

January 24, 2011

**CITY OF FERGUSON
OFFICE OF THE CHIEF OF POLICE**

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STANDARDS OF CONDUCT

304.00 PURPOSE

The purpose of this General Order is to establish the standards of conduct and appearance guidelines for sworn and non-sworn Department employees.

304.01 POLICY

A member of the Department will be subject to disciplinary action for the violation of the standards of conduct set forth by the Department herein, for the violation of other rules set out in Police General Orders, for the violation of Special Orders, and for violation of the orders of a superior officer, or for violations of the City Personnel Manual.

304.02 STANDARDS OF CONDUCT

A. ALL PERSONNEL

1. No employee, sworn or non-sworn, will violate any Federal, State or local law nor will they commit or omit any acts which constitute a violation of any general order, special order, policy, procedure, or orders of the department which pertain to their office or position. Uniformed employees who are charged with or receive a summons for a violation of any law will report it immediately to their supervisor and provide a copy of the summons or court document. A conviction for the violation of any criminal law will be prima fascia evidence of a violation of this section.
2. Personnel will conduct themselves at all times, both on and off duty, in such a manner as to reflect favorably on the department. Conduct unbecoming an

officer or employee will include that which brings the department into disrepute or reflects discredit upon the officer or employee as a member of the department, or that which impairs the operation or efficiency of the department, officer or employee.

3. All department personnel will notify their immediate supervisor in the event they are served with an injunction or order of protection arising out of any allegation of domestic violence. The employee shall provide a copy of the injunction or order of protection to the Chief of Police.
4. Individuals will report for duty at the time and place required by assignment or order and will be physically and mentally fit to perform their duties. They will be properly equipped so that they may immediately assume their duties. Judicial subpoenas will constitute an order to report for duty under this section, and;
5. Will not feign illness or injury, falsely report themselves ill or injured or otherwise deceive or attempt to deceive any official of the department or the City as to the condition of their health, and;
6. Will not fail to notify a supervisor or commander, when reporting for duty of any recent use or ingestion of potentially behavior influencing prescription material or other medication, and;
7. Will notify his supervisor of a condition which could impair his ability to perform his duties in a safe manner, and;
8. Will not be neglectful of duty, sleep or loaf while on duty, or be improper in performance of duty, to include: incompetence, failure or unwillingness to render satisfactory service. Will, whether requested through appropriate channels or called upon individually, render needed assistance to any other officer/employee in the proper performance of their duty, and;
9. Will not fail to obey the reasonable order of a superior officer, and;
10. Will promptly obey all lawful orders of a superior or orders given via police radio. This will include orders relayed from a superior by personnel of the same or lesser rank.
11. Those who are given an otherwise proper order that is in conflict with a State or Federal law, previous order, rule, regulation or directive, will respectfully inform the superior issuing the order of the previous conflicting order. If the superior issuing the order does not alter or retract the conflicting order, the most recent order will stand. Under these circumstances, the responsibility for the conflict will be upon the superior. Personnel will obey the conflicting

order and will not be held responsible for disobedience of the order, rule, regulation or directive previously issued.

12. Personnel will not obey any order that they know, or should know, would require them to commit any illegal act. If in doubt as to the legality of an order, personnel will request the issuing superior to clarify the order or to confer with higher authority, and;
13. Will not be insubordinate or disrespectful toward a superior officer, and;
14. Will not abuse a subordinate.
15. Will not engage in conduct detrimental to the public peace or welfare, and;
16. Will not drink any intoxicating beverages while on duty, or while in any part of the department uniform which would readily identify the individual as a member of the Ferguson Police Department, except in actual performance of their assigned duties requiring its use. Personnel will not use intoxicating beverages off duty to the extent that it renders them unable to report for their next scheduled tour of duty or discredits the department. (For purpose of measuring an officer's ability to immediately assume an on duty status, a blood alcohol content of greater than .03 will be considered *prima facie* evidence of their inability to assume their duties), and;
17. Will not possess, store, or bring into police a facility or vehicle, alcoholic beverages, controlled substances, narcotics or hallucinogens, except in the performance of their official duties or as legally prescribed. When such substances are prescribed for use on duty, personnel will notify their supervisor.
18. Commissioned Officers may use tobacco as long as they are not in formation, and do not have to leave their assignment or post for the sole purpose of doing so, and when not engaged in traffic direction and control. Personnel will not smoke or chew tobacco while in direct contact with the public or while in a city owned vehicle.
19. All personnel will notify their supervisor, or someone else in authority, before leaving their duty post or station for any reason, including illness or injury, and;
20. Will notify their supervisor at once when exposed to a contagious disease, and;
21. Will be responsible for reporting the neglect of duty or illegal conduct by other personnel that may come to their attention, and;

22. Will be permitted to suspend their assigned duties, subject to immediate call, for the purpose of having meals during their tour of duty, but only for such period of time, and at such places approved by their supervisor, and;
23. Will not borrow, obtain, receive, solicit, or accept any money, securities, property, or other valuable thing or any credit or guarantee of credit either directly or indirectly, from any person under investigation or against whom a complaint has been issued, any person in official custody or free on bail or any relatives or employees of such persons, and;
24. Will not obtain, collect or receive any money, securities, property or other valuable thing from any person or company in settlement for personal injury or property damage incurred in the course of duty or employment, without first having notified the Chief of Police, and;
25. Will not solicit or accept the aid of any person or knowingly permit any person to influence hiring, promotion or transfer on the member's behalf, except by established procedures relating to the request for transfer, and;
26. Will not solicit or accept gifts, gratuities or compensation for service performed in the line of duty, other than that which is paid by the City, unless authorized by the Chief of Police.
27. No employee will use their official position or official identification card or badge for personal or financial gain, for avoiding consequences of illegal acts, or for obtaining privileges not otherwise available to them except in the performance of duty. Personnel will 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. Personnel will not authorize the use of their names, photographs, or official titles in connection with testimonials or advertisements of any commodity or commercial enterprise without the approval of the Chief of Police.
28. Employees will be courteous to the public and other personnel. Personnel will be tactful, control their tempers, exercise patience and discretion and will not engage in any argumentative discussions even in the face of provocation. In the performance of their duties, personnel will maintain a neutral and detached attitude, without indicating disinterest or that a matter is petty or insignificant. Personnel will not use violent, profane or insulting language or gestures and will not express any prejudice concerning race, religion, politics, national origin, life style, or similar personal characteristics.
29. Department personnel will obtain information in an official and courteous manner and act upon it in a proper and judicious manner within the scope of their duties and consistent with established departmental procedures whenever

any person applies for assistance or advice, or makes complaints or reports, either by telephone or in person, and;

31. Will avoid regular or continuous associations or dealings with persons whom they know are under active criminal investigation or indictment, or who have a reputation in the community or the department for present involvement in felonies or criminal behavior, except as necessary in the performance of official duties, or where unavoidable because of other personal relationships.
32. Will not knowingly visit, enter or frequent a house of prostitution, or establishment wherein the laws of the United States, the state or local jurisdiction are regularly violated, except in the performance of duty or while under proper and specific orders from a superior, and;
33. Will utilize department equipment only for its intended purpose, in accordance with established department procedures, which help accomplish and promote the mission and goals and of the Department. Officers will not publicly criticize or ridicule the Department, its policies, or other personnel in a manner which is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for the truth. The term "publicly criticize" includes the use of all forms of public media or the use of all Department formats to include: roll calls, written memorandums, departmental computers, and use of the police radio system.
34. Will wear uniforms or other clothing in accordance with established departmental procedures. Except when acting under proper, specific orders from a superior, personnel on duty will maintain a neat, well-groomed appearance and will style their hair so that male officers have a tapered cut, off the ear with sideburns no lower than the middle of the ear. If a mustache is worn, it will be kept trimmed so that it does not extend past the edges of the mouth nor below the upper edge of the lip. Female officers will keep their hair neat and in such a manner so as to not interfere with their duties.
35. Officers have operating telephones and will report any change of number or address to the Office of the Chief of Police within two working days, and;
36. Will treat the official business of the department as confidential. Information regarding official business will be disseminated only to those for whom it is intended in accordance with established departmental procedures.
37. Employees will not knowingly interfere with investigations, assigned tasks, or duty assignments of others and will not directly or indirectly, by threat or bribe, attempt to secure the withdrawal or abandonment of a complaint or charges, and;

38. Will submit all necessary reports on time in accordance with established departmental procedures. Reports will be truthful and complete. Personnel will not knowingly enter, or cause to be entered, any inaccurate, false or improper information, and;
39. Will not abuse, damage or lose department equipment. All department issued equipment will be maintained in proper order. Loss or intentional damage to department property will be the responsibility of the employee and the employee will be required to reimburse the department in the event of negligent loss or intentional damage.
40. All personnel will truthfully answer all questions specifically directed and narrowly related to the scope of employment and operation of the department which may be asked of them.
41. Officers will possess a valid Missouri operator's license. Will operate official vehicles in a careful and prudent manner and will obey all laws and department orders pertaining to such operation. Loss or suspension of any driver's license will be reported to the Chief of Police within 24 hours.
42. Employees will give their name, rank and DSN to any person requesting it during duty hours, and;
43. Will cooperate fully with the assigned investigators in any internal investigation and will be afforded all rights and protection provided by law, this manual, and city ordinance, and;
44. Will be required to provide information regarding their own internal affair's file only when ordered by a court of competent authority or the Chief of Police, and;
45. Will not seek, sue for or solicit, nor will they accept from any person or agency, any money or other compensation for damages or expenses incurred by them in the line of duty, or for which the member has received sick or injury pay without notifying the Chief of Police in writing, and;
46. Will inform and consult the city's attorney prior to any contact with attorneys representing any third party claim, or claimant against the city, and;
47. Will not seek the influence or intervention of any person for the purpose of personal preferment, transfer, or advancement, and;
48. Will not expend money or incur financial obligations in the name of the Department without prior knowledge and permission from the Chief of Police or his designate, and;

49. Will upon returning to duty from any leave, vacation or days off, acquaint themselves with all amendments, additions or deletions of the rules, regulations, orders, procedures and other authoritative instructions of the Department which have been issued in their absence, and;
50. No employee will covertly and without consent of the Chief of Police, audio or videotape private conversations between themselves and any other employee(s) of this department.

B. SPECIFIC STANDARDS FOR COMMISSIONED OFFICERS

In addition to the above standards for all employees, officers;

1. Will not mistreat persons who are in their custody. Will handle such persons in accordance with law and departmental procedures.
2. Will use force in accordance with law and departmental procedure.
3. Will not make any arrest, search or seizure not in accordance with law and departmental procedure.
4. Will carry their badges and identification cards on their person while on duty, except when impractical or dangerous to their safety or to an investigation.
5. Will, while off duty, have the option of carrying their official identification card and their badge of office. If the option of carrying their weapon is exercised while off duty, officers are required to carry their identification card and badge.
6. Will carry and use weapons in a careful and prudent manner in accordance with departmental procedures.
7. Will familiarize themselves with, and have knowledge of, all laws of the State of Missouri and the ordinances of the City of Ferguson, which they are required to enforce.
8. Will be equally responsible for the enforcement of laws, ordinances, and police regulations. The delegation of the enforcement of certain laws and ordinances to a particular division of the department does not relieve members of other divisions from taking prompt police action for violations coming to their attention. All officers will take appropriate action and render assistance in any instance coming to their attention whether on or off duty.
9. Will make themselves familiar with the City, including the location of streets, public buildings, hospitals, highways and the boundaries of the City.

10. Will cooperate with all agencies engaged in the administration of criminal justice, public agencies, and other departments within the City of Ferguson structure, and will give to each all the aid and information that it is entitled to receive.
11. Will not use official position, identification cards or badges: for personal or financial gain, for themselves or any other person, for obtaining privileges not otherwise available to them except in the performance of duty, or for avoiding consequences of illegal acts.
12. Will not fail to notify the dispatcher at least one hour prior to the appointed time to report for duty when reporting sick or injured.
13. Will not receive money, gifts, gratuities, rewards or compensation for services rendered or expenses incurred, except while engaged in secondary employment, without the consent of the Chief of Police.
14. Will not authorize the use of their names, photographs or titles that identify them as officers, in connection with testimonials or advertisements or any commodity or commercial enterprise.
15. Will truthfully, completely and impartially report, testify and present evidence in all matters of an official nature.
16. Will not cause or procure any person other than a licensed attorney to interfere or to intercede personally or by communication on one's behalf while one is under suspension or under charges; interfering with, or improper conduct with, any person who may be a witness against one while under suspension or under charges, or interfering with or improper conduct with a witness, potential witness, or one in a position to appear in any capacity in any Department hearing or proceeding.
17. The wearing of police uniform is restricted to the service of this Department on assigned duty, or when going to or from duty, unless otherwise authorized by the Chief of Police. Permission to wear the Department's police uniform while engaged in secondary employment must be approved by the Chief of Police. Non-duty activity (e.g., menial tasks, non-emergency simple manual labor) in uniform is inconsistent with the dignity associated with the uniform and is prohibited.
18. No department member, either full or part-time, while on duty or while in uniform that identifies the individual as an employee of the Department will:
 - a. Canvass on behalf of any candidate, political party, or political issue.
 - b. Display a political picture, sticker, badge or button.

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- c. Attend a political rally, fund raising function, or other political gathering.
- d. Circulate or sign a political petition.
- e. Serve as an election judge or clerk.
- f. Place, or allow to remain, upon a City vehicle used by the employee in the course of employment any political picture, sticker, badge or button.
- g. Use Department equipment, personnel, facilities or resources to promote or help promote any civic, social, business, or political candidate, or cause without the expressed written consent of the Chief of Police.

304.03 ALCOHOL AND CONTROLLED SUBSTANCE USE, ABUSE

Refer to General Order 308.

The Police Department of the City of Ferguson has a legal responsibility and a management obligation to ensure a safe work environment, as well as a paramount interest in protecting the public by ensuring that its employees have the physical stamina and emotional stability to perform their duties. Restrictions on the use of alcohol and prohibition of the use of controlled substances are outlined in General Order 308.

By order of:

A handwritten signature in black ink, appearing to read "Colonel Thomas Jackson".

COLONEL THOMAS JACKSON

Chief of Police

Distribution: All Department Personnel