

Stowe Police Department

General Order: 1.12	Related General Orders:
Rules and Regulations	
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Vermont Statutes:	
Issued By: Donald B. Hull, Chief of Police	
Date Implemented: 06/11/2012	Date Revised: 04/20/2020

I. PURPOSE:

1. The purpose of this section is an attempt at improving the effectiveness of the police department by making clear to all members what is expected of them, and what they can expect of fellow officers and employees.

II. POLICY:

1. It is the policy of the Stowe Police Department to publish Rules and Regulations as a guide to employees in the performance of their duties. It cannot be expected that any set of rules and regulations will cover all situations or emergencies that may arise. In a role as complex as that of a police officer, intelligence and discretion will often be the only available guidelines.

III. PROCEDURE:

1. **Address and Telephone.** An employee shall provide a telephone number(s) in which they can be reached to the Department. This phone number will not be released to other than Department members, the Town Manager or the Town benefits coordinator without express permission of the employee. Employees will provide the Department with a current address and will notify the Chief of Police immediately of a change in address and/or phone number.

2. **Appointment.** Employees assuming sworn status with the Stowe Police Department shall swear (affirm) to an oath of office administered by the Town Clerk.

3. **Awareness of Activities.** An employee, upon reporting for duty or upon returning to duty from any absence, will inform him/herself about all new orders, regulations, memoranda, previous shift activities and all other important matters governing his/her assignment.
4. **Civil Suits.** Members and employees shall not seek in any way, nor accept from any persons, money or compensation for damages sustained or expenses incurred by them in the line of duty without first notifying the Chief of Police in writing. Members or employees who have received municipal salaries when ill or for personal injuries sustained off-duty, shall notify the Chief of Police in writing of any intent to seek, sue, solicit, or accept compensation as damages for such illness or injury. Notice shall be filed before the action is taken. It shall include the facts of the claims and the name of the defendant. The Chief of Police shall be informed of the status of the case and the final court determination. This provision shall not apply to private insurance policies held by members or employees for whom premiums are not paid for in part or in whole by the municipality. Members will not testify in any civil case unless legally summoned to do so or unless permission is received from the Chief. When a member is summoned to testify, he/she will notify the Chief through the chain of command.
5. **Communications by Radio.** All members of the Department operating a Police radio shall use the radio in a professional manner, observe regulations as set forth in these procedures and by the Federal Communications Commission.
6. **Competence.** All members will maintain sufficient competency to perform their duty and assume the responsibilities of their position. Incompetence may include but not be limited to:
 - A. A lack of knowledge of the application of laws required to be enforced.
 - B. An unwillingness or inability to perform assigned tasks.
 - C. The failure to conform to work standards established for the officer's rank, grade or position.
 - D. Repeated poor evaluations or repeated infractions of the rules and regulations.
7. **Equipment.** All equipment must be clean, in good working order and must conform to department specifications.
8. **Identification.** Officers will furnish their name and rank to any person requesting that information at any time, except when withholding that information is necessary in the performance of police duties or is authorized by proper authority. Officers are encouraged to have their badge and/or Department identification with them while off duty should there be a situation where the officer needs to identify him/herself as a police officer.

9. **Investigation By An Outside Law Enforcement Agency and/or Others.** All members will notify their immediate supervisor of any investigation being conducted by an outside law enforcement agency, attorney, private investigator, or others which involve members of this department. The Chief will be notified immediately of all such investigations.

- A. All reports submitted or statements made will be released through the office of the Chief.
- B. It is the express purpose of this policy that this Department and all its members cooperate fully with other agencies in their investigative responsibilities, in accordance with Department procedures.

10. **Knowledge of the Town.** All members will familiarize themselves with the geography of the Town, including but not limited to, routes of public transportation, the location of streets, highways, bridges, public buildings and places, area hospitals/medical facilities, courts, commercial establishments, and such other locations and information that may be required for the performance of their duties.

11. **Letters/Mail.** Members may not use the Department address for the purpose of regularly receiving personal mail. Department letterhead will not be used for personal use. The Department letterhead shall not be used for unofficial correspondence, it is for official use only.

12. **Business Cards.** Business cards used by Department personnel will be only those business cards approved and issued by the Department. Employees shall not possess or use business cards bearing Departmental logo, affiliation and/or rank, except as authorized by the Chief of Police, and then only in the furtherance of official business.

13. **Line of Duty Disability.** Any injury, illness or disability incurred in the line of duty will be reported in accordance with Department procedures. No officer will return to full duty status until certified by proper medical authority.

14. **Locker Use.** All full-time members will be assigned a locker. Part-time members will be assigned lockers when available. Lockers are the property of the Stowe Police Department/Town of Stowe. As such the Chief, or his designee, may open them for inspection, at any time.

15. **Department Premises.** No Department employee shall, at any time, make unauthorized entry into any office or desk of another employee without permission from the Chief or a supervisor.

16. **Department Property and Equipment.** Employees shall be held responsible for the proper care and use of property and equipment assigned to or used by them. When obtaining any equipment, and again upon its return, it is the employee's responsibility to inspect the

equipment. Employees are responsible for inspecting their assigned vehicle, including inspecting and inventorying the equipment in the vehicle prior to the start of their shift.

17. **Department Facilities and Property.** Employees may be assigned Departmentally owned or controlled facilities or property (including, but not limited to, offices, vehicles, lockers, desks, cabinets, equipment and cases) for the mutual convenience of both the Department and employees. Such facilities or property, and the contents therein (including any personally owned property), shall be subject to inspection by the Chief, or his designee, without notice. The retention of personal items in such facilities or property shall be at the risk of the employee, and the Department shall not be liable for any losses or damage.

18. **Report of Loss or Damage To Property.** Employees will immediately report any loss or damage to department equipment or property to their supervisor. The supervisor will notify the Chief of Police.

19. **Property Identification.** All property, including money, whether stolen, confiscated, or given to the department, which comes under an officer's control, will be tagged, recorded and turned over to the property/evidence officer. Lost and found property, where the owner has been identified and will be turned over to the owner or owner representative may be left at the front desk to be picked up. Lost and found property that will not be picked up in a timely manner will be tagged, recorded and turned over to the property/evidence officer.

20. **Public Defects.** All members will observe and report, in writing, any defect, obstruction or nuisance in the streets, sidewalks, street lights that are not functioning or other public areas which may pose a hazard to the general public or create a civil liability upon the Town. In the case where immediate action is required, members will contact the appropriate person(s) or Department for appropriate action.

21. **Reporting For Duty.** Members will report for duty at the time and place as scheduled. Upon reporting for duty, members will be physically and mentally fit, properly attired and equipped.

A. Members will be deemed tardy if they are not present and prepared to assume their duties at the appointed duty hour. Members will notify the duty supervisor if they are to be tardy, including the reason for such tardiness.

B. If a member cannot report for duty for any reason, he will notify the duty supervisor as soon as possible.

22. **Submitting Reports.** All members are required to submit reports promptly, accurately and completely on the proper forms.

23. **Truthfulness.** Members of the department will be truthful at all times and under all circumstances. In cases where members are not allowed by regulations to divulge facts within

their knowledge the member will decline to speak on the subject. Members will not knowingly make false official reports or enter or cause to be entered any false or improper information into any report or department document.

24. **Reporting Disobedience and Violations.** Members will report disobedience by other members of which they have knowledge, or which may come to their attention. Members shall report, in accordance with current directives, all violations of the law, Rules and Regulations, General Orders and current directives of the Department. All such violations shall be reported to a supervisor in the Department.

25. **Unlawful Orders.** No supervisory officer shall knowingly and willfully issue any order which is in violation of any law, ordinance or Department rule or procedure.

- A. No member is required to obey any order which is contrary to laws of the United States, State of Vermont or the Town of Stowe. Refusal to obey is the member's responsibility and he / she shall be strictly required to justify his / her actions. Obedience to an unlawful or improper order is never a defense for an unlawful or improper action.
- B. Department personnel may appeal for relief from orders or instructions which are unlawful. Such appeal must be made in writing to higher authority through proper chain of command. Irresponsible or capricious appeals will be considered as serious misconduct.
- C. Any member who is given an unlawful order shall, at the first opportunity, report in writing the full facts of the incident, together with his/her own action, to the Chief of Police through the chain of command.
- D. Any member who is given an unlawful order and that he/she believes that immediate intervention is required to prevent harm to the Department, Department personnel or citizens shall immediately notify the Chief of Police.

26. **Unjust or Improper Orders.** Members who are given orders they feel to be unjust or improper, or contrary to general orders or rules of the Department, first must obey the order to the best of their ability and then may proceed to appeal the order. Members may appeal for relief from orders or instructions which are unjust or improper or contrary to general orders or rules of the Department. Such appeals must be made in writing stating the full facts of the incident together with the members own actions, to the Chief through the proper chain of command. Any member who is given an unjust or improper order and that he/she believes that immediate intervention is required to prevent harm to the Department, Department personnel or citizens shall immediately notify the Chief of Police.

27. **Conflict of Orders.** Should any order conflict with any previous order or instruction issued by another supervisor, or with any general order, the member to whom the order is

given shall respectfully call attention to the conflict and if the supervisor giving the second order does not change the order so as to eliminate the conflict, then that supervisors order shall stand and the responsibility shall fall on that supervisor. If that supervisor so directs, the latter command will be obeyed first. Orders will be countermanded or conflicting orders issued only when reasonably necessary for the good of the Department.

28. **Criticism Of Lawful Orders.** Department personnel shall not publicly or internally criticize or comment derogatorily to anyone about instructions or orders they have received from a supervisor or from the Chief of Police.

29. **Notices-Postings/Circulation/Destruction/Defacing.** Employees shall not destroy or deface any official written notice relating to Department or police business. The posting or circulation of any notices on Stowe Police Department property or Stowe Public Safety property without prior approval from the Chief or his designee is prohibited.

30. **When a Department Directive or Procedure Is Not Understood.** Any Department personnel who do not understand an official directive, procedure or order shall seek clarification or advice from a supervisor.

31. **Personally Responsible (Personal Responsibility).** A duty or responsibility that falls upon an individual himself. The responsibility cannot be conveyed or assigned to another. The failure to accomplish any required task is a failure by the employee/principal and not any intermediary.

32. **Supporting Fellow Officers.** Personnel shall cooperate with, support and assist each other at every opportunity, and shall not publicly criticize the work or manner of performance of duty of any other member.

33. **Cooperation/Coordination.** All employees are charged with the responsibility of fostering and maintaining a high degree of cooperation. Employees shall coordinate their efforts with:

- A. Other employees of the Department
- B. Other Town employees, and
- C. Other Public Safety Departments and representatives so that teamwork may ensure maximum achievement and continuity of purpose in attaining the objectives of the Department and the Town.

34. **Conduct Concerning Officers of Other Jurisdictions.** Personnel shall cooperate with, support and assist officers and personnel from other police agencies.

35. **Action Against Officers From Another Agency.** Whenever police action must be taken against an officer or individual from another police agency, the officer taking the action will immediately notify a supervisor. The Chief of Police will also be notified through the normal chain of command. The officer will also complete all reports and paperwork prior to the end of his/her shift.
36. **Respect For Fellow and Superior Officers.** Personnel shall treat other members of the Department with respect and response due to them. They shall be courteous, civil and respectful of their superior officers and associates whether on or off-duty.
37. **Threatening or Insulting Language.** Personnel shall not use threatening or insulting language or behave in an insubordinate manner toward any other member of the Department.
38. **Malicious Rumors.** Employees shall not initiate or repeat malicious rumors.
39. **Circulating Scandal or Slander.** Personnel shall refrain from circulating scandalous stories about other members or other agencies.
40. **Subversive Acts Against The Department.** Department personnel shall not perform any act or make any statements, oral, written or otherwise, which tend to bring the Department or its administrative officers into disrepute or ridicule, or destructively criticize the Department or its administrative officers in the performance of their official duties, or which tend to disrupt or impair the performance of official duties and obligations of officers of the Department, which tend to interfere with or subvert the reasonable supervision or proper discipline of members of the Department.
41. **Interfering With Other Officers.** Personnel shall not interfere with cases assigned to other members except with the consent of the assigned officer or a supervisor. Personnel shall not unnecessarily interfere with the work or operation of any other division or unit of the Department.
42. **Protection of Crime Scenes.** Officers assigned to or assuming control at a crime scene shall immediately take steps to apprehend the perpetrator, care for the injured, detain witnesses, and keep the area or premises secure from intrusion by unauthorized persons. Officers shall take all necessary steps to maintain the scene without change in appearance or character, and to prevent the destruction, mutilation, concealment or contamination of any physical evidence.
43. **Remaining On Duty Until Relieved.** Personnel shall remain on duty, or at their post or place of assignment until properly relieved or dismissed. Personnel shall take leave from their duties only when authorized in conformity with regulations.
44. **Maintaining Communications.** Officers on duty, or when officially on call, shall be directly available by normal communication or shall keep police headquarters/communications

informed of the means by which they may be immediately reached. Officers sent on a call shall keep the dispatcher informed of their progress and upon completion they shall notify the dispatcher that they are available.

45. **Being Available While On Duty.** No officer, while on duty, shall purposely make themselves unavailable for calls. Officers shall keep themselves immediately and readily available at all times while on duty. Officers shall keep the dispatcher informed of his/her whereabouts when not in the vehicle.

46. **Responding Promptly To Calls.** Officers shall respond without delay to all calls being dispatched to or from requests of citizens or other officers.

47. **Taking Police Action.** Officers are required to take prompt police action conforming with Department policy with respect to violations of laws or ordinances coming to their attention or of which they have knowledge. Officers shall report and take proper action in any situation requiring police attention within a reasonable period of time.

48. **Absence Without Proper Leave.** No officer shall be absent from duty without proper leave, or shall be absent from duty without permission, except in instances of sickness or injury. In the instances of sickness or injury proper notification will be made by the employee.

49. **False Report.** Department personnel shall not knowingly make a false report, written or oral.

50. **False Information In Reports.** No Department member shall knowingly or willingly enter or cause to be entered in any Department books, electronic or written records or reports, any inaccurate, false or improper information or material matter.

51. **Police Business Confidential.** Department members shall not divulge or make available any information contained in police records to any person or agency except as provided by Department procedure, by law or by competent authority. Members shall treat as confidential the business of the Department and shall not reveal official information.

52. **Speeches, Statements, Etc.** Employees shall not, in matters relative to the Department, address public gatherings, appear on radio or television, prepare any articles for publication, lecture on police related subjects or act as correspondents to a newspaper or a periodical, except as authorized by the Chief of Police. Employees shall not publicly criticize or ridicule the Department, its policies, or other employees by speech, writing, or other expressions which are defamatory, false, obscene, unlawful, or which undermine the effectiveness of the Department or interfere with the maintenance of discipline.

53. **Divulging Police Information.** Employees shall not divulge police information to which they have access, or which may come to their attention, nor shall they make available any information contained in police records, radio communications, photographs, computers,

teletypes or other files or information in any form whatsoever to anyone except as provided by law or Department procedure. For purpose of this Section, all Department information is to be considered confidential unless otherwise provided by current directives or directed by the Chief of Police or designee. This section does not apply to orders that are of such a nature that they must be communicated to others.

54. **Cruel Treatment of Persons or Animals.** No Department member shall, at any time or for any reason, willfully subject any person or animal to cruel treatment, or willfully neglect the necessary humane action which the circumstances may require.

55. **Conduct In making Arrests and Attitude Toward Prisoners.** Officers shall refrain from using unnecessary force in making arrests, dealing with prisoners or other persons or any other time. However, officers must be firm, resolute and energetic, exercising the necessary means to properly perform his/her duty. When it is necessary to use force, the facts of the incident shall be fully set forth in an appropriate written report. A Department member shall not use uncomplimentary terms of speech in referring to any prisoner or another person, or intentionally antagonize any person with whom he/she comes in contact.

56. **Treatment of Prisoners and Suspects To Be Fair and Humane.** Prisoners and suspects shall be treated in a fair and humane manner. Prisoners and suspects shall not be humiliated, ridiculed, taunted or embarrassed.

57. **Attitude and Impartiality.** Employees must exhibit and maintain an impartial attitude toward complainants, violators, witnesses, suspects, or any other person.

58. **Prisoners and Prisoners Property To Be Safeguarded.** Department officers shall be cautious in the arrest and detention of prisoners and suspects and shall take all necessary precautions for the safety and protection of such persons. Officers shall not place weapons or objects adaptable for use as weapons and capable of inflicting injury, or permit such weapons or objects to remain unattended, in any location or place accessible to a prisoner or suspect. Officers shall be responsible for safely guarding such personal property that a prisoner may have in his/her possession or under his/her control at the time of the arrest.

59. **Search of Prisoners.** When making an arrest, officers shall search the prisoner carefully and shall immediately take possession of all weapons and evidence.

60. **Prompt Transport of Prisoners.** Officers making an arrest shall convey the prisoner, or cause him/her to be conveyed, to the Department headquarters, or other police agency is applicable, without delay and at no time stop elsewhere without the consent of a supervisor.

61. **Accepting Bail Prohibited.** Department personnel shall not receive or accept money to be turned in as a fine or bail for persons charged or cited for violations, except as provided for by the judicial system and/or procedures of the State of Vermont or this Department.

62. **Court Attendance and Conduct.** All members of the Department concerned in cases before the courts are to be punctual in attendance. Officers will be in uniform or business attire, dress shirt, tie and jacket. They shall have the cases in which they are concerned properly prepared, and any requested evidence shall be prepared for presentation in court. Personnel shall observe the utmost respect and attention toward the judge at all times. Personnel shall give respect to and attention to all court personnel. It shall be the responsibility of all personnel who are required to appear in court to be prepared and attend as requested. Any Department member who receives a subpoena or is required to appear in court on Department business shall notify their supervisor. Department members shall not ignore or fail to comply with any subpoena or requirement to appear in court.

63. **Operation of Department Vehicle By Unauthorized Persons.** No Department member shall allow, at any time, an unauthorized person to operate a Department vehicle. At times Town employees or other public safety personnel (town mechanic, fire department and rescue personnel) may be required to operate Department vehicles, with permission from an officer or supervisor.

64. **Unauthorized Persons Riding In Department Vehicles.** Department personnel, operating any Department or Town vehicle, shall not permit persons other than authorized employees of the Department to ride in such vehicle, except such persons as required to be conveyed in the performance of duty, or as authorized by a supervisor. At times other Town employees or other public safety personnel (town mechanic, fire department and rescue personnel) may be required to ride in Department vehicles, with permission from an officer or supervisor.

65. **Unauthorized Use of Town Property Or Facilities.** No member of the Department shall use Department or Town property or facilities for personal, social or unofficial purposes without authorization from the Chief of Police or his/her designee.

66. **Misappropriation of Property.** Department personnel shall not appropriate to their own use, any evidence, lost, found, stolen, recovered or Department property.

67. **Conduct Unbecoming An Officer.** This shall include that which brings the Department into disrepute or reflects discredit upon the officer as a member of the Department, or that which impairs the operation or efficiency of the Department or the officer.

68. **Conducting Personal Business.** Members will not conduct "personal business" while on duty without the advance permission of the Chief of Police.

69. **Conducting Private Business or Association On Duty.** Employees shall not utilize their on-duty time to the pursuit of any private business, private enterprise or personal association.

70. **Criminal Conduct.** An act or omission that violates a Federal, State, or local law and is prima facie evidence of prohibited conduct and will subject a member to disciplinary action.

71. **Discourtesy.** Discourtesy, rudeness, or insolence to any member of the public or other member of the Department is prohibited. All members shall be courteous and tactful in the performance of their duties and shall control their temper, exercising the utmost patience and discretion. There are times when an officer needs to be stern and demanding in the performance of their duties. Members shall be courteous and considerate in their demeanor towards fellow members. Members shall refrain from all communications to the discredit of others except when it becomes a duty to inform a superior of neglect or disobedience of orders.

72. **Courtesy.** Employees shall be courteous, civil and tactful in the performance of their duties. Employees shall not express or otherwise manifest any prejudice concerning age, marital status, handicap, disability, race, creed, color, religion, national or ethnic origin, sex, sexual preference, or other personal characteristics. Employees shall not use harsh, profane, insolent, or intentionally insulting language toward any other employee or other person.

73. **Assistance To Citizens.** Employees shall, in accordance with policies and procedures of the Department, render all possible police service to any citizen seeking information or assistance.

74. **Feigning Illness.** A member will not feign illness or injury, or falsely report himself ill or injured, or otherwise deceive any official of the Department as to the condition of his health as it relates to the performance of his duties.

75. **Gifts and Gratuities.** Members shall not solicit or accept any gift, gratuity, loan, service, reward or fee.

76. **Improper Associations.** Members will not maintain or establish relationships with persons engaged in unlawful activity. An exception may be made when conducting official business and with the prior knowledge of the member's supervisor or the Chief. Members shall not consort or knowingly associate with persons generally known to have a reputation of criminal conduct or association, or frequent places where they are known to congregate, except in the performance of their assigned duties and in accordance with current directives. Employees shall not knowingly associate with any person or organization which advocates hatred, prejudice, or oppression of any racial, ethnic or religious group, or which disseminates defamatory material.

77. **Use of Badge or Position For Personal Gain.** Employees shall not use or attempt to use their official position, badge, or credentials for any personal gain.

78. **Insubordination.** Members will not fail or deliberately refuse to obey a lawful order issued by a superior officer. The willful disobedience of a lawful order issued by any superior officer or

disrespectful, mutinous, rebellious, insolent, or abusive language or action toward any superior officer, will be considered insubordination

79. **Membership In Organizations.** Members shall not affiliate with or become a member of any organization if such affiliation or membership would in any way interfere with or prevent his/her from performing his/her official duties.

80. **Fraternization.** It is not the intent of the Stowe Police Department to regulate the social interactions or relationships freely entered into by employees. However, employees of different ranks or titles will not fraternize with subordinates if the relationship between the employees will:

- A. Compromise authority, chain of command, discipline, morale and mission accomplishment, or
- B. Create a sense of partiality or unfairness, or
- C. Involve the improper use of rank or title for personal gain.

81. **Neglect of Duty.** Members will not absent themselves from assigned duty without leave or fail to take appropriate and suitable police action when any crime, public disorder or other incident requires police attention. Failure to give suitable attention to the performance of duty. Failure to take appropriate action on the occasion of a crime, disorder, or other act or condition requiring police attention. Failure to perform duties.

82. **Official Records/Documents/Records.** Members will not remove, copy, or modify official records or reports except in accordance with Department procedure.

- A. Members will not divulge the contents of any records or reports except in accordance with established department procedure.
- B. Members will not divulge the identity of any person giving confidential information except as authorized by proper authority in performance of recognized police duties.
- C. Members will not mark, alter, or deface any printed or written notice pertaining to department business.
- D. Members will not place or cause to be placed in view any material without permission of a supervisor or Chief.

83. **Political Activities.** Participation in political activities while in uniform or on duty is prohibited. All actions, which would even give the impression that a member is using his official position to influence the electoral process, are to be avoided. The Chief, at his discretion, may

grant permission for limited political activity as long as it appears there exists no conflict of interest and that such participation is not likely to affect the performance of the member.

- A. Members will not knowingly become a candidate for any position prohibited by Vermont Statutes, Town ordinance, or Town Personnel Rules.

Members shall not:

- A. Use or threaten or attempt to use their power or authority in any manner, directly or indirectly, in aid of or against any political party, organization, association, or society or control, affect, influence, reward or punish, the political adherence, affiliation, action, expression or opinion of any citizen.
- B. Appoint, promote, transfer, retire or punish an officer or member of a police force, or ask for or aid in the promotion, transfer, retirement or punishment of an officer or member of a police force because of the party adherence or affiliation of such officer or member, or for or on the request, direct or indirect, of any political party, organization, association or society, or of any officer, member of a committee or representative official or otherwise of any political party, organization, association or society.
- C. Solicit, collect or receive any money for any political fund, club, association, society, or committee.

84. **Recommending Private Services.** Members will not recommend or suggest in any manner the employment or purchase of any particular professional or commercial service or product, such as but not limited to, lawyers, undertakers, towing services, or burglar alarm companies, except as required in the performance of Department business.

85. **Sleeping.** Members will not sleep on duty except with the permission of the Chief of Police or supervisor.

86. **Unauthorized Transactions.** Members are prohibited from entering into any transactions of material value at substantially less than fair market value, or the value at which such goods or services are offered to the general public, when such transactions take place between themselves and any other person involved in any matter or case which arose out of their employment with the department, except as may be specifically authorized by the Chief of Police.

87. **Expenditures of Department Funds.** Employees shall not spend any monies or incur any financial obligations in the name of the Department without prior knowledge and permission of the Chief of Police.

88. **Seeking/Accepting Compensation For Damages.** Employees shall not seek, claim, litigate, or solicit, nor shall they accept from any person or agency any money or other compensation for damages or expenses incurred by them in the line of duty without prior notification to the Chief of Police.

89. **Undue Influence.** Members will not seek the influence or intervention of any person outside the department for purposes of personal preferment, advantage, transfer or advancement.

90. **Unnecessary Force.** Members will not use more physical force than that which is reasonable to accomplish a proper police purpose. Officers shall only use force in accordance with Department policy.

91. **Use of Alcohol And Drugs.** Members will not consume or purchase any intoxicating beverages while in uniform or on duty except in the performance of duty and while acting under proper and specific orders from the Chief of Police. Members will not appear for duty, training, court or any other duty related function or carry a firearm while under the influence of alcohol or controlled substances.

- A. Employees will not operate Department vehicles, either on or off-duty, if employees have consumed any alcoholic beverage.
- B. Employees will not drink or purchase any alcoholic beverage while on duty.
- C. Employees who are off duty in uniform, or in any recognizable part of their uniform shall not drink alcoholic beverages in public view.
- D. Employees while off duty shall not drink any alcoholic beverages to the extent which results in the commission of an act which might tend to discredit the Department.
- E. Employees shall not appear for duty or be on duty while under the influence of intoxicants.

92. **Controlled Substances.**

- A. Employees shall not possess or use any non-prescribed controlled substance, except for that possession occurring in the line of official duty.
- B. Employees who are using prescribed controlled substances under the direction of a physician shall not abuse said controlled substances. The employee is responsible to discuss his job duties with the physician prescribing the medication to determine if it will affect his work performance.

- C. If the prescribed controlled substance may affect work performance, the employee shall report the use of the drug to the Chief of Police and bring a physician's letter.
- D. No member of the Department shall initiate any investigation off-duty relative to trafficking in controlled substances without prior permission of a supervisor.

93. **Use of Tobacco Products.** Employees and other persons are not allowed to smoke or use chewing tobacco in Department vehicles or in the Police Department facility. This would include the use of any e-cigarette or vaping product.

94. **Use of Official Position.** Members will not use their official position, official identification cards or badges:

- A. For personal or financial gain.
- B. For obtaining privileges not otherwise available to them, except in the performance of duty.
- C. For avoiding consequences of illegal acts. Members will not lend to any person their identification cards, badges, building access codes, or permit them to be photographed or reproduced without the approval of the Chief of Police. Members will not authorize the use of their names, photographs, or official titles, which identify them as members of the Department, in connection with testimonials or advertisements of any person, or commercial enterprise, without the approval of the Chief of Police.

95. **Sale Tickets or Donation.** Employees shall not engage or authorize any others to engage, on their behalf, in the sale of any tickets nor in the solicitation of any form of donation or contribution in a manner that indicates or implies any connection with the Department without the written permission of the Chief of Police. (This rule shall not apply to activity that is performed strictly among Department employees).

96. **Applicability of Rules Pertaining To Conduct and Performance of Duty.** All rules and regulations contained in this General Order or in any other publication issued by the Department shall apply whether the member is on his/her regular tour of duty, on a special duty assignment or, where applicable, when the member is off-duty.

97. **Supervisors.** Supervisors shall ensure that employees under their command perform their full duty. Supervisors shall provide efficient, effective, and meaningful direction to subordinates. Supervisors or temporarily assigned supervisors must provide a good example

and have a thorough understanding of the rules and procedures of the Department and shall assist and instruct subordinates in the proper performance of their duties.

98. **Subordinate Incompetency or Misconduct.** Supervisors who overlook, condone or fail to take action on incompetence or misconduct on the part of their subordinates shall be guilty of neglect of duty.

IV. DISCIPLINE:

1. Any violation of this policy may be grounds for disciplinary action consistent with any applicable collective bargaining agreement, statute, Department policy or Town policy.