



## I. Purpose and Policy

- A. Law enforcement employees, representing government, bear the heavy responsibility of maintaining their own conduct, and the honor and integrity of the government entity that they represent and will conduct themselves in a manner which does not bring discredit upon them, the Department or the City or impair department or city operations. It is the purpose of this policy to provide additional guidance to the standards of conduct embodied in the law enforcement officer's code of ethics, this agency's mission statement and core values, as well as other ethical directives issued by superior governing authorities that may be applicable to this department so that employees of this department will better understand prohibitions and limitations pertaining to their conduct and activities while on and off duty.
- B. It is the policy of this department to maintain the highest standard of integrity by working diligently to maintain the community's trust. All departmental employees must recognize that they are held to a higher standard than the private citizen they protect, in addition to representing the Department, they also represent the law enforcement profession. Conduct, on and off duty, must be beyond reproach and meet the highest degree of professionalism and personal accountability. Employees of the Police Department are to respect the rights of individuals and not engage in or tolerate discrimination, oppression or favoritism. Department employees must avoid any conduct that might compromise the integrity, morale, operations or efficiency of the Department. Violation of Federal, State and Local laws, as well as City or Department Policy may result in disciplinary action up to and including termination. [\[2.17\]](#)

## II. Scope

- A. The provisions of the Code of Conduct are observed by all employees of the Department in order to maintain the confidence, respect, and support of the public.
- B. Violation of Federal, State and Local laws, as well as City or Department Policy may result in disciplinary action up to and including termination, as outlined in policy 317. Additionally, attempting or conspiring to complete any such violation will also result in disciplinary action.
- C. It is the duty of all employees to provide the department with specific notice whenever he/she is involved in or aware of any acts of misconduct. In the event of intimidation, or fear of intimidation, the reporting employee may report directly to the Chief of Police or other supervisor or to the City Human Resource Department.
- D. The Chief of Police without cause may terminate employees of the police department who are in provisional status from employment. All employees should execute their duties in a professional and competent manner and should meet and maintain reasonable measures of job performance. Repeated incidents of carelessness or a pattern of errors, neglect, and/or inattentiveness to job performance is considered incompetence. Employees may be subject to

disciplinary action when they fail to meet the minimum standards of performance or when they violate a law or regulatory decree announced in this Code.

- E. It shall be the responsibility of every employee to know and adhere to federal, state and local law and the policies and directives of this department. Employees will receive training on all policies at the time of their initial employment, as well as notice and or training, as appropriate, when updates are made. [\[2.12\]](#)

### III. Appearance, Uniform and Equipment [\[2.13\]](#)

- A. Societal interest demands highly trained personnel who demonstrate disciplined conduct and strict adherence to regulation and authorized detail. In order to best present a somewhat neutral image and effectively relate to all segments of the population they serve, employees shall comply with the uniform and appearance standards prescribed by the Chief of Police.
- B. Uniforms
  1. Uniforms are to be kept neat, clean, in good repair, and well pressed at all times. While wearing the uniform, all employees will maintain a professional bearing. [\[2.13\]](#)
  2. When an employee is in uniform, the complete uniform, including ballistic vest, must be worn at all times in the prescribed manner. The cap is optional for all employees during inclement weather. The ballistic vests are optional for command staff. Uniform items are those furnished by or authorized by the Department. No part of the uniform is worn with civilian clothing or vice-versa.
- C. Civilian Clothing
  1. The police officer normally wears a uniform on a tour of duty. However, commanding officers may prescribe other clothing to be worn as required by the nature of duty to which the particular officer is assigned. [\[2.13\]](#)
  2. Normally, officers and employees who are required to wear civilian clothing do so in a manner that is complimentary to the individual and generally acceptable in the business community. Commanding officers may require other clothing or uniform depending upon the employee's job assignment. [\[2.13\]](#)
- D. Badges
  1. The department will issue badges worn in the performance of official duties. Personally owned badges of the same size and type may also be worn. Other badges may only be utilized with specific permission of the Chief of Police.
  2. Suspended employees must immediately surrender their badges and identification card to the commanding officer notifying the offender of suspension.
- E. Maintaining a 'neutral image' may encompass any number of general appearance issues as determined by the Chief of Police. Certain visible tattoos, unusual visible piercings and hairstyles or hair colors that would be considered 'shocking' to the general public will not be permitted. [\[2.13\]](#)
  1. Visible tattoos not covered by a normal short sleeve shirt will not be permitted. Some exceptions may be granted for small tattoos in areas that are not highly visible, such as on the underside of the wrist, that are smaller than two inches in diameter.
  2. Facial hair other than a mustache that is neatly trimmed and extends toward the mouth no further than the edge of the top lip or one quarter of an inch below or beyond the corners of the mouth will not be permitted. Beards or goatees are not acceptable at any time when in uniform attire. This includes soft uniforms, such as BDU type uniforms and any time a uniform is worn, even when participating in an off duty job or event.

3. Hair length for females in uniform must not interfere with assigned duties and may be pulled back or put up if longer than the bottom of the shirt collar. Hair for males in uniform must be above the collar, trimmed around the ears and extend no more than two inches outward from the head. Side burns that are neatly trimmed and extend no further than the bottom of the ear opening and are no more than 1 inch wide are permitted.
4. The Chief or his designee for officers serving in certain capacities, such as Drug Task Force investigators, Federal Task Force (ATF, DEA, FBI, USMS) may grant facial hair exceptions. Officers serving with a department tactical or SWAT unit must limit facial hair in a manner that does not interfere with the proper seal of a gas mask or any similar equipment.

#### **IV. Professional Conduct and Personal Bearing**

- A. Dereliction of duty on the part of any employee detrimental to the proper performance of the functions of the Department is cause for disciplinary action. The offender will be punished according to the degree of severity of the violation, the results brought about by the dereliction, and the effect it has upon the discipline, good order, and best interest of the Department. The following subsections constitute dereliction of duty:
1. Failure of a supervisor to immediately take action when a violation of the policies, rules, or regulations comes to their attention, regardless of the supervisor's or violator's assignment or rank within the Department.
  2. Failure to observe and give effect to the rules, regulations, policies, or other directives issued by proper authority of the Department.
  3. Failure to deliver to the official Departmental custodian all property found, confiscated by, or relinquished to members of the Jonesboro Police Department without undue delay and, in any event, before their tour of duty ended.
  4. Failure to place evidence in its officially designated place for preservation and storage.
  5. Failure to give name and badge number to any person upon request as required in the Ark Rules of Criminal Procedure 3.1.
  6. To be under the influence of alcohol or drugs or to be a user of drugs when a physician or dentist does not prescribe such drugs or to take drugs in a manner not prescribed by a physician or dentist. [\[2.19\]](#) [\[2.20\]](#)
  7. Unnecessary violence toward any person.
  8. Disrespect shown to a civilian supervisor, supervisory officer, commanding officer or subordinate.
  9. Use of indecent, profane, or harsh language in the performance of official duties.
  10. To accept, agree to accept, or solicit a bribe, which may be defined as a gift, emolument, money, thing of value, testimonial, appointment, personal advantage, or the promise of solicitation of it for obtaining special privileges or personal gain.
  11. Sworn members who show cowardice or failure to perform police duties because of danger.
  12. To malingering or feign incapacitation to avoid duty or work.
  13. To engage in any strike, work stoppage, slow down, or in any way refuse to fulfill their responsibilities.
  14. Failure to obey any lawful order addressed to him or her by a supervisor, including any order relayed from a superior by an employee of the same or lesser rank. Failure or deliberate refusal to obey a lawful order shall be considered insubordination. [\[1.08\]](#)
  15. Lying to a supervisor including willful omissions or misstatements.

- B. Employees treat superiors, subordinates, and associates with respect. When on duty in the presence of other members or the public, supervisors are referred to by rank.
- C. Respect for other employees should also include respect for their property, both personal property or assigned equipment. Employees are not to take possession of or utilize another employee's property (clothing, equipment, food, etc.) without that employee's consent.
- D. Employees do not publicly criticize or ridicule the Department, its policies, or other employees by talking, writing or expressing in a manner, which is defamatory, obscene and unlawful or tends to impair the operation of the Department by interfering with its efficiency, by interfering with the ability of supervisors to maintain discipline, or by a reckless disregard for the truth.
- E. Unbecoming conduct - Employees must avoid conduct in the offices or buildings of the Department or in any public place or public forum, which might discredit themselves, the department or the city or in any way hamper the morale, activities and goals of the department. [\[2.18\]](#)
- F. The soliciting of any fund, money, loan, fee, reward or gratuity from other than the legal institutions established for that purpose must receive prior approval from the Chief of Police.
- G. Employees do not accept, either directly or indirectly, any reward, gift, gratuity, reward, fee, loan, discount rate, rebate or special consideration arising from or offered because of police employment or any activity connected with such employment from the public or other employees that might reasonably tend to influence their discharge of official duties. Any such monies received without solicitation must be reported to the Department. [\[2.21\]](#)
- H. No employee shall establish an inappropriate relationship with any complainant, suspect, witness, defendant, prisoner or other person involved in any police related activity while such a case is being investigated or prosecuted. [\[2.18\]](#)
- I. Employees report any circumstances or event, which may affect the efficient operation of the Department or its members through their chain of command so long as it is reasonable.

## V. Responsibilities and General Conduct

- A. For protecting life and property, officers are always considered on duty while in the City of Jonesboro and are prepared to act anytime circumstances indicate their services are required.
- B. Officers respond immediately to all calls for police service from citizens or other members. Emergency calls take precedence; however, all calls are answered as soon as possible consistent with established policies and traffic laws. Except under the most extraordinary circumstances or when otherwise directed by competent authority, no officer fails to answer any call for service. Within the City of Jonesboro officers take appropriate action to:
  1. Protect life and property.
  2. Preserve the peace.
  3. Prevent crime.
  4. Detect and arrest violators of the law.
  5. Enforce all federal, state, and local laws and ordinances coming within Departmental jurisdiction, although this is not to be construed to include enforcement of laws of a Class C misdemeanor nature or traffic enforcement when out of uniform and not on duty.
- C. Authority and Accountability
  1. The ranking on-duty supervisor at the scene of any police incident is in charge and responsible for the proper conclusion of that incident. In the absence of a supervisor, the senior officer on scene will assume that responsibility until the incident is under control

- and/or sufficient instructions have been issued to result in the proper conclusion of that incident.
2. The administrative delegation of the enforcement of certain laws and ordinances to particular units of the Department does not relieve officers of other units from the responsibility of taking prompt, effective police action either within or without the scope of their normally assigned duties when the occasion so requires.
  3. Members, who are given an order that they feel to be unjust or contrary to Department or City policy, must first obey the order to the best of their ability. Then, at their first opportunity, they shall report the facts of the incident and the action taken through their chain of command. Obedience to an unlawful order is never a defense for an unlawful action; therefore, no member of the Department is required to obey any order that is contrary to federal or state law or local ordinance. Responsibility for refusal to obey rests with the member, who shall be required to justify his refusal. [\[1.08\]](#)
  4. In the event that an employee receives an order conflicting with previous commands, rules, policies or directives, the employee shall respectfully call the conflicting order to the attention of the superior officer giving the order. Should the superior officer not change the order, it shall be obeyed. The employee, in this circumstance, shall not be held responsible for disobedience of the first order. [\[1.08\]](#)
- D. Officers are required to take appropriate action to aid a fellow peace officer exposed to danger or in a situation where danger might be impending.
- E. Duty Hours and Reporting for Duty [\[2.16\]](#)
1. The Chief has the authority to regulate the working hours of all employees and may call the employee to duty regardless of the regular working hours assigned to that employee. No employee may be absent without leave. Absence without leave means that without proper authorization, the employee fails to report for duty at the time and place of duty or leaves a place of duty or assignment.
  2. Unless otherwise directed, officers are to report to daily roll call at the time and place specified wearing the proper uniform and equipment. Careful attention is given to orders and instructions. It is the responsibility of each employee assigned to a shift, who cannot report for duty due to illness, to notify an on-duty supervisor or commanding officer at least one hour prior to his or her reporting time. Personnel working non-shift assignments (CID, DTF, etc) must notify their supervisor within 30 minutes before the workday begins.
  3. Nonexempt sworn or non-sworn personnel may be required to work extra hours in addition to their regular workday or workweek when an emergency exists. Personnel shortages can be considered an emergency. All time worked in excess of the standard workday or workweek will be paid in accordance with current overtime and/or compensatory time policies.
- F. Employees remain alert, observant, and occupied with Departmental business during their tour of duty. When on duty, employees devote their entire time and attention to the business of the Department. An employee should notify a supervisor when taking any medication, which they believe, would impair their performance. Employees are prohibited from engaging in the following activities while on duty: [\[2.20\]](#)
1. Sleeping, loafing, or idling.
  2. Recreational reading, except at meals.
  3. Utilizing any article, which distracts from the proper performance of their duty.
  4. Drinking intoxicating beverages, except in performance of a police duty, and then only with the specific consent of a command rank officer, and never in uniform. [\[2.19\]](#)

5. Gambling (including the purchase of lottery tickets), except in performance of a police duty, and then only with the specific consent of a command rank officer, and never in uniform.
  6. Any sexual conduct.
- G. Employees promptly submit all reports, records, citations, or other materials, which are required by the performance of their duties or by competent authority.
- H. Officers obtain prior approval of their supervisor before initiating undercover investigations and all such approval is forwarded to the Chief of Police.
- I. While the urgency of a situation might preclude ordinary social amenities, lack of professionalism will not be tolerated. Employees shall strive to be courteous and civil to the public, as well as fellow employees; avoid harsh, violent, profane, or insolent language or demeanor and shall maintain objective attitudes regardless of provocation. Employees do not, at any time, ridicule, mock, deride, taunt, or belittle any person, nor do they willfully embarrass, humiliate, or shame any person nor do anything intentional that might invoke any person to violence.
- J. Intoxicants **[2.19]**
1. Employees never bring or keep any intoxicating liquor or beverage in Departmental facilities, except that liquor or intoxicants brought to Departmental facilities in the furtherance of a police task, and these are promptly identified and stored according to policy.
  2. Employees never become intoxicated while on duty nor consume intoxicants while off-duty to the extent that evidence of such consumption is apparent when reporting for duty or to the extent their job performance is impaired. Officers in uniform never purchase or consume any form of intoxicants.
  3. Officers on duty or in uniform do not enter private clubs or other similar establishments except to perform a police service or need.
- K. No expenditure of money is made or liability incurred in the name of the City of Jonesboro or the Department unless authorized by the Chief of Police.
- L. Because law enforcement is often a physically demanding occupation, the Jonesboro Police Department places the responsibility on its employees to maintain their good health and the level of physical fitness required to perform law enforcement duties. Employees of the Department are encouraged to maintain a healthy diet and exercise regularly.
- M. Employees shall furnish the Department with his or her current telephone number and address within 24 hours if changed, in the form of a memo to their supervisor who shall forward the memo to the Administrative Secretary.
- N. Use of Tobacco Products
1. Smoking is prohibited by state law in any city owned vehicle or building and the use of tobacco or tobacco related products while in any city building, city owned vehicle or at any time while in personal contact with the public is prohibited.
  2. Tobacco use may occur only in areas designated as smoking areas or locations outside that are no closer than fifty (50) feet from the entrance to any public building or other enclosed area.
  3. Public use of tobacco products detracts from the professional image of the individual and department and such use of any tobacco products is strongly discouraged during duty hours. Examples of tobacco related products include, but are not limited to cigars, cigarettes, pipes, electronic smoking devices and all forms of chewing or smokeless tobacco and snuff.

## **VI. Public Activities [2.15]**

- A. Employees in the Police Department shall not be permitted to take an active part in any political campaign for an elective position of the city if they are on active duty. The term active part means making political speeches, passing out cards, or other political literature, writing letters, signing petitions, actively and openly soliciting votes and making public derogatory remarks about candidates for such elective positions.
- B. Employees are not required to contribute to any political fund or render any political service to any persons or party whatsoever and no person shall be removed, reduced in classification or salary, or otherwise prejudiced by refusing to do so.
- C. Employees shall not use the prestige of their office or position with the city for any candidate, including the wearing of campaign buttons or other markings nor participate in any political campaign while in uniform or on active duty.
- D. Employees do not become members of any organization, association, movement or group which advocates or approves of the commission of acts of force or violence to deny others their rights under the Constitution of the United States or which seeks to alter the form of the government of the United States by unconstitutional means.
- E. Employees do not participate in any type of disruptive protest demonstration nor may they act as a spokesperson, representative, or agent for any group engaged in or planning to engage in any type of disruptive protest demonstration.
- F. Except for official police duties, no employee of this Department associates with persons of immoral character, convicted felons, gamblers, or other persons who habitually commit violations of the law. This does not exclude an employee of this Department from associating with immediate members of his or her family if they fall within the aforementioned categories.
- G. Employees do not permit their name or photograph to be used to endorse any product or service, which is in any way connected with or alludes to their employment as a law enforcement officer without the permission of the Chief of Police.

## **VII. Civil, Criminal, Judicial, and Investigative Actions**

- A. The Department has jurisdiction in criminal cases only. Employees do not render aid or assistance in civil cases except to prevent an immediate breach of the peace or to quell a disturbance actually existing. This is not intended to prevent employees from assisting any citizen with available information concerning certain civil actions as related to law enforcement.
- B. Officers do not investigate criminal cases or personally, file criminal charges in a court of law against any person for a criminal offense committed against him or her or any member of his or her family except misdemeanors and then will do so according to the procedures set forth by the City Attorney. Other personnel will be assigned to investigate and file such charges as may be proper.
- C. Truthfulness [2.14]
  - 1. Employees are to remain truthful at all times and do not willfully misrepresent any matter, sign any false statement or report, commit perjury, or give false testimony before any court, grand jury, board, commission, official hearing, or Departmental hearing.
  - 2. Employees answer questions or render material and relevant statements to a competent authority in a Departmental personnel investigation when so directed.
  - 3. Employees do not knowingly falsify any report, document, or record, or enter or cause to be entered any inaccurate, false, or improper information on records, documents, or reports of the Department or of any court or alter any record, document, or report. Employees do not

remove, destroy, or cause the removal or destruction of any report, document, or record without authorization.

D. Court Matters

1. Employees are present and available to testify in any court or before any grand jury when officially notified to appear. In criminal cases outside Craighead County and in all civil cases, employees respond to legal subpoenas only.
2. Employees who, for a valid reason, are unable to answer an official summons or written notice to appear in court must be excused by that court or prosecutor prior to the time they are scheduled to appear. The employee shall notify their immediate supervisor of the reason for any absence from court as soon as the employee returns to work.
3. Any employee who is subpoenaed or volunteers to testify for the defense in any criminal or civil trial or hearing or against the City or Department in any hearing or trial must notify his or her supervisor, who will then notify Department administration, upon receipt of the subpoena. This does not apply to the employee that has been subpoenaed as a hostile witness nor when the employee has been subpoenaed in a motion to suppress by the defense. An employee, who becomes a plaintiff, defendant, or party to a civil action not addressed elsewhere in this code of conduct, must make notification to a supervisor of his or her involvement. The purpose of this notification is not to interfere, but to inform. In civil cases arising from duty related events, coordination of case prosecution or defense may be necessary.
4. Employees do not accept fees as a witness in criminal cases prosecuted in the state or municipal courts of Craighead County. Employees may accept witness fees in criminal cases prosecuted outside of Craighead County, civil cases or in federal court as prescribed by law.

E. Employees do not engage in any of the following conduct:

1. Interfering with the service of lawful process.
2. Interfering with the attendance or testimony of witnesses through coercion, bribery, or other means.
3. Attempting to have any District Court Notice to Appear, traffic citation or other process reduced, voided, or stricken from the calendar without the approval of their division supervisor.
4. Recommending a dismissal, reduction of charges or other disposition of a pending criminal case, which has been previously filed in any criminal court or before any grand jury except by approval of their division supervisor.
5. Taking any other action, which interferes with the efficiency or integrity of the administration of criminal justice.
6. Having knowledge of such interference and failing to inform a superior officer in writing.

F. Bail and Other Services

1. Employees do not suggest, recommend or advise of any person or company offering related services, such as an attorney, wrecker service or bail bond broker, to any person coming to their attention because of police business. This does not apply when a relative or personal acquaintance of the employee seeks such service. In no case may such advice be given where a fee, gratuity, or reward is offered by, solicited or accepted from the person or business.
2. Employees do not furnish bail or act as a principal or surety of any bail bond or bail bond application for any person charged with any type of criminal offense except members of their immediate family.

G. Confidential Information



1. No employee reveals any confidential information to anyone unless authorized to do so and then only to a person or persons authorized to receive such confidential information.
2. No employee makes known any information concerning the progress of an investigation, a known or reported law violation, a condition against which action is to be taken at a future time, or any proposed police operation to any person not authorized to receive it.
3. Employees do not communicate in any manner, either directly or indirectly, any information which may assist persons guilty of or accused of criminal or quasi-criminal act(s) to escape arrest or punishment or which may enable them to dispose of secret evidence or unlawful activity, money, merchandise, or other property unlawfully obtained.
4. While most police reports are subject to FOI, employees shall not release any official information, police report, police record, arrest report, prosecution report, criminal history file, mug shot picture, or other record or report to any person or agency which does not have a criminal justice function unless ordered by a lawful subpoena or approved by a supervisor.
5. No employee gives any lawyer, bondsman, or the agent of either, or any other unauthorized person information regarding prisoners in confinement, property in custody or records of the Department, except that which is public information.

#### **VIII. Time Allotted For Meals**

- A. Sworn personnel who work an eight (8) hour shift (i.e. 0700-1500) shall be allotted a maximum of two thirty (30) minute meal breaks, when time permits, per duty shift. Officers working a ten-hour shift (i.e. 1500-0100) shall be allotted a maximum of two forty (40) minute breaks, when times permits. If possible, breaks during the last hour of the shift should be avoided.
- B. Officers may be recalled to duty from a break at any time a supervisory officer deems it necessary and will check out at a specific location for meals.
- C. Civilian employees will be allotted time for breaks and meals in accordance with current employment law, currently, one fifteen minute break for every four hours worked and one hour for lunch.

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