

## STANDARDS OF CONDUCT

### **Purpose:**

To provide additional specificity to the standards of conduct expected of all department employees.

### **Policy:**

It is the policy of the Maplewood Police Department that all employees conduct themselves at all times in accordance with the rules and regulations of the department, the City of Maplewood Municipal Code and Personnel Code, as well as all other applicable laws, rules and regulations, and in a manner that reflects the ethical standards expected of all employees.

### **General:**

- A. All employees of the department are subject to the rules and regulations of this General Order, all other department rules and regulations as well as the City of Maplewood Municipal Code and Personnel Code.
- B. All employees are presumed to have knowledge of the laws of the United States and the State of Missouri, the rules and regulations of the department, as well as the City of Maplewood Municipal Code and Personnel Code, and are expected to abide by all such laws, rules and regulations.
- C. The rules of conduct set forth in this General Order are not intended to serve as an exhaustive treatment of requirements, limitations or prohibitions on employee conduct and/or activities established by this agency. Rather, they are intended to serve as a guide to employees so they may conduct themselves and their affairs in a manner that reflects the standards of deportment and professionalism required of law enforcement personnel.

### **Management's Rights:**

- A. Employees shall be loyal to the police department's mission and values.
- B. Employees shall be subordinate to all lawful organizational directives and supervisory instructions.
- C. Employees shall be available for work while at work.
- D. Employees shall be competent mentally, physically, medically and psychologically prepared to carry out their duties.
- E. Employees shall be productive and use productive work time in an efficient, effective and safe manner.
- F. Employees shall be adaptive to the demands of their job and adjust to change.
- G. Employees shall be responsible for decisions made and the consequences of those decisions.
- H. Employees shall be respectful and affable, and work with colleagues in a harmonious relationship.

### **Procedures:**

#### A. Duties and Obligations:

- 1. In addition to the specific duties of each individual rank and/or position, the following general duty provisions are applicable to all members of the department and must be observed:

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Effective Date: September 23, 2009

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- a. All rules and regulations set forth in this General Order, the rules and regulations of the department as well as the City of Maplewood Municipal Code and Personnel Code must be obeyed.
- b. Each employee shall properly inform themselves about all orders, regulations and memorandums governing their duties.
- c. All personnel are issued a department identification card, which includes the employee's photograph, name, rank/position, and department serial number, if applicable.
  - 1) All employees will have their department issued identification card in their possession at all times when they are in possession of their weapon.
  - 2) All employees will provide their identification to any official or member of the public who may inquire. Exceptions may include officers working in an undercover capacity, or other instances as may be authorized by the chief of police.
- d. Aid shall be promptly given to persons requesting service, in so far as is consistent with duty obligations.
- e. No police information of any nature shall be disclosed unless it is proper and necessary under the circumstances.
- f. Interfering with the course of justice in any fashion whatsoever is forbidden.
- g. No advice shall be given to any arrested person or to others for him, in relation to the defense or prosecution against him.
- h. An employee shall not fail to notify their superior of information concerning police matters that comes into their possession.
- i. An officer shall remain neutral to both parties in any civil case or dispute and shall act only to prevent a breach of peace or to suppress a disturbance.
- j. Every officer must assist and protect and come to the aid of other members of the department in need of aid or assistance.
- k. Neglect of duty, improper performance of duty is prohibited.
- l. All employees will maintain expected standards of competent performance. Those employees consistently performing below expected standards are subject to disciplinary action.
- m. All employees shall always verbally identify themselves on the phone and maintain a courteous, professional demeanor at all times.
- n. Upon reporting to the station for the beginning of their tour of duty and after roll call has been completed, patrol officers are to respond on patrol and are not permitted in the station unless one of the following occurs: An officer is called to the station by the dispatcher to handle a call, personal relief, or with the permission of the on duty supervisor. Patrol officers are allowed to complete paperwork and eat meals at the station, but must first obtain permission from the on duty supervisor.
- o. Officers are required to contact the dispatcher via radio and inform them of their arrival to the station and the purpose, each and every time they arrive.

- p. No officer shall go beyond the city limits while on duty unless in the performance of actual police duty or permission is granted from the authorized supervisor .
- q. Employees shall promptly turn over to proper authority all lost, stolen, seized, recovered, abandoned or evidentiary material which comes into their possession as a result of the performance of their duties as a member of the department.
- r. Employees shall promptly report to a supervisor the loss of any city property or equipment that has been furnished to the employee. Employees shall also promptly report to a supervisor any damage to department/city property.
- s. Employees shall not use private vehicles and/or equipment for official purposes unless authorized by the chief of police. Employees may be required to provide the department with a serial number and/or description of any personally owned equipment that has been authorized for use while on duty.

**B. Standards of Performance:**

- 1. The police department has the authority and responsibility to establish standards of performance expected from all employees. All employees are expected and required to consistently accomplish these standards. The department recognizes that individual differences, unique circumstances and performance opportunities will create reasonable variations in performance. However, as long as work conditions and circumstances are reasonably comparable in nature, it is reasonable for the department to expect similar performance from employees in exercising their duties.
- 2. The department will measure employee performance on the effective and efficient use of their time.**
- 3. Employees that fail to perform adequately on any assigned task or consistently fails to accomplish acceptable levels of performance for their position should expect to be replaced, disciplined or terminated.
- 4. All employees are expected to take affirmative steps to contact their superiors to clarify expectations relating to performance when they do not understand.

**C. Accountability, Responsibility and Discipline:**

- 1. Employees are directly responsible for their actions, through the chain of command, to the chief of police.
- 2. Employees shall cooperate fully in any administrative internal investigation.
- 3. Employees shall be accurate, complete and truthful in all matters regarding administrative internal affairs investigations.
- 4. Employees shall accept responsibility for their actions without attempting to conceal, divert or mitigate their true culpability, and they shall not engage in efforts to thwart, influence or interfere with any internal or criminal investigation.
- 5. Employees that are arrested, cited, issued a citation or come under investigation for any traffic and/or criminal offense shall report this fact to the chief of police as soon as reasonably practical.

6. All employees shall promptly report any known violations of departmental and/or city rules and regulations to a supervisor.
7. No employee shall withhold any information of criminal activity.

D. Maintain Telephone and Residential Address:

1. Employees shall maintain a phone and shall notify the department, in writing, of their address and phone number. Employees shall also promptly notify the chief of police, in writing, of any change of address and/or telephone number.
2. Employees shall not use the address of the police department or city hall or any other city facility as their mailing address.
3. Consistent receipt of personal mail or visitors at police headquarters or utilization of departmental telecommunications for non-duty related purposes is prohibited.

E. Posting and Circulating Notices:

1. Employees shall not remove, destroy or deface any official written notice relating to police business or otherwise posted/issued by the department or city.
2. Employees shall not distribute or post written or printed matter of any description on city premises unless authorized to do so by proper authority.
3. Employees shall not distribute, post, or circulate any notice relating to any person, group, organization or police activity that is derogatory in nature.

F. Courtroom Demeanor:

1. Employees must be able to render credible testimony in a court of law or other legal procedures.
2. Employees shall be punctual, properly dressed and prepared to testify.
3. Employees shall, at all times, maintain a respectful attitude toward the court and all parties involved.
4. Employees shall promptly notify the chief of police, in writing and via the chain of command, if they are subpoenaed or otherwise requested to testify on behalf of the defense or against the city or department in any trial, hearing or other matter.

G. Participation in Civil Matters (duty related):

1. No member of the department shall give a deposition, testimony, affidavit, produce department records/documents, or appear as a witness in a civil matter stemming from one's employment with the city or department without the knowledge of the chief of police.

H. Lawsuit and/or other Legal Proceeding Notifications:

1. Whenever an employee has been named in a lawsuit or legal proceeding of any nature as a plaintiff, defendant, petitioner, respondent, etc., said employee shall promptly provide written notification to the chief of police informing him of their involvement.

I. Maintain Neat Appearance:

1. Employees shall maintain a neat, clean and professional personal appearance.

J. Maintain Good Physical and Mental Condition:

1. Law enforcement work requires a certain level of fitness. The performance of certain essential job functions, while perhaps infrequent, may be critical, and outlined in General Order 2010.84 entitled "Job Description". The level of fitness required to perform those functions is affected by exercise, diet, tobacco usage, substance abuse, stress management, and weight control.
2. All police officers are required to maintain a level of job-related fitness that will permit them to carry out the essential functions of their duties. The police department strongly encourages its employees to maintain a satisfactory health level by providing resources to assist them in achieving their desired goals. These resources include:
  - a. Access 24 hours a day to the fitness center located at the Maplewood City Hall, 7601 Manchester Road. The fitness center contains various types of aerobic and strength equipment.
  - b. Voluntary in-service educational programs regarding health to include such topics as nutrition and stress management. These programs frequently distributed by the city manger to all employees and are available through the St. Louis County and Municipal Police Academy.
  - c. Voluntary periodic flu vaccinations offered free of charge by the City of Maplewood.
3. A fit-for-duty examination by a doctor satisfactory to the department may be ordered for any employee at any time by the chief of police or his designee when deemed to be in the best interest of the department, the city, or the employee.
  - a. Such examinations may include, but are not limited to, a physical and/or psychological/emotional examination.
  - b. The purpose of any such exam will be to determine if an employee is able to perform the essential functions of their job and to assess their overall fitness for duty.
  - c. In all cases, the examination must be authorized in advance by the chief of police or his designee and shall be documented in writing.
    - 1) Said documentation shall describe in sufficient detail why the examination is being requested.
    - 2) Any exam so authorized, when possible, shall be conducted while the employee is on duty.
    - 3) The cost of any authorized examination shall be borne by the police department, unless the particular circumstances at the time dictate otherwise.

K. Professional Image:

1. Failure to work diligently or with a bearing consistent with the image of a professional police officer or law enforcement employee is prohibited and includes, but is not limited to:
  - a. Use of obscene language.

- b. Conducting personal business while at work.
- c. Sleeping.
- d. Taking excessively long meal, refreshment or other breaks.
- e. Failure to promptly respond to a request for police service.
- f. Lack of courtesy.

L. Abuse of Law Enforcement Powers or Position:

- 1. Employees shall not use their position for financial gain or for obtaining or granting privileges or favors.
- 2. Employees shall not purchase, convert to their own use, or have any claim to any found, impounded, abandoned or recovered property or any property held or released by this department.
- 3. Employees shall not by virtue of their position with the department, solicit or accept contributions for this agency or for any other agency, organization, event or cause without the consent of the chief of police.
- 4. Employees are prohibited from using information gained through their position to advance financial or other private interests of themselves or others.
- 5. Employees who institute or reasonably expect to benefit from any civil action that arises by virtue of their position with the department shall promptly inform the chief of police.
- 6. Officers shall not knowingly arrest any person unlawfully.
- 7. No employee shall use excessive or unreasonable force or violence upon any person or animal.
- 8. Employees shall not treat others with contempt, nor shall they be abusive in language, manner or action toward another person.

M. Off-Duty and/or Self-Assigned Police Action:

- 1. For the purposes of this General Order, "self-assigned police action" means action undertaken at the discretion of a member of the department under less than emergency circumstances, or action initiated by any member of the department without the authorization, request, direction or instruction of a supervisor.
- 2. Officers shall not use their police powers to resolve personal grievances (e.g., those involving the officer, family members, relatives, friends, etc.) except under circumstances that would justify the use of self-defense, actions to prevent injury to another person, when a serious offense has been committed that would justify an arrest or as otherwise may be reasonably practical. In all other instances, officers shall summon on-duty police personnel in cases where there is personal involvement that would reasonably require law enforcement intervention. In all such instances, the watch commander shall be promptly notified.
- 3. Unless operating a marked vehicle, off-duty officers shall not arrest or issue citations or warnings to traffic violators on sight except when the violation is of such a dangerous nature that officers would reasonably be expected to take appropriate action.

4. Any off-duty police action or self-assigned police action shall be reported, in writing, through the chain of command to the chief of police within twenty-four (24) hours, or as soon as reasonably practical.

N. Expectations of Privacy:

1. Employees shall not store personal information or belongings with an expectation of personal privacy in such places as city owned lockers, desks, computers, file cabinets, vehicles, etc. or similar areas that are under the control or management of the department or city. While this agency recognizes the need for employees to occasionally store personal items in such areas, employees should be aware that these and similar places may be inspected or otherwise entered to meet operational needs, internal investigative requirements or for other reasons as may be determined by the chief of police.

O. Insubordination:

1. An employee shall be considered insubordinate if he/she:
  - a. Violates or fails to obey any lawful order, rule or regulation, whether verbal, written or otherwise communicated (e.g., electronically via e-mail, etc.); or,
  - b. Disobeys a lawful order of a supervisor, or treats with contempt or is disrespectful in language or manner toward a superior; or,
  - c. Exhibits any disrespectful, mutinous, insolent or abusive language or action toward a supervisor, whether in or out of the presence of the supervisor.

- P. Employees shall conduct themselves in a manner that will foster cooperation among members of this agency, showing respect, courtesy, and professionalism when dealing with one another.

Q. Failure to Exercise Supervisory Responsibilities:

1. Willfully or through culpable neglect, fails to ensure compliance by subordinates with all applicable laws and any and all rules and regulations of the department and/or the city.
2. Is ineffective or otherwise remiss in the discharge of their supervisory responsibilities.
3. Oppresses, maltreats or is cruel toward a subordinate employee, or treats with contempt or is abusive in language or manner toward any subordinate employee in the execution of police duties.

R. Neglect of Duty (examples include, but are not limited to, the following):

1. Failure to take appropriate action while on duty.
2. Failure to properly patrol assigned areas or failure to detect a crime while working.
3. Absent without leave or failure to give prior notice of absence.
4. Sleeping during working hours.
5. Tardiness and/or excessive absences.
6. Abuse of sick or other leave/ per the department's sick leave policy.

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7. Failure to request sick or other such leave (e.g., Emergency Leave) in a timely manner as may be reasonably practical under the circumstances.
  8. Becomes absent from a place of duty at which they are required or expected to be or fails to be at an appointed place of duty at the time prescribed.
  9. Unnecessary absence from one's assignment while on duty.
  10. Failure to commence work at the beginning of the duty period and/or leaving work prior to the end of the duty period without authorization from a supervisor.
  11. Employees shall not terminate or otherwise end their duty/assignment unless properly relieved or dismissed by a supervisor.
  12. Disregard job duties by neglect of work or reading for pleasure during work hours.
  13. Conducts outside business interests during working hours or on city property.
  14. Failure to perform duties or comply with any rule or regulation of the department or city.
  15. Failure to conform to department or city operating procedures and/or policies.
  16. Feigns illness, physical disablement, mental lapse or derangement or, intentionally inflicts self-injury.
  17. Without proper authority, releases any person in his duty or charge, or through neglect or design, allows any person in their custody to escape.
  18. Fails to uphold any law, statute or ordinance.
  19. Fails to take action to protect life, property or preserve the peace.
  20. Fails to perform their prescribed duties as set out by law, the rules and regulations of the department or city or oral or written instructions.
- S. False Official Statement:
1. Knowingly signs any false, misleading or inaccurate police report, records, return, regulation, order or other official document or;
  2. Knowingly makes any other false, misleading or inaccurate official statement.
- T. Altering Department or Public Records: Without proper authority, alters, conceals, removes, mutilates, obliterates or destroys any public record or other record of the department or of which the department has possession.
- U. Corrupt Practices: Knowingly solicits, accepts or agrees to accept any direct or indirect benefit in return for:
1. His or her official opinion, recommendation, judgment, decision, action or exercise of discretion as a police officer or member of this department or;
  2. His or her violation of a known legal duty as a police officer or member of the department.
- V. Conflict of Interest:



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1. Transacts any departmental business in behalf of the department with any person, partnership, corporation or other business entity of which such employee is an officer, agent or member or in which such employee owns or has a real, considered, valuable or otherwise substantial interest; or,
  2. Enters into any private business transaction with any person, partnership, corporation or other business entity which will create or tend to create a real, considered or otherwise substantial conflict with any department duty, policy, order rule regulation or interest; or,
  3. Suggests, advises, recommends or otherwise counsels any person with whom contact occurs during, or as a result of, the performance of department duties to retain, employ or hire any attorney, bail bond broker, except members of the employee's immediate family.
- W. Entering Certain Premises: Knowingly enters or remains upon any premises which is being used for illegal purposes when such presence in or upon such premises is not required in the execution of departmental duties.
- X. Use of Drugs and/or Alcohol:
1. Employees shall not use, consume or possess any intoxicating beverage while on duty or in uniform, unless such is a part of an authorized duty assignment.
  2. Officers shall not consume intoxicating beverages less than twelve (12) hours prior to duty.
  3. No alcoholic beverage shall be served or consumed on police premises or in vehicles owned by the city or otherwise authorized for use by the department or city.
  4. No employee shall report for duty with the odor of alcohol on his or her breath.
  5. Employees shall not use, possess or be under the influence of illegal drugs, whether on or off duty, unless such is part of an authorized duty assignment.
  6. No employee shall ingest any controlled substance unless prescribed by and taken in accordance with the directions of a licensed medical practitioner.
  7. No employee shall report for work, be on duty or in uniform when alcohol, drugs or medication has impaired his or her judgment or physical condition.
  8. Prior to reporting for duty or as soon as reasonably practical, employees shall notify their immediate supervisor and the chief of police, via the chain of command, of the use of any medications, drugs or alcohol, whether prescribed or otherwise, which has the potential to impair job performance.
- Y. Employees shall carry and maintain all necessary uniforms and equipment as may be required by their jobs and departmental rules and regulations
1. Officers will not report for duty or appear in a public place with unclean, unkempt or improper uniform, related attire or equipment.
- Z. Improper Appointment: Procures employment with the department by knowingly making false representations or deliberately concealing any disqualification for employment.
- AA. Improper Disposition or Damage of Departmental Property:
1. Sells or otherwise disposes of; or
  2. Willfully, or through neglect, damages, destroys; or

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3. Willfully, or through neglect, suffers to be lost, damaged, destroyed wrongfully disposed of
4. Any property of the City of Maplewood or this department or in the possession of this department.

BB. Misconduct during a Promotional Process: Commits any dishonest act, makes any false statement or conceals any material facts from examining officials during any part of a promotional process.

CC. Improper Involvement in Politics: Employees may not be involved in certain types of political activity as regulated and prohibited in section 1.5 of the City of Maplewood Personnel Code.

DD. Tape Recorders: All employees are prohibited from electronically or otherwise audio or video recording the conversation or actions of another member of the department without that person's prior knowledge and permission, unless done in conjunction with a sanctioned investigation in which such recording is specifically authorized by the chief of police.

EE. Other prohibited conduct for which an employee may be disciplined includes, but is not limited to:

1. General: Any neglect or disorder, though not otherwise mentioned herein, which is to the prejudice of good order and discipline of the department, is in violation of any law, or is of a nature to bring discredit upon the employee, department or city. This shall be considered as "Unbecoming Conduct" and applicable to all employees.
  - a. "Unbecoming Conduct" is further defined as behavior that offends so seriously against law, justice, morality or decorum that it exposes the employee to disgrace, and is of such a nature, or is committed under such circumstances as to bring dishonor or disrepute upon the policing profession which the employee represents.
2. While on duty, employees shall not use a tobacco product unless in a designated area and while not conducting police business. In all such instances, the use of tobacco products shall be used in accordance with any other related rules and regulations of the department and/or city.
3. Employees shall not be offensive in their conduct in public or toward the public.
4. Unsatisfactory work and/or failure to maintain required standards of performance.
5. Induces or attempts to induce another employee in the service of the department or city to commit an unlawful act or to act in violation of any lawful or official regulation or order.
6. Fails to notify their supervisor of a condition that could impair their ability to perform their duties in a safe and/or effective manner.
7. Disregards established safety rules.
8. Has revoked or suspended their driver's license or other license or certification required as a condition of employment.
9. Failure to report immediately to a supervisor any accident, vehicular or otherwise, personal injury, or equipment damage while on duty in which the employee was involved.
10. Refusing to give testimony when accidents, vehicular or otherwise, are being investigated.
11. Unauthorized use of city property for private purposes.

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12. The making or publishing of false, vicious or malicious statements concerning any employee, the city, city official or city operations.
13. Wanton or willful neglect in the performance of assigned duties or in the care, use or custody of any city property.
14. Fighting with or attempting to fight with another employee.
15. Engaging in unlawful or improper conduct off city premises or during non-working hours which affects or which tends to affect the employee's relationship to the job, fellow employees, supervisors or the city's property, reputation or good will in the community.
16. Any type of solicitation without official permission during working hours.
17. An incident involving an unwanted or imprudent statement or action to a co-worker of sexual, racial, ethnic or religious nature.
18. Reporting to work or attempting to work while unfit for duty.
19. The use of abusive or threatening language toward other employees of the city or the general public.
20. Failure to report for overtime work without good reason and/or refusal to accept emergency overtime work without sufficient reason.
21. Knowingly harboring a communicable disease, which may endanger the health of other employees.
22. Dishonesty or any dishonest action.
23. Criminal activity.
24. Oppressive or overbearing conduct.
25. Failure to respond promptly to a work related message transmitted on a department issued cell phone.
26. Failure to check a department assigned voice mailbox or e-mail for messages upon reporting for duty.
27. Failure to promptly notify the department upon being served with a court action such as an Order of Protection, Ex-Parte Order, etc.
28. The use of private vehicles and equipment for official purposes is prohibited unless authorized by the chief of police.
29. Employees shall not duplicate, trade or exchange police identification (e.g., ID cards, badges, patches, etc.) without the knowledge and consent of the chief of police. This does not include business cards. However, the use and style of any business card not specifically issued by the department must be approved by the chief of police.
30. Other infractions or misconduct that may be sufficiently grave to warrant disciplinary action, including suspension or discharge, even though they have not been specifically covered in this General Order.

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This General Order supersedes all prior directives and orders inconsistent therewith.

By Order of:

Stephen M. Kruse  
Chief of Police

Distribution: All Police Personnel