



Lunenburg Police Department Rules & Regulations

Policy Number: 4.00	Subject: Professional Conduct & Responsibilities
Issue Date: 12/20/2013 Revision Date: 10/30/2021 Effective Date: 12/20/2013	Massachusetts Police Accreditation Standards Referenced: N/A
Issuing Authority: <i>Chief Thomas L. Gammel</i>	

4.00 - PROFESSIONAL CONDUCT AND RESPONSIBILITIES [26.1.1]

The police are the most visible and most readily accessible representatives of local government. They respond to calls for assistance of a diversified nature and are expected to resolve a wide variety of community problems as they occur. Police officers are professionals, and, as such, are expected to maintain exceptionally high standards in the performance of their duty while conducting themselves at all times, both on and off duty, in such a manner as to reflect favorably upon themselves and the department.

Effective police operations require loyalty to the department and to one's associates, maintaining a genuine spirit of cooperation and rendering appropriate assistance to another police officer or citizen exposed to danger or in a situation where danger may be lurking.

To accomplish these purposes, the professional responsibilities of police officers, within their area of jurisdiction, include such things as the following functions:

- a. the protection of life and the safeguarding of property;
- b. the prevention and control of crime;
- c. the investigation of crime, the apprehension of criminal offenders and the recovery of stolen property;

- d. the preservation of public peace and good order;
- e. the immediate response to public emergencies;
- f. the creation of a sense of safety and security for the entire community through crime prevention, patrol and community policing;
- g. the accomplishment of all police objectives within the law and the constitutional guarantees of all citizens;
- h. the performance of such other police related services, duties, functions and responsibilities required of the officer by the department and/or the community;
- i. the advancement of a cooperative relationship with the general public; and
- j. the creation of awareness through the implementation of educational programs.

Public scrutiny, and sometimes public criticism, is directed not only at police performance but also at the behavior, both on and off duty, of those who deliver police services. The establishment of proper standards for police behavior must not only meet the expectations of the citizen but also protect the rights of police officers.

The department recognizes that its officers have certain basic personal rights and therefore it restricts those rights only when necessary to ensure the integrity of the department and its personnel and that the highest quality of police services is maintained. At a minimum, officers are required to obey all lawful statutes as well as regulations established by the department.

RULE 4.01 - PRIVACY AND OFF-DUTY CONDUCT

The department will generally limit its inquiry into an officer's personal matters, off-duty conduct and outside employment, to situations impacting or reflecting upon the department or affecting the officer's ability or fitness for duty. An officer's right to privacy guarantees that disclosure of personal matters can be compelled only if the employer's interest in the disclosure outweighs the officer's privacy interest. When the department determines that inquiry into an officer's private life is legitimate, it will make an effort to keep the scope of the inquiry as narrow as reasonable under the circumstances.

Disclosure of an officer's financial affairs will help to deter corruption, dishonesty, and conflicts of interest. It also enhances public confidence in the integrity of the department. When the department elects to mandate such financial disclosure, it will afford officers the opportunity to make claims of privacy as to certain financial records and to have those claims heard by a neutral body.

An officer's medical and psychological fitness for duty is a matter of continuing departmental concern. The department may require officers to submit to medical and/or psychological examinations on a periodic basis or whenever there is reason to question the officer's fitness for duty. Reports of such examinations will be maintained in a separate file and dissemination of the information will be restricted to appropriate individuals.

The department has a legitimate interest in preserving the public's trust and respect. An officer's off-duty personal relationships and conduct must not bring discredit to the officer or department, impact

on the Department's operation, affect the officer's ability to perform his or her job, or result in poor job performance.

Officers who are on paid leave status as a result of sickness or injury may have their activities regulated. Reasonable rules are legally permissible.

The department has the right to regulate the off-duty employment of its officers. The emergency nature of law enforcement, the need to ensure that officers report for work in good physical and mental condition, and the need to prevent conflicts of interest, all combine to provide the department with discretion in regulating (including prohibiting) off-duty employment.

RULE 4.02 - OFF DUTY EMPLOYMENT

Officers shall not engage in any compensated off-duty employment without the knowledge and approval of the Chief of Police. The approval of the Chief of Police shall be based upon such factors as:

- a. increasing off-duty efficiency and availability,
- b. avoiding potential conflicts of interest,
- c. protecting the image of the department, and
- d. avoiding impairment of on-duty performance.

Officers shall not be employed by or engage in any business that involves the distribution or sale of alcoholic beverages, bail bond services, investigative work for insurance companies, private guard services, collection agencies or attorneys.

All personnel engaging in outside employment should clearly understand that their primary obligation is to the police department and the community they serve. Officers must not perform work that will make them unavailable in emergencies, exhaust them, require special scheduling or excessive shift swapping, or bring the department into disrepute or impair its operation or efficiency. Prior to accepting any outside employment, an officer must request, in writing, the approval of the Chief of Police. No officer shall accept other employment which could interfere with the officer's employment with the department or could impair his or her independence of judgment in the exercise of official duties.

CONDUCT UNBECOMING AN OFFICER

It is impossible to have detailed rules governing every conceivable situation. Historically, the military and the police service (a quasi-military organization) have relied upon the charge of *conduct unbecoming an officer* to cover obvious violations for which no specific rule was promulgated. Admittedly, such a *catch all* rule would not be proper for regulating the conduct of the general public. However, over the years, police officers have come to understand that certain behavior is clearly not in keeping with the good order and proper operation of the department.

This rule has been shown to be capable of objective interpretation. It must not be subject to the whim of police administrators. The standard of conduct expected of police officers is learned in a variety of ways, from academy and in-service training to manuals, orders and various written directives. It is fair to say that *conduct unbecoming an officer* should be such as would alert a reasonable officer that his or her conduct under the circumstances would be inappropriate.

Both on and off-duty conduct may subject an officer to a charge of *conduct unbecoming an officer*. Officers do not sever their relationship with the department at the end of their shift. An officer's off-duty conduct, especially where there is some nexus or connection to the department or where the officer's status as a police officer is or becomes known, may reflect unfavorably on both the officer and department.

Officers charged with *conduct unbecoming an officer* will have the underlying offensive conduct specified in the notice of charges.

RULE 4.03 - CONDUCT UNBECOMING AN OFFICER

Officers shall not commit any specific act or acts of immoral, improper, unlawful, disorderly or intemperate conduct, whether on or off duty, which reflect(s) discredit or reflect(s) unfavorably upon the officer, upon other officers or upon the police department. Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department and its members.

Conduct unbecoming an officer shall include that which tends to indicate that the officer is unable or unfit to continue as a member of the department, or tends to impair the operation, morale, integrity, reputation or effectiveness of the department or its members.

Conduct unbecoming an officer shall also include off-duty conduct where there is a *nexus* or connection between the act or acts committed by the officer and that individual's continued fitness or ability to effectively perform his or her required duties and responsibilities and/or the impact or adverse effect said conduct may have on the operation, morale, integrity, reputation or effectiveness of the department and ability of the officers not involved in said act to effectively perform their required duties and responsibilities.

CONFLICT OF INTEREST

Since the position of a police officer is a public trust, it is important to avoid all situations involving conflicts of interest whether in fact or only in appearance. Special areas of concern include certain kinds of outside employment; financial transactions with units of government or others; membership in non-police unions; activities in partisan politics; and the use of an official position to secure unwarranted privileges, pecuniary advantage or preferential treatment.

Officers should read and become familiar with the provisions of G.L. c. 268A concerning conduct of public officials and employees. The law may be amended from time to time by the legislature. At the time this manual was updated, that statute made the following actions criminal:

PROVISIONS OF G.L c. 268A CONCERNING CONDUCT OF PUBLIC OFFICIALS
§2(b)

Whoever, being . . . municipal employee . . . directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of value for himself or for any other person or entity, in return for:

- a. being influenced in his performance of any official act or any act within his official responsibility, or;
- b. being influenced to commit or aid in committing, or to collude in, or allow any fraud, or make opportunity for the commission of any fraud, on the commonwealth or on a state, county or municipal agency or;
- c. being induced to do or omit to do any acts in violation of his official duty; or;
- d. whoever, directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of value for himself or for any other person or entity in return for influence upon the testimony under oath or affirmation of himself or any other person as a witness upon any such trial, hearing or other proceeding or in return for the absence of himself or any other person therefrom;

NOTE: These prohibitions do not apply to witness fees, travel cost reimbursement or court time pay.

§ 17. Municipal employees; gift or receipt of compensation from other than municipality; acting as agent or attorney

- a. No municipal employee shall, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly receive or request compensation from anyone other than the city or town or municipal agency in relation to any particular matter in which the same city or town is a party or has a direct and substantial interest.
- b. No person shall knowingly, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly give, promise or offer such compensation.
- c. No municipal employee shall, otherwise than in the proper discharge of his official duties, act as agent or attorney for anyone other than the city or town or municipal agency in prosecuting any claim against the same city or town, or as agent or attorney for anyone in connection with any particular matter in which the same city or town is a party or has a direct and substantial interest.

Whoever violates any provision of this section shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

A special municipal employee shall be subject to paragraphs (a) and (c) only in relation to a particular matter:

- a. in which he has at any time participated as a municipal employee, or;
- b. which is or within one year has been a subject of his official responsibility, or;

- c. which is pending in the municipal agency in which he is serving. Clause (c) of the preceding sentence shall not apply in the case of a special municipal employee who serves on no more than sixty days during any period of three hundred and sixty-five consecutive days.

This section shall not prevent a municipal employee from taking uncompensated action, not inconsistent with the faithful performance of his duties, to aid or assist any person who is the subject of disciplinary or other personnel administration proceedings with respect to those proceedings.

This section shall not prevent a municipal employee, including a special employee, from acting, with or without compensation, as agent or attorney for or otherwise aiding or assisting members of his immediate family or any person for whom he is serving as guardian, executor, administrator, trustee or other personal fiduciary except in those matters in which he has participated or which are the subject of his official responsibility; provided, that the official responsible for appointment to his position approves.

This section shall not prevent a present or former special municipal employee from aiding or assisting another person for compensation in the performance of work under a contract with or for the benefit of the city or town; provided, that the head of the special municipal employee's department or agency has certified in writing that the interest of the city or town requires such aid or assistance and the certification has been filed with the clerk of the city or town. The certification shall be open to public inspection.

This section shall not prevent a municipal employee from giving testimony under oath or making statements required to be made under penalty for perjury or contempt.

This section shall not prevent a municipal employee from applying on behalf of anyone for a building, electrical, wiring, plumbing, gas fitting or septic system permit, nor from receiving compensation in relation to any such permit, unless such employee is employed by or provides services to the permit-granting agency or an agency that regulates the activities of the permit-granting agency.

§ 19. Municipal employees, relatives or associates; financial interest in particular matter

- a. Except as permitted by paragraph (b), a municipal employee who participates as such an employee in a particular matter in which to his knowledge he, his immediate family or partner, a business organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.
- b. It shall not be a violation of this section (1) if the municipal employee first advises the official responsible for appointment to his position of the nature and circumstances of the particular matter and makes full disclosure of such financial interest, and receives in advance a written determination made by that official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee, or (2) if, in the case of an elected municipal official making demand bank deposits of municipal funds,

said official first files, with the clerk of the city or town, a statement making full disclosure of such financial interest, or (3) if the particular matter involves a determination of general policy and the interest of the municipal employee or members of his immediate family is shared with a substantial segment of the population of the municipality.

§ 20. Municipal employees; financial interest in contracts; holding one or more elected positions

- a. A municipal employee who has a financial interest, directly or indirectly, in a contract made by a municipal agency of the same city or town, in which the city or town is an interested party of which financial interest he has knowledge or has reason to know, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

This section shall not apply if such financial interest consists of the ownership of less than one per cent of the stock of a corporation. This section shall not apply (a) to a municipal employee who in good faith and within thirty days after he learns of an actual or prospective violation of this section makes full disclosure of his financial interest to the contracting agency and terminates or disposes of the interest, or

- b. to a municipal employee who is not employed by the contracting agency or an agency which regulates the activities of the contracting agency and who does not participate in or have official responsibility for any of the activities of the contracting agency, if the contract is made after public notice or where applicable, through competitive bidding, and if the municipal employee files with the clerk of the city or town a statement making full disclosure of his interest and the interest of his immediate family, and if in the case of a contract for personal services
 1. the services will be provided outside the normal working hours of the municipal employee,
 2. the services are not required as part of the municipal employee's regular duties, the employee is compensated for not more than five hundred hours during a calendar year,
 3. the head of the contracting agency makes and files with the clerk of the city or town a written certification that no employee of that agency is available to perform those services as part of their regular duties, and
 4. the city council, board of selectmen or board of aldermen approve the exemption of his interest from this section, or;
- c. to a special municipal employee who does not participate in or have official responsibility for any of the activities of the contracting agency and who files with the clerk of the city or town a statement making full disclosure of his interest and the interests of his immediate family in the contract, or;
- d. to a special municipal employee who files with the clerk of the city, town or district a statement making full disclosure of his interest and the interests of his immediate family in the contract, if the city council or board of aldermen, if there is no city council, board of selectmen or the district prudential committee, approve the exemption of his interest from this section, or;

- e. to a municipal employee who receives benefits from programs funded by the United States or any other source in connection with the rental, improvement, or rehabilitation of his residence to the extent permitted by the funding agency, or;
- f. to a municipal employee if the contract is for personal services in a part time, call or volunteer capacity with the police, fire, rescue or ambulance department of a fire district, town or any city with a population of less than thirty-five thousand inhabitants; provided, however, that the head of the contracting agency makes and files with the clerk of the city, district or town a written certification that no employee of said agency is available to perform such services as part of his regular duties, and the city council, board of selectmen, board of aldermen or district prudential committee approve the exemption of his interest from this section or;
- g. to a municipal employee who has applied in the usual course and is otherwise eligible for a housing subsidy program administered by a local housing authority, unless the employee is employed by the local housing authority in a capacity in which he has responsibility for the administration of such subsidy programs or;
- h. to a municipal employee who is the owner of residential rental property and rents such property to a tenant receiving a rental subsidy administered by a local housing authority, unless such employee is employed by such local housing authority in a capacity in which he has responsibility for the administration of such subsidy programs.

This section shall not prohibit an employee or an official of a town from holding the position of selectman in such town nor in any way prohibit such employee from performing the duties of or receiving the compensation provided for such office; provided, however, that such selectman shall not, except as hereinafter provided, receive compensation for more than one office or position held in a town, but shall have the right to choose which compensation he shall receive; provided, further, that no such selectman may vote or act on any matter which is within the purview of the agency by which he is employed or over which he has official responsibility; and, provided further, that no such selectman shall be eligible for appointment to any such additional position while he is still a member of the board of selectmen or for six months thereafter. Any violation of the provisions of this paragraph which has substantially influenced the action taken by any municipal agency in any matter shall be grounds for avoiding, rescinding or canceling the action on such terms as the interest of the municipality and innocent third parties may require.

This section shall not prohibit any elected official in a town, whether compensated or uncompensated for such elected position, from holding one or more additional elected positions, in such town, whether such additional elected positions are compensated or uncompensated.

§22. Opinions of corporation counsel, city solicitor or town counsel

Any Municipal employee shall be entitled to the opinion of the corporation counsel, city solicitor or town counsel upon any question arising under this chapter relating to the duties, responsibilities and interests of such employee. All requests for such opinions by a subordinate municipal employee shall be made in confidence directly to the chief officer of the municipal agency in which he is employed, who shall in turn request in confidence such opinion of the corporation counsel, city solicitor or town counsel on behalf of such subordinate municipal employee, and all constitutional officers and chief officers or heads of municipal agencies may make direct confidential requests for such opinions on their own account. The town council or city solicitor shall file such opinion in writing with the city or town clerk and such opinion shall be a matter of public record; however, no opinion will be rendered by the town council or city solicitor except upon the submission of detailed existing facts which raise a question of actual or prospective violation of any provision of this chapter.

§ 23. Supplemental provisions; standards of conduct

1. In addition to the other provisions of this chapter, and in supplement thereto, standards of conduct, as hereinafter set forth, are hereby established for all state, county, and municipal employees.
2. No current officer or employee of a state, county or municipal agency shall knowingly, or with reason to know:
 - a. accept other employment involving compensation of substantial value, the responsibilities of which are inherently incompatible with the responsibilities of his public office;
 - b. use or attempt to use his official position to secure for himself or others unwarranted privileges or exemptions which are of substantial value and which are not properly available to similarly situated individuals;
 - c. act in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy his favor in the performance of his official duties, or that he is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person. It shall be unreasonable to so conclude if such officer or employee has disclosed in writing to his appointing authority or, if no appointing authority exists, discloses in a manner which is public in nature, the facts which would otherwise lead to such a conclusion.
3. No current or former officer or employee of a state, county or municipal agency shall knowingly, or with reason to know:
 - a. accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority;
 - b. improperly disclose materials or data within the exemptions to the definition of public records as defined by section seven of chapter four, and were acquired by him in the course of his official duties nor use such information to further his personal interest.

4. Any activity specifically exempted from any of the prohibitions in any other section of this chapter shall also be exempt from the provisions of this section. The state ethics commission, established by Ch. 268 B, shall not enforce the provisions of this section with respect to any such exempted activity.
 - a. Where a current employee is found to have violated the provisions of this section, appropriate administrative action as is warranted may also be taken by the appropriate constitutional officer, by the head of a state, county or municipal agency. Nothing in this section shall preclude any such constitutional officer or head of such agency from establishing and enforcing additional standards of conduct.
 - b. Upon qualification for office following an appointment or election to a municipal agency, such appointed or elected person shall be furnished by the city or town clerk with a copy of this section. Each such person shall sign a written acknowledgement that he has been provided with such copy.

§23(a) "Whoever, directly or indirectly, asks, demands, exacts, solicits, seeks, accepts, receives or agrees to receive anything of substantial value for himself for or because of the testimony under oath or affirmation given or to be given by him or any other person as a witness upon any such trial, hearing or other proceeding, or for or because of his absence therefrom;

§ 23 (b) "No current officer or employee of a state, county or municipal agency shall knowingly, or with reason to know:

1. accept other employment involving compensation of substantial value, the responsibilities of which are inherently incompatible with the responsibilities of his public office;
2. use or attempt to use his official position to secure for himself or others unwarranted privileges or exemptions which are of substantial value and which are not properly available to similarly situated individuals;
3. act in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy his favor in the performance of his official duties, or that he is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person. It shall be unreasonable to so conclude if such officer or employee has disclosed in writing to his appointing authority or, if no appointing authority exists, discloses in a manner which is public in nature, the facts which would otherwise lead to such a conclusion."

NOTE: Officers must comply with any changes in the Conflict of Interest law, regardless of whether such amendments are reflected in this manual. In case of doubt concerning G.L. c. 258A, the Town Counsel/City Solicitor will prepare a legal opinion at request, through the Chief of Police. Said opinion shall be sought prior to engaging in situations which may, in fact, create a conflict of interest. Officers should seek clarification through the chain of command for situations that might violate any rules, especially those under the heading of conflict of interest.

RULE 4.04 - VIOLATING CONFLICT OF INTEREST LAW

Officers shall not violate any provision of General Law c. 268A.

RULE 4.05 - MEMBERSHIP IN ORGANIZATIONS

Officers shall not affiliate with or become a member of any organization if such affiliation or membership would substantially interfere with or prevent them from performing their duty.

RULE 4.06 – ASSOCIATION WITH KNOWN CRIMINALS

Officers shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the department for involvement in criminal behavior, except as necessary in the performance of official duties with the knowledge and approval of the Chief of Police or where unavoidable in social settings because of an officer's family relationships.

RULE 4.07 - UNDUE INFLUENCE

Officers shall not seek or obtain the influence or intervention of any person, outside or from within the department, but not including a lawfully retained attorney, for the purposes of advancement, preferential assignment, transfer, pecuniary advantage or any other type of preferred treatment or advantage, including the disposition of pending charges or findings in a criminal or disciplinary hearing.

RULE 4.08 – VISITING PROHIBITED ESTABLISHMENTS

Officers shall not knowingly visit or enter a place where gambling, prostitution, drug use or sales, after hour liquor sales, or other locations where laws are violated except in the performance of their official duty or while specifically authorized to do so by a superior officer. The prohibition shall apply to preserve at social gatherings where the officer knows or has reason to know that drug use or sales are taking place.

RULE 4.09 – IMPROPER BUYING, RECEIVING OR SELLING

Officers shall not buy, receive, or sell anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to the attention of or which arose out of department employment, except as may be specifically authorized by the Chief of Police.

NOTE: The chief ordinarily will not prohibit an officer from shopping or purchasing goods or services from a commercial establishment under the same terms and at the same prices as the general public so long as there is no connection between such activities and the establishment's involvement with the officer's employment.

RULE 4.10 - DEPARTMENT CORRESPONDENCE

Officers shall not use department letterhead for private correspondence nor shall they send any written or electronic communication about police business from the department or using department or facilities to any person, firm or other law enforcement or public agency without the consent of the Chief of Police.

Officers shall not enter into official department correspondence with anyone or any agency outside the Department, except with the approval of the Chief of Police. All official department communications by telephone or otherwise, outside of the community without the knowledge and permission of the officer in charge or the permission of the Chief, are prohibited.

RULE 4.11 – IMPROPERLY INFLUENCED TESTIMONY

Officers shall not, directly or indirectly, solicit or accept anything of value for such officer or others in connection with the testimony or absence of the officer or another at any trial or hearing.

RULE 4.12 - MAILING ADDRESS

Officers shall not use the department as a mailing address for private purposes without the permission of the Chief of Police. At no time will the department be used as a mailing address for the purposes of a firearms license or permit, or a motor vehicle license or registration for private purposes.

RULE 4.13 - INTERFERING WITH COURSE OF JUSTICE

Officers shall not interfere with cases being handled by other officers of the department or other law enforcement agencies. When an officer believes that such involvement is absolutely necessary, he or she shall secure permission from a superior officer.

Officers shall not take part in, or be concerned with, either directly or indirectly, any compromise or arrangement with any person whomsoever for the purpose of permitting an accused person to escape the penalty of his or her wrongdoing, or seek to obtain a continuance of any trial or otherwise interfere with the course of justice, except in the normal course of proceedings.

RULE 4.14 – FINANCIAL DISCLOSURE

Officers shall submit financial statements in accordance with department procedures in connection with the investigation of a complaint where this information is relevant. These statements will be maintained by the Chief of Police.

RULE 4.15 - POSSESSING KEYS TO PRIVATE PREMISES

Officers shall not have keys to private buildings or dwellings on their area of patrol without the permission of the Chief of Police.

RULE 4.16 – ABUSE OF POSITION

Officers shall not use the prestige or influence of their official position, or use the time, facilities, equipment or supplies of the department for the private gain or advantage of themselves or another.

RULE 4.17 - POLITICAL ACTIVITIES

Officers shall not participate in political activities while in uniform or on duty. All actions which could even give the impression that officers are using their official positions to influence the electoral process must be avoided. An officer shall not be required to solicit or be obliged to make contributions in money, services, or otherwise, for any political purpose.

Officers may not become a candidate for a partisan elective office. Officers who become candidates for non-partisan salaried elective office shall take a leave of absence without pay. Such leave shall encompass both the campaign and the tenure of office if elected.

Nothing in this rule shall be construed to mean that department personnel are restricted in any way, while off-duty and not in uniform or demonstrating their position as a police officer, from exercising their constitutional rights as citizens in the political or electoral process (including such actions as voting, supporting candidates, and belonging to a political party).

A. Officers shall be permitted to:

1. Register and vote in any election;
2. Express opinions as individuals privately and publicly on political issues and candidates;
3. Attend political conventions, rallies, fundraising functions and similar political gatherings;
4. Actively engage in any nonpartisan political functions;
5. Sign political petitions as individuals;
6. Make financial contributions to political organizations;
7. Serve as election judges or clerks or in a similar position to perform nonpartisan duties as prescribed by state or local laws;
8. Hold membership in a political party and participate in its functions to the extent consistent with the law and consistent with this section;
9. Otherwise participate fully in public affairs, except as provided by law, to the extent that such endeavors do not impair the neutral and efficient performance of official duties, or create real or apparent conflicts of interest.

B. Officers are prohibited from:

1. Using their official capacity to influence, interfere with or affect the results of an election;
2. Assuming active roles in the management, organization, or financial activities of partisan political clubs, campaigns, or parties;
3. Serving as officers of partisan political parties or clubs;
4. Becoming candidates for or campaigning for a partisan elective public office;
5. Soliciting votes in support of, or in opposition to, any partisan candidates;
6. Serving as delegates to a political party convention;
7. Endorsing or opposing a partisan candidate for public office in a political advertisement, broadcast, or campaign literature;
8. Initiating or circulating a partisan nominating petition;
9. Organizing, selling tickets to, or actively participating in a fundraising function for a partisan political party or candidate;
10. Addressing political gatherings in support of, or in opposition to a partisan candidate;
11. Otherwise engaging in prohibited partisan activities on the federal, state, county or municipal level.

RULE 4.18 - GIFTS AND GRATUITIES

Officers shall not under any circumstances seek, solicit or accept any gift, gratuity, loan, reward or fee (including not only money but also any tangible or intangible personal property, including such things as food, beverage, promise, service or entertainment) for the benefit of the officer, a family member or acquaintance, or the department, where there is any direct or indirect connection between the solicitation or acceptance and their departmental membership or employment, except as may be specifically authorized by the Chief of Police.

Officers must be especially guarded in their official relationship with persons holding or seeking to hold licenses issued by local licensing authorities or anyone else who might expect or seek preferential police treatment. This would include attempts to influence actions of an official nature or the performance or non-performance of one's official duty. All department personnel must make payment for their meals and beverages.

Any unauthorized gift, gratuity, fee, reward or attempted bribe offered to or coming into the possession of any officer shall be forwarded immediately (or reported in the case of an attempt) to the Chief, together with a written report of the circumstances involved.

RULE 4.19 - TESTIMONIALS AND PRESENTS

Officers shall not collect or receive any money or other thing of value from any source for the purpose of making a present to any active officer or employee of the department or any other police agency.

RULE 4.20 - UNAUTHORIZED TRANSACTIONS

Officers shall not enter into any transactions of material value at substantially lower than fair market value, or the value at which such goods or services are being offered to the general public, when such transaction takes place between themselves and any person or entity residing or doing business in the department's jurisdiction, or any person involved in any matter or case which arose out of their employment with the department, or who has an interest which may be affected directly or indirectly except as may be specifically authorized by the Chief of Police.

RULE 4.21 - USE OF OFFICIAL POSITION

Officers shall not use their official position, department identification cards or badges: (a) for personal or financial gain; (b) for obtaining privileges not otherwise available to them except in the performance of duty, or (c) for avoiding consequences of illegal acts.

Officers shall not lend to another person any part of their uniform or equipment, nor their identification cards or badges or permit them to be photographed or reproduced, without the approval of the Chief of Police.

Officers shall not authorize the use of their names, photographs, or official titles which identify them as police officers in connection with testimonials nor for advertisements for any person, commodity or commercial enterprise, without the approval of the Chief of Police.

RULE 4.22 – ENDORSING PRIVATE SERVICES

Officers shall not (except in transacting personal business) endorse, recommend or suggest in any way the use or procurement of any particular product or commercial or professional service. These include, but are not limited to, a towing business, motor vehicle repairs or body shop, ambulance service, attorney, bondsperson, funeral service, medical or chiropractic service.

Officers shall follow departmental procedures for contacting a towing or ambulance service.