while in uniform or on duty except in the performance of duty and while acting under proper and specific orders from a superior officer. Members of the Division shall not appear for duty or be on duty while under the influence of intoxicants to any degree.

P. **Rule 15 - Use of Alcohol or Drugs off Duty**

Members of the Division while off duty shall refrain from consuming intoxicating beverages to the extent that it results in impairment, intoxication, or obnoxious or offensive behavior which discredits themselves or the Division, or renders the members unfit to report for their next regular tour of duty. Members of the Division shall not use any illicit controlled substance, narcotics or hallucinogens at any time.

Q. **Rule 16 - Use of Tobacco**

Members of the Division may not use any tobacco products while on duty.

R. **Rule 17 - Insubordination**

Members of the Division shall promptly obey any lawful orders of a superior officer. This will include orders from a superior officer communicated by an officer of the same or lesser rank or a civilian employee in either written or verbal form.

S. **Rule 18 - Conflicting or Illegal Orders**

Members of the Division who are given an otherwise proper order which is in conflict with a previous order, rule, regulation, or directive, shall respectfully inform the superior officer issuing the order of the conflict. If the superior officer issuing the order does not alter or retract the conflicting order, the last given order shall stand. Under these circumstances, the responsibility for the conflict shall stand with

the superior officer. Members shall obey the conflicting order and shall not be held responsible for disobedience of the rule, regulation or directive previously issued. Members of the Division shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, officers should request the issuing officer to clarify the order or to confer with higher authority.

T. **Rule 19 - Gifts, Gratuities, Bribes or Rewards**

Members of the Division shall not solicit or accept from any person, business, or organization any gifts, gratuities, bribes or rewards (including but not limited to money, personal property, food, beverage, loan, promise, service or entertainment) where the expectation of the giver is to curry undue favor, special treatment, or other benefit. Or where the acceptance of such items constitutes a conflict of interest or is prohibited by law.

U. **Rule 20 - Abuse of Position**

1. Members of the Division shall not use their official position, official identification cards or badges for:
 - a. personal or financial gain
 - b. obtaining privileges not otherwise available to them except in the performance of duty
 - c. avoiding consequences of illegal acts
 - d. members shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief of Police.
2. Members of the Division shall not authorize the use of their names, photographs, nor official titles which identify them as officers or members of the Division in connection with testimonials or advertisements or any commodity or commercial enterprise without the approval of the Chief of Police.

V. **Rule 21 - Endorsements and Referrals**

Members of the Division shall not recommend or suggest in any manner except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, ambulance service, towing service, bondsman, mortician). In the case of ambulance or towing service, when such service is necessary and the person is unable or unwilling to procure it or request assistance, members shall proceed in accordance with established Division procedures.

W. **Rule 22 – Identification – Sworn Personnel**

Officers shall furnish their name and unit number to any person requesting that information when they are on duty or while holding themselves out as having an official capacity, except when the withholding of such information is necessary for the performance of their duties or is authorized by proper authority. Officers shall identify themselves by name and rank while speaking on the telephone.

X. **Rule 22A - Identification - Civilian Personnel**

Civilian members of the Division shall furnish their name while answering the telephone or to any person requesting that information when they are on duty or while holding themselves out as having an official capacity, except when the

withholding of such information is necessary for the performance of their duties or is authorized by proper authority.

Y. **Rule 23 - Courtesy**

Members of the Division shall be courteous to others. Members shall be tactful in the performance of their duties; shall control their tempers and exercise the utmost patience and discretion; and shall not engage in argumentative discussions, even in the face of extreme provocation. In the performance of their duties, members shall not use coarse, violent, profane, or insolent language or gestures and shall not express any prejudice concerning race, sex, religion, politics, national origin, life style, or similar personal characteristics.

Z. **Rule 24 - Requests for Assistance**

When any person applies 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 Division policies and procedures.

AA. **Rule 25 - Associations**

Members of the Division shall avoid regular or continuous associations or dealings with persons and/or organizations whom they know or should reasonably know are persons under criminal investigation or indictment or who have a reputation in the Division or the community for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties or where unavoidable because of other personal relationships of the members.

BB. **Rule 26 - Visiting Prohibited Establishments**

Members of the Division shall not knowingly visit or frequent a house of prostitution, gambling house or establishment wherein the laws of the United States, State of Ohio, or Local Ordinances are regularly violated, except in the performance of duty or while acting under proper and specific orders from a superior officer.

CC. **Rule 27 - Gambling**

Members of the Division shall not engage or participate in any form of illegal gambling at any time except in the performance of duty and while acting proper and specific orders from a superior officer.

DD. **Rule 28 - Public Statements and Appearances**

Members of the Division shall not publicly criticize or ridicule the Division, its policies, or other members of the Division by speech, writing, or other expression where such speech, writing or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the Division, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity. Members of the Division shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or periodical, release or divulge investigative information or any other matter of the Division while holding themselves out as representing the Division in such matters without proper authority. Members may lecture on police or other related subjects only with prior approval of the Chief of Police.

EE. **Rule 29 - Personal Appearance**

Members of the Division on duty shall wear uniforms or other clothing in accordance with Division regulations. Except when acting under proper and specific

orders from a superior officer, members on duty shall maintain a neat, well groomed appearance and shall style their hair according to Division regulations.

FF. **Rule 30 - Political Activity**

1. Personnel shall be permitted to:
 - a. Register and vote in any election
 - b. Express opinions as individuals privately and publicly on political issues and candidates.
 - c. Attend political conventions, rallies, fund raising events, and similar political functions.
 - d. Actively engage in any non-partisan political functions.
 - e. Sign political petitions as individuals.
 - f. Make financial contributions to political organizations.
 - g. Serve as election judges or clerks or in a similar position to perform non-partisan duty as prescribed by local and state laws.
 - h. Hold membership in a political party and participate in its functions to the extent consistent with the law and consistent with this section.
 - i. Otherwise participate fully in public affairs except as provided by law to the extent that such endeavors do not impair the neutral and efficient performance of official duties or create real or apparent conflicts of interest.
2. Personnel are prohibited from:
 - a. Using their official capacity to influence or interfere with or affect the results of an election.
 - b. Assuming active roles in the management, organization or financial activities of partisan political clubs.
 - c. Serving as officers of partisan political clubs.
 - d. Becoming candidates for or campaigning for a partisan elective public office.
 - e. Soliciting votes in support of or in opposition to any partisan candidate.
 - f. Serving as delegates to a political party convention.
 - g. Endorsing or opposing a partisan candidate for public office in a political advertisement broadcast or campaign literature.
 - h. Initiating or circulating a partisan nominating petition.
 - i. Organizing, selling tickets to, or actively participation in a fund raising function for a partisan political party or candidate.
 - j. Addressing a political gathering in support of or opposition to a partisan political candidate.
 - k. Otherwise engaging in prohibited partisan activities on the federal, state, county, or municipal level.

GG. **Rule 31 - Telephones**

Members of the Division shall have telephones available to them and shall immediately report any changes in telephone numbers or addresses to their superior officers and to such other persons as may be appropriate.

HH. **Rule 32 - Intervention**

1. Officers shall not interfere with cases being handled by other officers of the Division or by any other governmental agency **unless:**
 - a. **Legally ordered to intervene by a superior officer.**
 - b. **The intervening officer believes beyond a reasonable doubt that a manifest injustice could result from failure to take immediate action.**
2. Officers shall not undertake any investigation or other official action not part of their regular duties without obtaining permission from their superior officer, unless the urgency of the situation requires immediate police action.

II. **Rule 33 - Division Documents**

Members of the Division shall submit all necessary reports, forms and other documents on time and in accordance with established Division procedures. Reports submitted by members shall be truthful and complete and no member shall knowingly enter or cause to be entered any inaccurate, false, or improper information, or alter, remove, or destroy any document once filed for the purpose of obstructing justice, misleading superior officers, or altering the natural order of information.

JJ. **Rule 34 - Processing Property and Evidence**

Property or evidence which has been discovered, gathered, or received in connection with Division responsibilities will be processed in accordance with established Division procedures. Members of the Division shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence in connection with an investigation or other police action, except in accordance with established Division Procedure.

KK. **Rule 35 - Abuse of Process**

Officers shall not intentionally make false accusations of a criminal or traffic charge.

LL. **Rule 36 - Use of Division Equipment**

Members of the Division shall utilize Division equipment only for its intended purpose in accordance with established Division procedures and shall not abuse, damage, or lose Division equipment. All Division equipment issued to members shall be maintained in a proper order.

MM. **Rule 37 - Operating Vehicles**

Members of the Division shall operate official vehicles in a prudent and careful manner and shall obey all laws and Division orders pertaining to such operation. Loss or suspension of any driving privileges shall be reported to the on-duty supervisor immediately.

NN. **Rule 38 - Carrying Firearms**

Officers shall carry firearms in accordance with the law and established Division procedures.

OO. **Rule 39 - Truthfulness**

Members of the Division shall fully and truthfully answer all questions specifically directed and narrowly relating to the performance of official duties or fitness for office which may be asked of them by a superior officer or a court of law. Members will be truthful in the performance of their duties and professional communications whether they be written or verbal in nature.

PP. **Rule 40 - Use of Polygraph, Medical Examinations, Photographs, and Line-ups**

1. In the course of an internal investigation, a polygraph examination will be administered only with the consent of the employee under investigation. When such polygraph examination is conducted with the consent of the employee under investigation, the result of such examination shall not be used by either party for any purpose in any subsequent court action.
2. Upon the order of the chief of police, or the chief's designee, members of the Division shall submit to any medical, ballistics, chemical or other test, photographs, or line-ups. All procedures carried out under this section shall be specifically directed and narrowly related to a particular internal investigation being conducted by the Division.

QQ. **Rule 41 - Treatment of Persons in Custody**

Members of the Division shall not mistreat persons who are in their custody. Members shall handle such persons in accordance with the law and Division procedures.

RR. **Rule 42 - Use of Force**

Officers shall not use more force in any situation than is reasonably necessary under the circumstances. Officers shall use force in accordance with the law and established Division policy and procedures.

SS. **Rule 43 - Use of Weapons**

Officers shall not use or handle weapons in a careless or imprudent manner. Officers shall use weapons in accordance with the law and Division procedures.

TT. **Rule 44 - Arrest, Search and Seizure**

Officers shall not make any arrest, search or seizure which they know or should know is not in accordance with the law and the Division policy and procedures.

UU. **Rule 45 - Ethics**

Members of the Division shall not conspire or knowingly engage in any activity which deprives any person of their civil rights, due process, equal opportunity for employment, advancement, job opportunities, or any constitutionally or statutorily guaranteed right. No member of the Division shall disseminate confidential police related information unlawfully or outside the scope of his/her duties.

VV. **Rule 46 – Audio and/or Video Recordings**

Members of the Division shall not engage in surreptitious audio/video recording of other members without prior approval of the chief or deputy chief of police.

WW. **Rule 47 – Notification of Supervisor of Arrest, Citation or Investigation.**

Members of the Division shall immediately notify their immediate supervisor, or in the event of their absence, the next higher authority if they are arrested or cited for any criminal or traffic offense, or are the subject of a known criminal investigation by any law enforcement agency or jurisdiction.

XX. **Rule 48 – Disrespect Toward a Superior Officer**

Members of the Division shall extend the necessary courtesy and respect due the authority and person of a superior officer. Disrespect by words may be conveyed by abusive epithets or other contemptuous or denunciatory language. Disrespect by acts includes showing a marked disdain, indifference, insolence, impertinence, undue familiarity, or other rudeness in the presence of the superior officer.

REVIEW PROCESS:

- I. This directive shall be reviewed on an annual basis by the chief of police or his designee.

CANCELLATION:

- I. This general order shall remain in force until revoked or revised by competent authority.

(CALEA 26.1.1)(Rev. 07/13/2007, 02/26/2008, 05/04/09, 4/26/17)