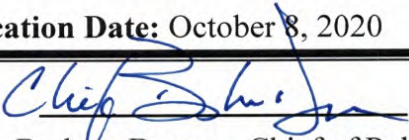
	SALISBURY POLICE DEPARTMENT
	Written Directive: Code of Conduct
	Publication Date: October 8, 2020
	 Approved: Barbara Duncan, Chief of Police
Related CALEA Standards: 26.1.1, 26.1.3	Code of Conduct Section #601

Code of Conduct

1. Purpose:

The purpose of this policy is to set specific rules which govern the conduct of departmental personnel.

2. Policy:

The policy of the Salisbury Police Department is to ensure that all personnel maintain the highest standards of integrity and professional police conduct in their relationships with citizens and co-workers. The rules of conduct contained in this policy are designed to serve as a professional standard for conduct as well as to protect certain basic individual rights of employees. These rules are founded on the proposition that police have been given special trust by the people and have an equally special obligation to account for the exercise of that trust.

3. Definitions:

Supervisor: Any officer the rank of corporal or above, or any officer acting in the absence of the supervisor

Commanding Officer: Any officer the rank of lieutenant or above or any supervisor acting in the absence of the commanding officer.

Officer-In-Charge: Ranking officer of the department on duty

Senior Officer: An officer in any given rank with the longest service in that rank.

Employee: Sworn and civilian personnel of the department.

Manual: Manual of written directives of the department.

Orders: Commands or instructions, oral or written, given by one employee to an

employee of lesser rank.

Departmental Vehicle: Any marked or unmarked vehicle that is owned by the city of Salisbury.

Police Incident: This would be an occurrence or incident suggesting or requiring police action or service by employees.

Shift: Scheduled tour of duty.

Commander: Any officer of the rank of Lieutenant or above.

4. Supervisory Responsibilities:

- A. Chief of Police: Chief executive officer of the department has the final departmental authority in all matters of policy, operations and discipline. He/she exercises all lawful powers of his/her office and issues such lawful orders as are necessary to assure the effective performance of the department.
- a) Through the chief of police, the department is responsible for the enforcement of all laws and ordinances coming within its legal jurisdiction. He/she is responsible for planning, directing, coordinating, controlling and staffing all activities of the department, for its continued and efficient operation, for the enforcement of rules and regulations within the department, for the completion and forwarding of such reports as may be required by competent authority, and for the department's relations with the citizens of the community, the city government, and other allied agencies.
- B. Commanding Officers: These officers are subject to direction from higher command. A commanding officer has direct control over employees within his/her command. In addition to the general and individual responsibilities of all employees and supervisory officers, a commanding officer is responsible for the following:
- a) The direction and control of personnel under his command to assure the proper performance of duties and adherence to established rules, regulations, policies and procedures. Providing for continuation of command and/or supervision in his absence.
 - b) The development and maintenance of esprit de corps and loyalty to the department.
 - c) The maintenance of discipline and morale within the command and the investigation of personnel complaints not assigned elsewhere.
 - d) The promotion of harmony and cooperation with other units of the department. Initiation of proper action in cases not regularly assigned to his command when delay necessary to inform the proper unit might result in a failure to perform a

- police duty.
- e) Proper organization and assignment of duties within his/her unit to assure proper performance of departmental functions and those of his command.
 - f) Preparation of required correspondence, reports and maintenance of records relating to the activities of his/her command. Assurance that information is communicated up, down, or laterally through the chain of command as required.
 - g) Assurance that work areas, equipment, supplies and material assigned to his/her command are correctly used and maintained.
- C. Squad Commander/Supervisor: The squad commander has general and individual responsibilities to all employees, and is specifically responsible for the following:
- a) The general good order of his command during his tour of duty to include proper discipline, conduct, welfare, field training and efficiency.
 - b) Conduct prescribed roll calls, communication of all orders or other information at roll call, inspection and correction of his command as necessary.
 - c) Reporting as required by a commanding officer.
 - d) Inquiry into personnel complaints against employees under his command in accordance with the provisions of this manual.
 - e) In the absence of the squad commander, the squad supervisor will exercise the same authority and has the same responsibilities as his commanding officer. In absence of the squad commander or supervisor, the senior available officer of the squad is in charge unless otherwise provided.
- D. Supervisory Officers: Supervisory officers are in charge of one or more employees. In addition to the general and individual responsibilities of all employees, each supervisory officer is specifically responsible for the following:
- a) A supervisory officer may be assigned to field or office duties. During his tour of duty he must closely supervise the activities of his subordinates, making corrections where necessary and commending where appropriate.
 - b) Provision of leadership shall include on-the-job training as needed for efficient operation and coordination of effort when more than one employee is involved.
 - c) Supervisory officers must exercise direct command in a manner that assures the good order, conduct, discipline and efficiency of subordinates outside their usual sphere of supervision if the police objective or reputation of the department so requires; or if no other provision is made for personnel temporarily unsupervised. This authority shall not be exercised unnecessarily. If a supervisor requires a subordinate other than his own to leave a regular assignment, the supervisor so directing will inform the subordinate's own supervisor as soon as possible.
 - d) Supervisory employees must enforce departmental rules and regulations and ensure compliance with departmental policies and procedures.
 - e) A supervisor shall have a working knowledge of the duties and responsibilities of his subordinates. He shall observe contacts made with the public by his

subordinates and be available for assistance or instruction as may be required. A field supervisory officer shall respond to calls of serious emergencies, felonies in progress, assaults and serious incidents unless actively engaged in another police incident. He should observe the conduct of the assigned personnel and take active charge when necessary.

5. Professional Conduct/Code of Conduct:

Standard of Conduct:

Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any employee of the department, whether in the City of Salisbury or not, which tends to undermine the good order, efficiency or discipline of the department or any employee thereof, or which is prejudicial to the efficiency and discipline of the department, even though these offenses may not be specifically enumerated or laid down shall be considered conduct unbecoming an employee and subject to disciplinary action.

Immoral Conduct:

An officer directly involved in any investigation cannot become emotionally or sexually involved with any witness, complainant, suspect, defendant or victim, from the time the case becomes known to the police department to the final disposition of the case. Every employee shall maintain a level of moral conduct in his/her personal and professional life which is in keeping with the highest standards of the law enforcement profession. No employee shall be a participant in any incident involving moral turpitude which compromises or has the potential to compromise his ability to perform as an employee of the Salisbury Police Department, or causes the department to be brought into disrepute.

Loyalty:

Loyalty to the department and to departmental associates is an important factor in departmental morale and efficiency. Employees shall maintain a loyalty to the department and their associates as is consistent with the law and professional ethics.

Cooperation:

Cooperation between the ranks and units of the department is essential to effective law enforcement. Therefore, all employees are strictly charged with establishing and maintaining a high spirit of cooperation within the department.

Assistance:

All officers are required to take appropriate police action toward aiding a fellow peace officer exposed to danger or in a situation where danger might be impending.

General Responsibilities:

Within the City, officers shall at times take appropriate action to, protect life and property, preserve the peace, prevent crime, detect and arrest violators of the law and ordinances coming within departmental jurisdiction

Duty Responsibilities:

Officers of the department are always subject to duty although periodically relieved of their routine performance. They shall, at all times, respond to the lawful orders of superior officers and other proper authorities as well as calls for police assistance from citizens. Proper police action must be taken whenever required. The administrative delegation of the enforcement of certain laws and ordinances to particular units does not relieve officers of the unit from the responsibility of taking prompt, effective police action within the scope of those laws and ordinances.

Insubordination:

Failure or deliberate refusal of any employee to obey a lawful order given by a supervisor shall be insubordination. Ridiculing a supervisor or his orders, whether in or out of his presence is also considered to be insubordination.

Questions Regarding Assignment:

Employees in doubt as to the nature or detail of their assignment shall seek such information from their supervisors by going through the chain of command.

Knowledge of Laws and Regulations:

Every officer is required to establish and maintain a working knowledge of all laws and ordinances in force in the City, the rules and policies of the department and the orders of the department and divisions thereof. In the event of improper action or breach of discipline, it will be presumed that the officer was familiar with the law, rule or policy in question.

Performance of Duty:

All employees shall perform their duties as required or directed by law, departmental directive, policy or order, or by order of a superior officer. All lawful duties required by competent authority shall be performed promptly as directed, notwithstanding the general assignment of duties and responsibilities.

Obedience to Laws and Regulations:

Employees shall observe and obey all laws and ordinances, all rules and regulations of the department and all directives or special orders of the department.

Establishing Elements of Violation:

Existence of facts establishing a violation of a law, ordinance, or rule, is all that is

necessary to support any allegation of such as a basis for a charge under this section. It is not necessary that a formal complaint be filed or sustained. Nothing in the departmental policy prohibits disciplining or charging employees merely because the alleged act or omission does not appear herein, in departmental orders, or in laws and ordinances within the cognizance of the department.

Reporting Violations of Laws, Ordinances, Rules or Directives:

Employees knowing of other employees violating laws, directives, ordinances, or rules of the department, or disobeying orders, shall report same in writing to the chief of police through official channels.

Conduct Toward Superior and Subordinate Officers and Associates:

Employees shall treat superior officers, subordinates and associates with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty and particularly in the presence of other officers, employees or the public, officers should be referred to by rank.

Criticism of Orders:

Employees shall not publicly criticize instructions or orders they have received.

Manner of Issuing Orders:

Orders from a superior to a subordinate shall be in clear, understandable language, civil in tone and issued in pursuit of departmental business.

Unlawful Orders:

No command or supervisory employee shall knowingly issue any order which is in violation of any law, ordinance or departmental directive.

Obedience to Unlawful Orders:

Obedience to an unlawful order is never a defense for an unlawful action; therefore, no employee is required to obey any order which is contrary to federal or state law or local ordinance. Responsibility for refusal to obey rests with the employee who shall be required to justify his/her action.

Obedience to Unjust or Improper Orders:

Employees who are given orders which they feel to be unjust or contrary to directives, rules and regulations, must first obey the order to the best of their ability and then proceed to appeal as provided.

Reports and Appeals - Unlawful, Unjust, Improper Orders:

An employee receiving an unlawful, unjust or improper order shall, at first opportunity, report in writing to the chief of police through official channels. This report shall contain

the facts of the incident and the action taken. Appeals for relief from such orders may be made at the same time. Inter-departmental action regarding such an appeal shall be conducted through the office of the chief of police.

Gifts, Gratuities, Fees, Rewards, Loans, Etc., Soliciting:

Employees shall not under any circumstances solicit any gift, gratuity, loan or fee where there is any direct or indirect connection between the solicitation and the department employment. No employee of the department shall solicit any gift or gratuity from other employees junior in grade.

Acceptance of Gifts, Gratuities, Fees, Loans:

The acceptance of gifts casts an adverse reflection on the department and its employees. Employees of the Salisbury Police Department shall not accept any gift, gratuity, loan, fee or other thing of value from any organization, business or individual with whom the employee has had an official business relationship as a representative of the city. The acceptance of such items tends to create the impression of impropriety that may influence directly or indirectly the actions of said employee or other employees in matters of police business. Nothing in this policy shall prohibit employees from accepting or giving social courtesies which promote good public relations or from obtaining loans from regular lending institutions. Any employee receiving a gift that exceeds social courtesies shall promptly notify the chief of police via chain of command.

Other Transactions:

Employees are prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention or which arose out of their departmental employment except as may be specifically authorized by the chief of police.

Rewards:

Employees shall not accept any gift, gratuity or reward in money or other consideration for services rendered in the line of duty to the community or to any person, business or agency except lawful salary and that which may be authorized by law.

Disposition of Unauthorized Gifts, Gratuities, Etc.:

Any unauthorized gift, gratuity, loan, fee, reward or other thing falling into any of these categories coming into the possession of any employee shall be forwarded to the office of the chief of police together with a written report explaining the circumstances connected therewith.

Free Admissions and Passes:

Employees shall not solicit or accept free admission to theaters and other places of amusement for themselves or others except in the line of duty.

Debts - Incurring and Payment:

No employee shall borrow any money or otherwise become indebted to any other employee. (Excludes blood/marital relationships). Employees shall not solicit other employees to co-sign or endorse any promissory note or other loan. (Excludes blood/marital relationships). No employee shall offer to act as a cosigner or endorsee of any promissory note or other loan for another employee. (Excludes blood/marital relationships). Employees shall pay all just debts and legal liabilities incurred by them.

Prohibited Activity on Duty:

Personnel are prohibited from engaging in the following activities while on duty with the exceptions as noted: sleeping, loafing; recreational reading except at meals; conducting private business; smoking or the use of tobacco products; carrying newspapers or other articles except in the performance of police duty; drinking intoxicating beverages, except in performance of a police duty, and then, only with the specific consent of a commanding officer and never in uniform; and gambling, unless to further a police purpose.

Loitering:

All employees on duty or in uniform shall not enter taverns, theatres or other public places except to perform a police task. Loitering and unnecessary conversation in such locations are forbidden. Eating in a licensed liquor establishment, although not forbidden, is discouraged. Employees off duty and not on any official standby shall not loiter in departmental areas.

Shift Briefing (Roll Call):

Unless otherwise directed, employees shall report to daily roll call at the time and place specified, properly uniformed and equipped. They shall give careful attention to orders and instructions avoiding unnecessary talking or movement.

Relief:

Employees are to continue at their assignment and on duty until properly relieved by another employee or until dismissed by a supervisor or commander.

Meals:

Employees may suspend duty for a meal period, subject to modification by the commander or supervisor.

Reporting:

Employees shall promptly submit reports as required by the performance of their duties or by a supervisor or commander.

Absence without Leave:

Employees who fail to appear for duty at the date, time and place specified for so doing without the consent of a supervisor or commander is "absent without leave." Such absences must be reported in writing to the commanding officer and through the chain of command to the division commander.

Inspections: From time to time the chief of police may call for full dress inspections of the department or any part thereof. Employees directed to attend such inspections shall report in the uniform prescribed with the equipment specified. Unauthorized absence from such inspection is chargeable as "absent without leave."

Training:

All officers shall attend in-service, firearms and other assigned training. Civilian employees will attend scheduled training sessions. Such attendance is considered a duty assignment.

Physical Fitness for Duty:

All employees of the department shall maintain good physical condition.

Reporting Intoxicated:

Employees shall not report for duty intoxicated, or report with the residual smell of an alcoholic beverage on their breath.

Intoxication.

Employees shall not at any time be under the influence of alcohol while on duty.

Intoxicants on Departmental Premises:

Employees shall not bring into or keep any intoxicating liquor on departmental premises except when necessary in the performance of a police task. Liquor brought into departmental premises in the furtherance of a police task shall be properly identified and stored according to current policy.

Smoking While on Duty:

Employees shall not smoke or use tobacco products while on duty.

Address and Telephone Numbers:

Employees are required to have landlines or cellular telephones in the place where they reside. Changes in address or telephone numbers shall be reported to their commanding officer within 24 hours of the change. This shall be done in writing and within the specified time whether the employee is working or on leave.

Equipment:

All equipment must be clean, in good working order and conform to department specifications.

Uniform and Equipment Damage Claim:

Any claims for damage to clothing and equipment caused by performance of duty shall be made in accordance with current departmental directives.

Compensation for Other Damages Sustained on Duty:

Personal property which is damaged in the course of an officer's duties may be replaced at the city's expense. Items to include, but not limited to, eyewear and watches may be replaced at the city's expense. This will be handled on a case-by-case basis after assessing the circumstances surrounding the damage or loss. Fair market value will be assessed to the damaged property item and the employee may be eligible to be reimbursed for up to \$200 per item damaged.

Compensation:

Employees shall not seek in any way, nor accept from any person, money or other compensation for damages sustained or expenses incurred by them in the line of duty without first notifying the chief of police in writing.

Compensation for Damages off Duty:

Employees who have received salary from the city during sick leave for injury or illness sustained off duty shall notify the chief of police in writing of any intent to sue, solicit or accept compensation as damages for such illness or injury. This notice shall be filed with the chief of police before any action is taken and shall include the facts of the claim and the name of the respondent.

Department Property and Equipment:

Employees are responsible for the proper care of department property and equipment assigned to them. Damaged or lost property may subject the responsible individual to reimbursement charges and appropriate disciplinary action.

Damaged-Inoperative Property or Equipment:

Employees shall immediately report to their supervisor, in memo form any loss of or damage to departmental property assigned to or used by them.

Care of Department Buildings:

Employees shall not mark or deface any surface in any departmental building. No material shall be affixed in any way to any wall in departmental buildings without specific authorization from a commanding officer.

Notices:

Employees shall not mark, alter, or deface any posted notice of the department. Notices or announcements shall not be posted on bulletin boards without permission of a commanding officer. No notices of a derogatory nature will be posted any time.

Department Vehicles, Use:

Employees shall not use any departmental vehicle without permission of a supervisor.

Reporting Accidents.

Accidents involving city personnel, property and/or equipment must be reported in accordance with the departmental policy.

Presumption of Responsibility:

In the event that city property is found bearing evidence of damage which has not been reported, it shall be considered prima facie evidence that the last person using the property or vehicle was responsible.

Transporting Citizens:

Citizens will be transported in departmental vehicles while on duty, only when necessary to accomplish a police purpose and supervisory permission must be received prior to.

- Any transport that is in accordance with an extension of an assignment such as transporting persons from a disabled vehicle, an accident, a domestic disturbance, etc., is to further a police service and is permissible. A person may also be transported if there is any danger or perceived danger to the person, if he/he is not transported. However, an officer transporting persons in this manner must still notify the communications center of the transport and transmit beginning and ending mileage and the PCO will record the appropriate times.
- The PCO will assign the transport a complaint number and enter the information in the departmental computer system. The transporting officer will relay the passenger's name, age, starting and ending mileage for reporting in the departmental computer system by the PCO.
- Because of the nature of their work, CID personnel may have to transport people such as victims and informants without broadcasting required information. These transports are occurring to complete a police function and will be done with the knowledge of their supervisor.

Restrictions:

Employees shall not use departmental letterheads for private correspondence

Department Address (Private Use Of):

Employees shall not use the department as a mailing address for private purposes. The department address shall not be used on any personal correspondences from any

employee such as, but not limited to: motor vehicle registration or operator's or chauffeur's license.

Telephones:

The Salisbury Police Department telephone service is for official business. While personal calls are allowed, they must be kept to a minimum.

Radio Discipline:

Employees of the department operating the police radio either from a mobile unit or in the communications center, shall strictly observe regulations for such operations as set forth in departmental policy and by the Federal Communications Commission.

Identification as Police Officer:

Except when impractical or where the identity is obvious, officers shall identify themselves by displaying the official badge or identification card before taking police action.

Arrests:

In making arrests, officers shall strictly observe the laws of arrest. Only necessary restraint to assure safe custody and the safety of the officer shall be employed. The arresting officer is responsible for the safety and protection of the arrested person while in his custody. He/she shall notify the fellow officers (who may be transporting the arrested person) of any injury, apparent illness, or other conditions which indicate that the arrested person may need special care. The arresting officer is responsible for the security of the personal property in the possession of the arrested person or under his control at the time of arrest. Except for vehicles, this responsibility transfers to the officer(s) taking custody and transporting the arrested person.

Custody of Prisoners:

Officers charged with the custody of prisoners shall observe all laws and departmental orders regarding this activity. Prisoners shall be kept securely, treated firmly and humanely, and shall not be subjected to unnecessary restraint.

Use of Physical Force:

Malicious assaults or batteries committed by officers constitute gross misconduct. The use of physical force shall be restricted to circumstances specified by law and are reasonable to accomplish a police task successfully. Whenever an officer, either on or off duty, is required to use physical force against another person, he immediately shall call a supervisor to the scene, or, if not practical, contact him/her as soon as possible following the incident and submit a written report to the chief of police through normal channels.

Security of Departmental Business:

Employees shall not reveal police information outside the department except as provided elsewhere in departmental policy or as required by law or competent authority. Specifically, information contained in police records, other information ordinarily accessible only to employees, and names of informants, complainants, witnesses and other persons known to the police are considered confidential. Silence shall be employed to safeguard confidential information. Violation of the security of this type of information reflects gross misconduct.

Compromising Criminal Cases:

Employees shall not interfere with proper administration of criminal justice. Employees shall not attempt to interrupt legal process except where a manifest injustice might otherwise occur, nor participate in or be concerned with any activity which might interfere with the process of law. Except in the interest of justice employees shall not attempt to have any traffic citation or notice to appear reduced, voided or stricken from the calendar. Any employee having knowledge of such action and failing to inform his superior officer thereof shall be subject to punitive action.

Assisting Criminals:

Employees shall not communicate in any manner, either directly or indirectly, any information which might assist persons guilty of criminal or quasi-criminal acts to escape arrest or punishment or which may enable them to dispose of or secrete evidence of unlawful activity.

Recommending Attorneys and Bail Bond Brokers Prohibited:

Employees shall not suggest, recommend, advise, or otherwise counsel the retention of any attorney or bail bond broker to any person coming to their attention as a result of police business. This does not apply when a relative of the employee seeks such service. In no case may such advice be given where a fee, gratuity, or reward is solicited, offered or accepted from the attorney or bail bondsmen. The soliciting of business for an attorney or bail bondsman in gross misconduct.

Acting as Bailer Prohibited:

Employees cannot act as bailers for any person in custody except relatives, and in no case where any fee, gratuity or reward is solicited or accepted.

Civil Litigation by Officers:

Officers will not initiate civil litigation against a person for damages incurred during the conduct of duty without the expressed permission of the chief of police.

Publicity:

Employees shall not seek personal publicity in the course of their employment.

Commercial Testimonials:

Employees shall not permit their names or photographs to be used to endorse any product or service which is in any way connected with law enforcement without the permission of the chief of police. They shall not, without the permission of the chief of police, allow their names or photographs to be used in any commercial testimonial which alludes to their position or employment with the department.

Public Appearance Requests:

All requests for public speeches, demonstrations and the like will be routed to the chief of police for approval and processing. Employees directly approached for this purpose shall suggest that the party submit his/her request to the chief of police.

Secondary Employment:

Prior to engaging in any outside business or employment, the employee shall submit a request for secondary employment to the Chief of Police.

Membership in Organization:

Except for the Armed Forces Reserve components, employees shall not affiliate themselves with any organization or group where the constitution or by-laws of which would prevent its members from rendering proper and efficient service to the department.

Subversive Organizations:

No employee shall knowingly become a member of or connected with any subversive organization, except when necessary in the performance of duty and then only under the direction of the chief of police.

Political Activity:

Political activity by employees on duty shall be restricted to voting. At no time shall they use the influence of their office for any political purposes.

Personal Preferment:

No employee may seek the influence or intervention of any person outside the department for purposes of personal preferment, advantage, transfer or advancement.

Conduct Toward the Public:

Employees shall be courteous and orderly in their dealings with the public. They shall perform their duties quietly, avoiding harsh, violent, profane or insolent language, and shall always remain calm regardless of provocation to do otherwise. Upon request, they are required to supply their name and badge or identification number in a courteous manner. They shall attend to requests from the public quickly and accurately, avoiding unnecessary referral to other sections of the department.

Impartial Attitude: All officers, even though charged with vigorous and unrelenting enforcement of the law, must remain completely impartial toward all persons coming to the attention of the department. Violations of the law are against the people of the state and not against the individual officer. All citizens are guaranteed equal protection under law. Exhibiting partiality for or against a person because of race, creed or influence is conduct unbecoming an officer. Similarly, unwarranted interference in the private business of others when not in the interests of justice is conduct unbecoming an officer.

Caring for Lost, Helpless, Injured or Ill Persons:

Employees shall always be alert to assist lost, helpless, injured or ill persons.

Availability When on Duty:

Officers on duty shall not conceal themselves except for some legitimate police purpose.

Responding to Calls:

Officers of the department shall respond without delay to all calls for police assistance from citizens or other members. Emergency calls take precedence; however, all calls shall be answered as soon as possible consistent with normal safety precautions and vehicle laws. Failure to answer a call for police assistance promptly, without justification, is misconduct. Except under the most extraordinary circumstances, or when otherwise directed by competent authority, no officer shall fail to answer any telephone or radio call directed to him/her. The communications center will be informed when in service and out of service.

Court Appearances:

Attendance at a court or quasi-judicial hearing as required by subpoena is an official duty assignment. Permission to omit this duty must be obtained from the prosecuting attorney handling the case or other competent court official.

Testifying for the Defendant:

Any employee subpoenaed to testify for the defense in any trial or hearing, or against the city or department in any hearing or trial, shall notify his/her commander upon receipt of the subpoena. He/she shall notify the city attorney as well.

Departmental Investigations (testifying):

Employees are required to answer questions by or render evidence to a competent authority in a departmental personnel investigation when so directed.

Untruthfulness/False Statement:

The very character of this department, as well as its reputation, depends largely on the integrity of its personnel. Integrity, as defined by this department, is the state of being of sound moral principle, honesty (truthfulness), and sincerity. All employees shall be

truthful whether under oath or not. Personnel shall not make false statements, verbal or written, nor shall personnel alter or change any official, departmental or other, document which would render the content of the document to be false and not true. This policy not only applies to personnel when representing the department in a court of law, but at all times when involved in departmental business to include being a witness or a subject of an internal investigation. Any employee who is found to have committed such falsity shall immediately be disciplined up to and including dismissal, in accordance with applicable law.

Civil Action Interviews:

Civil action interviews involving employees which arise out of departmental employment shall be conducted according to current departmental policies.

Civil Action, Court Appearances (subpoenas):

Employees shall not volunteer to testify in civil actions and shall not testify unless legally subpoenaed; employees will accept all subpoenas legally served. If the subpoena arises out of departmental employment or if the employee is informed that he is a party to a civil action arising out of departmental employment, he/she shall immediately notify his commanding officer and the governmental attorney of the service or notification, and of the testimony he is prepared to give. Employees shall not enter into any financial understanding for appearances as witnesses prior to any trial, except in accordance with current directives.

Civil Depositions and Affidavits:

Employees shall confer with their commander before giving a deposition or affidavit on a civil case. If the commander determines that the case is of importance to the city, he/she shall inform the chief of police before the deposition or affidavit is given.

Civil Cases:

Department personnel shall not serve a civil process or assist in civil cases unless the specific consent of the chief of police is obtained. They shall avoid entering into civil disputes particularly while performing their police duties, but shall prevent or abate a breach of the peace or crime in such cases.

Military Courtesy:

Military courtesy deals mainly with affording correct courtesy and respect to subordinates, fellow workers, and supervisors. Military courtesy adds an air of professionalism; combined with a well-dressed officer presents a positive public image. The hand salute will be executed in the following manner: raise the right hand to the headgear and with the tip of the forefinger, touch to rim of the visor slightly to the right of the right eye. The fingers and thumb are extended and joined, palm down. The outer edge of the hand is barely canted downward so that neither the palm nor the back of the

hand is visible from the front. The upper arm is horizontal with the elbow inclined slightly forward and the hand and wrist straight. When not wearing Department headgear, the hand salute is executed in the same manner as previously described, except the tip of the forefinger touches the forehead near the eyebrow, slightly to the right of the right eye. When to give the hand salute:

- Outdoors- Sworn police employees of this department, when encountering a commander above the rank of sergeant of this or any other department shall render the proper hand salute, and hold it until the salute is returned. The salute will be returned by the ranking officer.
- Indoors- When inside a building an exchange of salutes will be given upon the first encounter of the day. Further saluting throughout the day is not necessary, but may be practiced at the discretion of those involved.
- Undercover- No salute or other acknowledgement will be made when encountering another member who is known to be assigned to investigative or other types of covert operations, unless such member makes an acknowledgement first.

Verbal Address:

The Salisbury Police Department is a para-military organization. In keeping with basic military courtesy, when in public or in the company of other members of this or another department, when addressing a commander over the rank of sergeant, the use of the word “Sir” or rank description in general conversation is expected.

Civilian Clothes and Off Duty:

When an officer is off duty, he/she is under no obligation to render a hand salute to a commander who is either on or off duty.

Chain of Command:

The chain of command will be followed in dealing with those matters of a departmental nature unless specified otherwise in departmental policy.

Duty to Intervene (Incidents other than use of force):

All employees (sworn and non-sworn) of the department must recognize and act upon the duty to intervene to prevent or stop another agency employee from conducting any act that is unethical, or a violation of departmental policy (to include but not limited to, theft, fraud, inappropriate language, sexual misconduct, harassment, falsifying documents, inappropriate behavior, etc.), state/provincial or federal law, or local ordinance. All employees of the department must take a preventive approach, whenever possible, if observing behavior that suggests that another employee is about to conduct unethical or inappropriate behavior. All employees of the department must take an active approach to intervene to stop any unethical behavior or misconduct, when such conduct is being committed by another agency employee. All employees of the department must examine the circumstances surrounding the incident to determine the appropriate form of intervention (verbal and / or physical). If verbal

interventions are not sufficient to stop the act, come between the offending employee and the other individual involved. When encountering unreasonable actions of other employees or public safety/criminal justice associates that could result in injury, death, violations of constitutional or civil rights, or erode public trust in the agency, intervention must be immediate. All employees are required to immediately notify a supervisor after conducting any type of intervention, when safe to do so. Failure to intervene may subject any member (sworn and non-sworn) of the department to disciplinary action, civil liability and/or criminal prosecution.

6. Sexual And Other Unlawful Forms Of Harassment:

- A. The Salisbury Police Department strives to maintain a quality working environment for all employees or potential employees of this department so that they may work free from intimidation, humiliation, insult or be subjected to offensive physical or verbal abuse or actions of sexual, ethnic, racial or religious nature, the Salisbury Police Department adopts the following policy prohibiting harassment based upon gender, ethnicity, race, or religion, national origin, disability, gender identification, pregnancy, genetic information, sexual orientation, or any other characteristic protected by federal and/or State law.
- B. Sexual, ethnic, racial, religious or other forms of unlawful harassment in the workplace is an offense first against this department and second against any specific employee or group of employees. Offenses refer to physical or verbal actions that have the purpose or effect of creating a hostile, offensive, or intimidating working environment. Examples would include, but are not limited to: promises or requests or physical contact of a sexual nature, sexual, racial, ethnic or religious related jokes, comments, insults, cartoons, innuendos or personal conduct or mannerisms that could be construed as offensive.
- C. It is the department's position to prevent such unwanted conduct from occurring, and to deal with any reported incident in a fair, impartial and speedy manner. If incidents of harassment occur, they are to be reported immediately through the chain of command to the division commander. The employee may also make the report to any supervisor of the employee's own choosing. If the offending person is in the chain of command, the employee or supervisor receiving the complaint may report directly to the chief of police or the City of Salisbury Human Resource Director.
- D. All complaints or incidents will be investigated on a case-by-case basis, at the direction of the Chief of Police or his/her designee. In those instances where a violation has been shown to occur, immediate action will be taken to remedy the situation and to prevent its reoccurrence.
- E. It is each employee's responsibility to report all forms of harassment and unsolicited

conduct. It will be the responsibility of every supervisor and commander to address such behavior if observed or made aware of and to report the behavior through the chain of command.

- F. No employee of the department shall make assignments of personnel based on their race, color, religion, sex or national origin, disability, gender identification, genetic information, pregnancy, sexual orientation, or other protected characteristic except where such assignment is reasonably necessary for the successful completion of a police operation (e.g., the working of an undercover assignment, an officer of one sex guarding a prisoner of the same sex, etc.).
- G. All employees shall be evaluated strictly on performance and not for reasons associated with their race, color, religion, sex, national origin, disability, gender identification, genetic information, pregnancy, sexual orientation or other protected characteristic.
- H. Reassignments and transfers shall be made solely on qualifications, potential to accurately perform in the new position and the needs of the Department. No assignment or transfer, or rejection of a request for reassignment or transfer shall be based on race, color, religion, sex or national origin, disability, gender identification, genetic information, pregnancy, sexual orientation or other protected characteristic.
- I. Hiring and promotion shall be based on current policies, written directives and appropriate sections of the city code, and shall be based strictly on merit. No employment or promotion or denial of employment or promotion shall be based on race, color, religion, sex, or national origin, disability, gender identification, genetic information, pregnancy, sexual orientation or other protected characteristic.
- J. No employee of the department shall engage in the use of language which is designed to embarrass, intimidate, insult, degrade or harass any member of the department or member of the general public based on race, color, religion, sex or national origin, disability, gender identification, genetic information, pregnancy, sexual orientation or other protected characteristic.
- K. Nothing in this policy prevents an employee from directly contacting the City of Salisbury human resource director or his/her designee, the Equal Employment Opportunities Commission or the Maryland Commission on Civil Rights to file a complaint in addition to or in lieu of contacting the designated personnel of this department. Pursuant to the city code, the Salisbury Police Department has established rules and regulations as well as policy and procedures. These policies govern the operation of the police department and employees. When policies of the department conflict with or directly address employment policies discussed in the

employee handbook, the policies of the department shall override city policy.

- L. Any employee of this department found to be in violation of this policy may be subject to disciplinary action, up to and including separation from employment. In addition, anyone found to have knowingly and intentionally filed a false harassment claim against another city employee is subject to disciplinary action, up to an including separation from employment.