

WINTER HAVEN POLICE DEPARTMENT

GENERAL ORDER 1.2

PROFESSIONAL CONDUCT AND RESPONSIBILITIES

ACCREDITATION: CALEA – 22.2.7, 26.1.1, 26.1.3; CFA 7.07

EFFECTIVE DATE: June 8, 1995

RESCINDS: G.O. 1.2, December 9, 2014 and all applicable Amended/Temporary Orders prior to February 5, 2018

LAST REVISED DATE: February 5, 2018

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POLICY

It shall be the policy of the Winter Haven Police Department that all members will abide by guidelines for professional conduct, and responsibilities.

PURPOSE

The purpose of this General Order is to ensure that department members are aware of the actions and attitudes expected of them and to provide the public with a general standard by which they can measure the performance of the department. (CALEA 26.1.1)

SCOPE

This General Order shall apply to all Department members.

DISCUSSION

The Law Enforcement Code of Ethics mandates that department members adhere to certain principles and standards of conduct.

PROCEDURE

I. Standards of Conduct (CALEA 26.1.1)

- A. Since the conduct of a member, on or off duty, may reflect directly upon the department, members are expected to conduct themselves in a manner which does not bring discredit to themselves, the department, or to the City of Winter Haven.
- B. No member shall either explicitly, directly or indirectly, ridicule, mock, taunt, scorn or belittle any person.
- C. Members shall not publicly criticize the department, its policies or members, either verbally, in writing or in any other manner where such expression impairs the operation of the department by interfering with its efficiency or with the ability of supervisors to maintain discipline.
- D. Although rules of conduct cannot be established to cover all incidents or circumstances that may arise in the usual discharge of department duties or in the personal activities of members, the following examples are representative of conditions governing expectations:
 - 1. **Knowledge of Laws and Regulations:** Every member is required to establish and maintain a working knowledge of applicable laws, ordinances, department and city rules, policies and orders. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, rule or policy in question.
 - 2. **Obedience to Laws and Regulations:** Members shall obey all federal and state laws, municipal ordinances, department general orders and City of Winter Haven Personnel Policies and Procedures.
 - 3. **Crime and Criminal Activity:** Members who observe or obtain any information concerning criminal activity, while on or off duty, shall immediately report the activity in accordance with general orders and procedures.
 - a. Members shall avoid personal involvement in neighborhood controversies or family disputes. Officers shall not attempt to exercise authority or make an arrest in their own quarrels, except under circumstances that would justify using self-defense, to prevent injury to another, or when a serious criminal offense has been committed. In all instances, members shall immediately contact a superior officer who shall cause the matter to be investigated by an impartial law enforcement officer.
 - b. Members shall not associate with known criminals except in the performance of their job duties.
- E. Any act or omission contrary to department general order, city policy, good order, morale or discipline, may be subject to disciplinary action.
- F. **Fraternization:** No member shall be permitted to maintain a personal intimate relationship or dating relationship, whether sexual or nonsexual, with a subordinate or a supervisor within the member's chain of command.

II. Integrity (CALEA 26.1.1)

- A.** Members shall be truthful at all times.
- B.** Members shall not knowingly make false statements or provide false or fictitious information during official proceedings, department investigations or inquiries.

III. Reporting for Duty

- A.** Members shall report to their assigned work area at the scheduled time.
 - 1.** Members shall not report to work in an unfit mental or physical condition.
 - 2.** Members unable to report for duty due to illness shall notify their supervisor by phone at least one hour prior to their scheduled reporting time. If their supervisor is unavailable, members shall notify an on-duty supervisor.
 - 3.** Members shall not make false claims of injuries or sickness.

IV. Duty Responsibilities (CALEA 26.1.1)

- A.** Members shall obey the lawful orders of superior officers and will provide police assistance to citizens.
 - 1.** Members assigned to special duties shall perform appropriate police action when necessary.
 - 2.** Members shall perform their duties as required or directed by law, general order, policy or by a superior officer.
 - 3.** Members shall not abuse their power or authority vested in them through their position with the police department.
- B.** Members shall take appropriate action to aid fellow peace officers in need of assistance.
- C.** When members are assigned to any area, sector, post, stakeout or location it shall be the member's responsibility to remain within that assigned area unless granted permission to leave that area by competent authority. If time is of the essence and competent authority to leave an assigned area is not secured, the member shall be responsible for justifying their action.
 - 1.** Members unclear of their assignment shall request clarification from their supervisors.
 - 2.** Members shall produce department credentials, which contains the member's photograph, on request when a citizen or member of another law enforcement agency requests identification. (CALEA 22.2.7a, b)
 - a.** Members answering a department phone (i.e. landline or cell), shall identify themselves by name. (CALEA 22.2.7c)
 - b.** Members working in an undercover capacity are exempt from identifying themselves as a department member during undercover operations.

3. Members shall not use tobacco products (e.g. cigarettes, cigars, pipes, chew, dip, snuff etc.) or simulated tobacco products (e.g. E-Cigarettes) while in City buildings, facilities, vehicles or in public view.
4. Members shall not use tobacco or simulated tobacco products except during scheduled breaks.

V. Use of Alcohol, Drugs and Intoxicates (CALEA 26.1.1)

- A. Members shall not report for duty while under the influence of alcohol, nor shall they report for duty with the odor of an alcoholic beverage on their persons.
 1. When there is reasonable suspicion that a member is under the influence of alcohol, drugs or intoxicants the procedures as outlined in the City of Winter Haven Personnel Policy and Procedures Manual shall be adhered to.
- B. Members shall not consume or possess alcoholic beverages while on duty or in uniform except as authorized in the performance of official duties.
- C. Members shall not consume any alcoholic beverages eight hours prior to reporting for duty.
- D. Members are prohibited from using or possessing illegal or illicit drugs except as authorized in the performance of official duties.
- E. Members shall obtain written authorization from their doctor before reporting for duty while taking lawfully prescribed medications likely to impair normal physical and/or mental faculties.

VI. Gratuities (CALEA 26.1.1)

- A. Members shall not solicit or accept, either for themselves or others, gifts, gratuities or compensation for services performed in the line of duty, other than that which is paid to them by the agency.
- B. Members shall not accept food, beverages, merchandise or services from any business free-of-charge or at a discounted rate unless such food, beverage, merchandise or service is also offered to the general public free-of-charge or at such discounted rate.
- C. Members shall not recommend any professional or commercial service. (e.g. towing service, bail bondsman, attorneys etc.)
- D. Members are not authorized to use their names, official titles or photographs which identify them as department members, in connection with testimonials or advertisements of any commodity or business, without authorization from the Chief of Police.
- E. If any unauthorized gift, gratuity or any item of value comes into the possession of any member, such member shall immediately submit a written report to the Chief of Police documenting the circumstances.

VII. Harassment in the Workplace (CALEA 26.1.3)

- A.** The department does not condone and shall not tolerate any forms of workplace or sexual harassment. The department shall take direct and immediate action to prevent and to remedy all reported instances of harassment. (CFA 7.07)
 - 1.** All reports of workplace harassment or sexual harassment shall be investigated in accordance with department general orders and City of Winter Haven Personnel Policy and Procedures. (CFA 7.07)

VIII. Court

- A.** Members appearing in court or related hearings are to be punctual and will appear in uniform or in proper civilian attire.
 - 1.** Members appearing in court or related hearings will conduct themselves in a professional manner.
 - 2.** Members shall properly prepare for court appearances.
 - 3.** Members shall notify their supervisor prior to testifying for the defense or against the City of Winter Haven or the Winter Haven Police Department in any trial or hearing, civil or criminal proceeding.

IX. Residency

- A.** Members shall maintain a residence within 1 hour of driving time to the Police Department.
 - 1.** Members must maintain a working telephone.
 - 2.** Members shall notify the department of their current address, telephone number and emergency contact. Changes shall be reported to the Chief of Police on the first working day after the change is effective. The office of the Chief of Police will provide an updated member information list to the appropriate personnel.
 - 3.** Members shall not provide other members personal telephone numbers, addresses or other personal information without proper authorization.

X. Equipment and Vehicles (CALEA 26.1.1)

- A.** Members are responsible for care and maintenance of all city issued property, equipment and vehicle.
- B.** Members shall report the loss or damage of assigned/issued equipment/property to their supervisor immediately.
- C.** Members determined to have been negligent or careless in the loss or damage of City property or equipment may be subject to disciplinary action and/or restitution.

XI. Definitions

- A. *Credentials – Civilian* - City issued photo identification card; identifies the member by name, photograph and hire date. **Sworn Members:** City issued photo identification card; identifies sworn members by name, rank and photograph.
- B. *Sexual Harassment* – Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
- C. *Workplace Harassment* – Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward any individual because of their race, color, religion, sex, national origin, age, disability or any other protected status. Conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating hostile or offensive working environment.

APPROVED



Charles E Bird
CHIEF OF POLICE