JOPLIN POLICE DEPARTMENT	2-05 STANDARD OPERATING GUIDELINE
SUBJECT: Rules of Conduct	**REVIEW DATE: Annually - February**
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ACCREDITATION INDEX: 1.1.2, 22.2.7a, b, 26.1.1	**APPROVED:** Richard A. Pearson **Chief of Police**

I. POLICY

The Joplin Police Department and the public expect all personnel to maintain high standards of appearance and conduct. Law-enforcement officers wield considerable power over citizens, power that is carefully circumscribed by state and federal law, and the Constitution and Bill of Rights. The police department's powers to arrest, seize property, and interfere, at times, with the lives of citizens constitute a public trust. The Joplin Police Department can help ensure that they regard this trust as vital by exemplary performance. Performance is tied to the department's commitment to community-oriented policing values as reflected in our mission. The mission of the department is to work with all citizens to preserve life, maintain human rights, protect property, and promote individual responsibility and community commitment.

II. PURPOSE

To define departmental expectations for on- and off-duty personal behavior.

III. DEFINITIONS

A. Moral turpitude

An intentional act or behavior displayed in words or actions which violates public morals or the common sense of the community involving but not limited to intent to defraud, intentional dishonesty for personal gain, lying, perjury, cheating, bribery, unlawful possession of controlled substances, sexual harassment, unlawful sexual conduct, or excessive use of force.

B. Good moral character

The attributes of a prospective employee that enhance his or her value to the department and to public service which include honesty, integrity, truthfulness, obedience to the oath of office and the code of ethics, respect for authority, and respect for the rights of others.

IV. CODE OF ETHICS

All police department employees shall abide by the Law Enforcement Code of Ethics: (1.1.2)

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to my agency or me. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice, or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other law enforcement officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

V. GENERAL DUTIES

A. All officers shall, within jurisdictional limits, prevent crime, preserve the peace, protect life and property, detect and arrest violators of the law, and enforce the laws of the United States, the State of Missouri, and all local ordinances, according to the rules, regulations, and general orders of the department. Officers must know that when they act under color of law, they are enforcing the law according to statutes, written administrative guidance in the department, ordinances, common usage, and custom. Further, officers shall exhibit good moral character in the administration of their duties according to departmental orders.

1. The department maintains the right to establish oral and written orders to govern and control the efficiency, effectiveness, and safe operation of law enforcement.

2. Management reserves the prerogative to discipline personnel for violations of the rules listed in this order. The decision to discipline and the measure of discipline employed depends on the consequences of the employee's actions, the employee's current and past performance.

3. All written or oral orders given by the department are performance measures which address three components of employee performance, that is, conduct, behavior, and work proficiency.

B. Obedience to laws and orders (26.1.1)

1. Authority: Employees shall obey all federal and state laws, and ordinances of the City of Joplin or other municipality in which the employees may be present. Employees shall obey all lawful orders, written or oral, issued to them by competent authority. The term "employees" includes both sworn and non-sworn personnel.

2. Violation of law: Supervisors shall not knowingly or willfully issue any order in violation of any law or ordinance or order of the department.

3. Civil rights: All members shall observe and respect the civil rights of citizens as the term "civil rights" is commonly understood. Respect for constitutionally protected rights is paramount.

4. False statements: On any official matter whatsoever, members shall not knowingly lie, withhold pertinent information, give misleading information, or falsify oral or written communications in any official report or in their actions when it is reasonable to expect that the information may be relied upon because of the employee's affiliation with the department.

5. Enforcement while off duty: If an officer, while off duty, witnesses a violation of the law committed in his or her presence which, in the officer's professional judgment, demands immediate attention, the officer may make an arrest, providing that

   a. The law violation was committed in the City of Joplin; and

   b. The officer does not use his or her own personal vehicle to chase or pursue the violator but observes all traffic laws applicable to citizens; *and*

   c. He/she announces that he/she is a police officer and displays police identification to the violator and announces his or her purpose; *and*

   d. The officer can make the arrest without jeopardizing his or her own safety, the safety of the violator, or the public.

C. Disciplinary/personnel actions

1. As appropriate, disciplinary action may be taken for any of the following reasons:

   a. Incompetent or inefficient performance or dereliction of duty;

   b. Insubordination, discourteous treatment of the public or a fellow employee, or any act of omission or commission of similar nature which discredits or injures the public. (Insubordination consists of direct, tacit, or constructive refusal to do assigned work.)

   c. Mental or physical unfitness for the position which the employee holds.

   d. Conviction of a felony or misdemeanor involving conduct amounting to moral turpitude (see III.A) or which shocks the conscience of a reasonable person, or a pattern of misconduct as displayed by series of misdemeanor convictions.

   e. Failure to report to an appropriate superior authority incompetence, misconduct, inefficiency, neglect of duty, moral turpitude, or any other form of misconduct or negligence of which the employee has knowledge.

   f. Failure of a supervisory employee to take corrective action regarding employees under his or her supervision who may be guilty of any form of neglect of duty or misconduct where the supervisor knows or should have known of the dereliction.

   g. Engaging in conduct, which is prejudicial to the reputation of the department, or conduct unbecoming an officer.

h. Violation of any of the rules and regulations or general orders of the Joplin police department and/or the City of Joplin's Personnel Rules and Regulations.

i. Aiding, abetting, or inciting another to violate the rules, policies, procedures, instructions of lawful orders, and provisions of the department or City manuals.

2. Examples of behavior specifically prohibited include:

a. Use of alcoholic beverages on duty, or drunkenness on duty.

b. Use of illegal drugs or narcotics.

c. Buying alcoholic beverages while on-duty (except in the course of an official investigation while under-cover).

d. Acting as bailor for anyone other than a family member. In this context, family member shall mean or include: parent, child, spouse, common law spouse, brother, sister, grandparents, grandchildren, uncle, aunt, nephew, niece, including step, half, foster or in-laws.

e. Releasing any information to a suspect or convicted person that would enable an escape from custody or hamper an investigation.

f. Selling, trading, or buying chances or bets, or any other gambling while on duty.

g. Recommending legal counsel or bondsmen to any person while on-duty.

h. Publicly criticizing supervisors, the City Manager, or any city official.

i. Use of harsh, profane, or obscene language to any member of the department or to the public.

j. Sleeping on duty.

k. Sexual conduct on duty.

3. Nothing in these rules and regulations limits the charges against employees because the alleged act or omission does not specifically appear in this manual, other orders of the department, or in the laws or ordinances of which the department is responsible to enforce.

D. General conduct (26.1.1)

1. Employees shall display respect for their supervisors, subordinates, and associates. The department expects all employees to display good moral character in on- and off-duty contexts and to apply their judgment accordingly. When on duty and in the presence of the public, supervisors shall be addressed or referred to by rank.

2. Employees shall address their subordinates, associates, supervisors, or members of the general public courteously and shall not use abusive, violent, insulting, or provoking language.

3. Employees shall at all times be civil and courteous. They shall maintain an even disposition and remain calm, regardless of provocation, in executing their duties.

4. Employees shall not slander or speak detrimentally about the department or another employee. See section J below.

5. Employees shall always display honesty.

6. Employees shall cooperate and coordinate their efforts with other employees and law-enforcement agencies to ensure maximum effectiveness.

7. Employees shall restrict personal conversations or personal associations to an appropriate minimum while on duty.

8. An officer shall not display cowardice in the line of duty or in any situation where the public or another officer might be subjected to physical danger. Unless actually incapacitated themselves, officers shall aid, assist, and protect fellow officers in time of danger or under conditions where danger might be impending.

9. Members shall not consort with or otherwise fraternize with known criminals, gamblers, prostitutes, drunkards, or other persons of bad character or ill repute except to accomplish a police assignment or mission. This does not apply to relationships between a member and his or her relatives.

10. Employees shall adhere to the City of Joplin personnel policies.

11. Employees shall not suggest, recommend, advise or otherwise refer citizens to professional or business services while on duty. This includes, but is not restricted to medical, ambulance, tow or auto repair services or automobile dealers, mortuaries, attorneys, private investigators, bail bondsmen, or any other type of service. This does not apply when a relative of the employee seeks such service. In the event a citizen requests such advise from an employee, reference will be made only to the appropriate professional association or a local telephone directory.

    a. In the event the individual has no preference or is not available to choose a tow truck, the department's rotation list will be used.

    b. In the event the family has no preference or is not available to choose a mortuary, the next mortuary on the Coroner's rotation list will be used.

E. Gifts, bribes, gratuities, rewards (26.1.1)

1. Employees shall not solicit nor accept any gifts, gratuities, loans, or fees where there is any direct or indirect connection between the solicitation and their departmental employment or for services in the line of duty to the community, or to any person, business, or agency except lawful salary and that authorized by the City of Joplin.

2. Employees shall not at any time use or attempt to use their official position, badge, or credentials for personal or financial gain or advantage.

3. Employees found to have accepted bribes may receive discipline up to and including dismissal.

F. Duty (26.1.1)

1. Employees shall report for duty at the time and place specified by their assignment or orders and complete the number of hours on duty required by their assignment.

2. While on duty, employees shall remain alert and awake, unencumbered by alcoholic beverages, prescription drugs, illegal narcotics, or conflicts arising from off-duty employment.

3. While on duty, employees shall not engage in any activity or personal business, which would cause them to neglect their duty.

4. Officers serve in order to protect lives, preserve the peace, enforce the laws of the city and state, and assist the public in any reasonable request.

5. Members shall at all times render impartial service to anyone who may be in danger or distress, or in need of police service.

6. An officer shall take proper action in any situation requiring police attention within a reasonable time after arriving on the scene.

7. Officers shall not deliberately allow any person in their custody to be physically or mentally abused and shall be responsible for the safeguarding of that person's property while that person is in their custody.

8. Employees shall identify themselves, either verbally or by means of a business card, if available, to any person requesting the employee's name, rank, and/or employee radio number. Upon request to view employee identification, sworn officers will produce their department issued commission card, which contains a photograph of the employee. Undercover officers may be exempt under certain conditions. (22.1.8 A, B)

9. All department personnel shall verbally identify themselves with their name and agency when in contact with the public during a telephone conversation

    a. Department personnel involved in police operations requiring anonymity are exempt from this requirement.

10. All employees shall maintain a telephone at their home. Going through proper channels, employees shall notify the chief of police of their telephone number, place of residence, and whom to notify in case of emergency. Any changes shall be communicated to the chief's office within 24 hours.

11. No one shall give out the address, phone number or other personal information of an employee to anyone outside the Joplin Police Department, without the permission of the employee, that employee's bureau commander, or higher authority.

12. All officers shall complete and submit all forms and reports required by the department and the laws of the State prior to ending their tour of duty. The only exception will be when a supervisor gives permission to an officer to enter a report at a later time. That supervisor must be able to articulate why such permission was necessary.

    a. Officers shall generate an incident report in all cases where sexual misconduct is alleged or suspected whether or not there is reporting party, victim or suspect information available.

13. Employees shall not provide information from computer-based vehicle license checks to citizens.

14. If injured, Employees shall promptly notify their supervisor of the injury and its circumstances and an injury report shall be completed by the end of the employee's tour.

If the employee is unable to complete the report due to his/her injuries, the employee's supervisor shall complete the report.

15. While on duty, officers shall constantly keep the dispatcher informed of their whereabouts. To this end, officers shall keep their portable radios charged, turned on, and in their immediate possession at all times.

16. Officers shall maintain a professional attitude and manner when communicating by radio. Officers shall communicate in plain language, abiding by FCC requirements and the requirements of the department.

17. Officers shall not loiter at the department office, but shall use the office for professional purposes only. Each officer is responsible for the cleanliness and upkeep of the office.

18. Officers shall not use police vehicles for personal business or transportation of unauthorized persons, except in emergencies or where authorized by the Chief of Police. Requests to use police vehicles for personal business shall be made to the Chief of Police. Authorized persons include arrestees, detained juveniles, victims, witnesses, and citizen ride-along.

19. Officers shall clean the interiors of their police vehicles. Officers shall have their police vehicles washed no less than once every two weeks.

20. No employee shall use his or her position with the department for personal or monetary gain.

21. Employees are permitted to make long distance telephone calls when necessary for official purposes. Personal long distance calls on city phones are permitted in accordance with the City's current phone use policy.

22. Each Officer shall have a valid driver's license in their state of residence and, while on duty, shall carry said license.

23. Officers shall immediately inform their supervisor of a change in driving status.

G. Leave

1. Employees shall not be absent from duty without first obtaining permission from their supervisors.

2. Employees shall, in situations requiring emergency leave or sick leave, notify their supervisors of the circumstances as soon as possible. The employee shall make notification prior to the beginning of each of his/her scheduled shifts when the leave is extended over several days, unless the supervisor excuses such reporting.

3. In the absence of the employee's supervisor, such notification shall be made to any on-duty supervisor. Having been so notified, said supervisor is to communicate such information to the employee's area of assignment.

4. While absent from duty because of sickness or disability, an employee shall remain at his residence or place of confinement during his work period, unless visiting the doctor, picking up prescriptions, or unless authorized by a physician or chief of police, except when the sickness is with a family member.

5. Members shall not feign illness or injury in an effort to escape duty.

6. Employees returning to work from sick leave shall complete the Absence Request Form immediately upon return to duty.

H. Information

1. Employees shall not communicate to any person who is not an employee of this department information concerning operations, activities, or matters of law-enforcement business, the release of which is prohibited by law or which may have an adverse impact on the department image, operations, or administration.

2. Employees shall communicate promptly to a supervisor information regarding tips on crimes or criminal activity or other relevant law enforcement information, which may come into their possession.

I. Public appearances and exercise of freedom of speech

1. If an employee receives a request to make a public presentation or appearance on the department's behalf or publish an article concerning his or her duties, the employee shall notify the Chief of Police or public information officer.

2. Members shall not allow their official position, their title, or photograph to be used for commercial advertising purposes on behalf of the department without the approval of the Chief of Police.

3. Employees shall not criticize, ridicule, express hatred or contempt toward or otherwise defame the department, the City, its policies, or other employees when to do so might disrupt operations or adversely affect morale or create disharmony in the workplace. The measure of disharmony is the inability of supervisors to maintain discipline.

4. Employees are prohibited from posting any material on a personal or public internet site that could cause a negative public perception or adversely affect the reputation of the police department or any of its employees. If an employee identifies themselves or they can be identified as an employee of the Joplin Police Department as a result of the posting, their actions will be governed by Standard Operating Guidelines. Identification includes stating they are a member of the Joplin Police Department, either by text, photograph, or image depicting the uniform, badge, patch or logo on any internet social networking site. In addition, it should be made clear that the views expressed are those of the individual and not those of the Joplin Police Department.

5. Employees shall not place nor allow photographs taken from any crime scene to be placed on any personal internet social networking site. Employees are also reminded that photographs taken at any call where a crime has been committed will be considered evidence and shall be treated as such.

J. Use of alcohol (26.1.1)

1. Employees shall not drink any alcoholic beverage while on duty. Officers in plainclothes, with the consent of their supervisor, may drink limited quantities while on duty when necessary to accomplish the law-enforcement mission.

2. Employees shall not appear for an emergency recall, regular duty, or be on regular duty, while under the influence of intoxicants to any degree whatsoever or with an odor of intoxicants on their breath.

3. Officers shall not carry weapons when off duty if they have been consuming alcoholic beverages.

4. Officers shall not drink alcoholic beverages while off duty when attired in full or partial uniform. Members shall not be intoxicated in a public place at any time.

5. Employees shall not bring into or keep any intoxicants on departmental premises, except in the furtherance of a police task. In that case, they shall be properly identified and stored according to current procedure.

6. Members of this department shall not consume any alcoholic beverage on any public property in or near City buildings, public parks, or other locations where such consumption is prohibited by law or ordinance.

7. Officers who are assigned to be on-call shall not drink alcoholic beverages or have alcohol in their system during those assigned hours.

K. Use of drugs (26.1.1)

Employees shall not use any narcotic, stimulant, or dangerous drug while on or off duty unless prescribed by a physician. Employees using any prescribed drug or narcotic or any patent medicines that could possibly induce impairment of their performance shall notify their supervisor. Also refer to 8.3 Substance Abuse in the City of Joplin's Employee Manual.

L. Use of tobacco

1. Smoking is prohibited in all city buildings.

2. Smoking is prohibited in all department vehicles.

3. Use of smoking or chewing tobacco is prohibited while engaged in traffic control, on an investigation, during special operations, or while otherwise in contact with or in view of the public.

M. Property and equipment

1. Employees shall be responsible for the proper care and use of department property and equipment assigned to or used by them and shall promptly report to their supervisors any loss, damage, destruction, or defect therein.

2. Employees shall operate department vehicles and other equipment in such a manner as to avoid injury to persons or damage to property. Whenever a police vehicle is involved in an accident and or collision, the operator shall notify a supervisor immediately. The supervisor shall have an investigation made and the proper reports made. Under no circumstances shall an officer investigate his or her own accident.

3. At the beginning and the end of a tour of duty, employees shall examine any vehicle assigned to them and report any operational deficiencies, damage, or defects to their supervisors. Failure to report damage or defects creates the presumption that the employee inspected the vehicle and found no damage or defects. The employee, in this case, shall be held responsible for the damage.

4. Officers shall carry their badge and commission card while on duty. The badge and/or commission card shall not be altered, exchanged or transferred except by order of the Chief of Police. Members shall not use another member's badge or official police credentials, nor shall they permit any person not appointed to the Police Department to use the official badge or credentials at any time.

5. Employees shall not temporarily or permanently convert any department property to their own personal use or the use of any other person.

6. When an employee terminates employment, all issued equipment shall be returned on or before the day the termination is effective. Failure to return all items of city property will result in withholding final pay or taking legal action.

7. The Patrol Bureau Captain will annually cause there to be an inspection/inventory of all department issued equipment.

8. Pepper spray must be carried as part of the uniformed officer's equipment, however the Asp is considered an optional piece of equipment.

N. Reporting arrests, court action, civil cases

1. Employees shall immediately notify their supervisor if they have been arrested, subpoenaed to court, or have otherwise been involved in any legal proceedings except divorce.

   a. Any employee arrested for, charged with, or convicted of **any** crime, or required to appear as a defendant in any criminal or civil proceedings must, as soon as possible, inform the chief of police in writing through the chain of command. Employees do not have to report parking tickets or minor traffic offenses unless the violations occurred in a city vehicle.

2. Any employee of the department who becomes involved in any accident, incident, or altercation, or any problem, which may come to the public attention, shall give oral notification as soon as possible, and within 24 hours in writing to his supervisor. Supervisors shall forward relevant information through the chain of command as rapidly as possible.

3. Employees shall avoid exerting police authority in their own disputes or those involving neighbors or acquaintances, except under such circumstances as would justify their using self-defense or preventing injury to another or when a serious offense has been committed.

O. Memberships, Politics

1. No member of the department shall be a member of any organization which advocates the violent overthrow of the government of the United States, the State of Missouri, or any unit of local government, or participate in any organization which has a purpose, aim, objective, or any practices which are contrary to the obligations of a law enforcement officer under these rules and regulations.

2. Nothing herein shall affect the right of a member to hold membership in and support a political party, to vote as they choose, to express privately an opinion on all political subjects and candidates, to maintain political neutrality, and to attend political meetings.

3. No on-duty officer shall solicit any monetary contributions to the campaign funds of any candidate for office, or to the campaign funds of any political organization.

4. No member shall make any monetary contribution to a municipal political campaign, or campaign for any candidate for any municipal political office.

5. No member shall continue in his or her position after becoming a candidate for nomination or election to any partisan or municipal office.

6. Members may distribute political literature and/or insignia, work in campaign headquarters for State or National elections, or participate in any campaign if the activity is not carried on during hours of work, and they are not dressed in uniform.

7. Members shall not promote any political candidate by allowing their official title, picture, or departmental equipment to be photographed as an endorsement.

8. No member shall require political service of any other member.

P. Money expenditures

1. No employee shall incur any financial obligation on behalf of the department without permission from the chief of police.

2. No employee shall imply or accept financial liability for loss or damage on behalf of the city. Any inquiries concerning financial liability will be referred to the city attorney.

Q. Grooming (26.1.1)

1. Employees shall maintain a neat, conservative, well-groomed appearance. They shall keep their persons in a clean and sanitary condition. Men's hair must be neatly styled. Sideburns may extend to the base of the ear, and hair in the back of the head must not extend over the collar. The hair shall not extend over the ears. Neatly trimmed mustaches are permitted provided they do not obscure the upper lip nor extend more than one-half inch beyond the corner of the mouth (during the time frame of April 1, to October 31 yearly for sworn and jail employees).

2. Goatees and beards are permitted for officers that have graduated the Field Training Program and detention officers. Beards and Goatees may be worn only between the dates of November 1, and March 31, of each year. Beards and goatees will be no longer than one half inch in length and shall not extend below the chin and jaw line. Exceptions to this will be for those officers whose primary duty assignment is in an undercover capacity. The Chief or their designee may at times order a beard or goatee to be removed for special events, or if the officer is unable to neatly maintain their facial hair.

3. Female officers must arrange their hair in such a way that it is not over their ears or below the top of the collar. The hair must be arranged so that hats can be worn easily.

4. Make-up shall be in good taste. Personnel shall not use make-up that lends itself to an excessively gaudy appearance or use excessively odorous colognes, aftershaves, or perfumes.

5. Earrings shall not be apparent or visible when the officer is in uniform. The only exception will be for female officers who are permitted to wear one pair of small stud type earrings in the lobes of their ears.

6. Tattoos

No visible tattoos will be displayed on the face, head, neck, or hands. Waivers may be requested in writing from the Chief of Police for prior existing, or special circumstances involving tattoos on the face, head, neck, or hands.

Tattoos will not be displayed on any part of the body if they are obscene, offensive, sexually suggestive, profane or discriminatory towards persons on the basis of their race, color, national origin, ancestry, religion, creed, age, sex, sexual preference or disability. This list is not all inclusive and is subject to final interpretation by the Chief of Police or his designee(s).

Any new tattoo requires prior approval from the Chief, by way of a Bureau Captain before being visible in uniform.

The Chief of Police reserves the right to have any commissioned officer cover a tattoo or tattoos that are visible in work attire and deemed unprofessional. The final decision on whether a tattoo(s) violates this section shall lie with the Chief of Police or his designee(s).

7. Mutilation

Intentional body mutilation, piercing, branding or intentional scarring that would be visible while in uniform or civilian clothing is prohibited. Some examples are:

A split or forked tongue, foreign objects inserted under the skin to create a design or pattern, enlarged or stretched out holes in the ears, intentional scarring that appears on the neck, face, scalp or arms. Waivers may be requested in writing from the Chief of Police for prior existing, or special circumstances, body mutilation, piercing, branding or intentional scarring.

R. Courtroom appearances

1. Arrive at the court early enough to check the docket, if necessary, and confer with the prosecutor. Employees shall be punctual. If the employee cannot attend, he or she shall notify the court in advance.

2. If an employee receives subpoenas requiring appearance in different courts at the same time, he or she should honor the first subpoena received. If, however, a circuit or higher court issued one of the subpoenas, it shall receive precedence over one issued by a district court. In any event, the employee shall notify the court they will not be attending because of the conflict.

3. A subpoena receives precedence over an order issued by a supervisor. In any event, the employee must notify his or her supervisor of the court appearance.

4. Uniforms or civilian business attire (coat and tie for men or equivalent for women) shall be worn for all court appearances. Tattoos shall be covered for all court appearances. (26.1.1)

5. When testifying, employees shall remain attentive, face the jury when giving testimony, and speak in a clear, audible tone. Employees shall respond to questions asked by the judge or attorneys and will not argue, interject, or offer an emotionally charged response to any remark or question.

6. Each member shall be familiar with the laws of evidence and shall testify truthfully on any matter. The member shall be prepared for testimony and have the required evidence arranged for presentation.

7. Members shall not serve, process, nor render assistance in civil cases, except as required by law, in the course of their official duties, or where they may be personally involved.

Members must receive a subpoena before testifying in a job related civil action and must notify their supervisor and the City Attorney upon receipt of the subpoena.

8. If an employee receives a subpoena to appear for a deposition, or to produce documents in any type of case (civil or criminal), the employee must notify their supervisor and the City Attorney upon receipt of the subpoena.

9. Members shall not institute any civil action arising out of their official duties without first notifying the chief of police.

S. Evidence

Officers shall not give away evidence to anyone.

T. Lost property

1. Officers who encounter lost property shall treat it as evidence, storing it in the department locker, if possible, or otherwise securing the property under the direction of the chief of police.

2. Officers shall document the circumstances and describe the property in the appropriate report. Officers shall make a reasonable effort to ascertain the owner of the property and return it. If the property cannot be returned during the tour of duty in which the property was found, the property shall be placed into evidence. Members shall not destroy found property unless ordered to do so by the chief of police or his designee.

U. Medical assistance

On duty officers shall render, or cause to be rendered, medical assistance to *any* injured person.

V. Arrests of law-enforcement officers

1. An officer who arrests a sworn officer of another law enforcement agency shall immediately notify his or her own supervisor of the fact. Officers shall take whatever action is appropriate to the circumstances including issuance of summonses or making a physical arrest. That the person cited or arrested is a law-enforcement officer shall make no difference.

2. If an officer has probable cause to arrest a sworn officer of our department, the officer shall first contact his or her immediate supervisor to review and confirm probable cause. In most cases, the officer may obtain a warrant against the suspect officer. Some occasions may demand an immediate custodial arrest (domestic violence, for instance).

W. Confidentiality

1. Outside the scope of the open records laws, employees shall keep all complaints, arrest information, or other official business confidential.

2. Employees shall not indulge in gossip about departmental business.

VI. COMPLIANCE

Violations of this policy, or portions thereof, may result in disciplinary action as described in the City of Joplin's Personnel Rules or the Joplin Police Department's Rules and Regulations and General Orders.

Members of the Joplin Police Department, while assigned to or assisting other agencies shall comply with this policy.

VII. APPLICATION

This document constitutes department policy, is for internal use only, and does not enlarge an employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense, with respect to third party claims insofar as the employee's legal duty as imposed by law. Violations of this policy, if proven, can only form a basis of a complaint by this department, and then only in a non-judicial administrative setting.