

Columbus Police Division Directive	EFFECTIVE Aug. 01, 1987	NUMBER 1-01
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<b>Rules of Conduct</b>		



## 1.01 Obedience to Laws and Ordinances

Division personnel shall obey the Constitutions of the United States and the State of Ohio and all federal, state, and local laws.

## 1.02 Knowledge of Directives, Laws, and Ordinances

Division personnel shall be thoroughly familiar with Division and City of Columbus Central Work rules, policies, directives, and orders and city, state, and federal laws that pertain to their employment.

## 1.03 Violation of Rules or Division Directives

- A. Division personnel shall not commit or omit acts in violation of the explicit or implicit purpose of the Rules of Conduct, policies, directives, or orders of the Division. It is not necessary that every specific act which would constitute a violation be expressly prohibited in written form.
- B. The Rules of Conduct are the most authoritative directives issued and shall be the basis for formal disciplinary action.

## 1.04 Cause for Dismissal

Division personnel hold their positions during good behavior and efficient service, but may be suspended or dismissed for incompetence, gross neglect of duty, gross immorality, habitual intoxication, failure to obey orders given by proper authority, misfeasance, malfeasance, nonfeasance, or for any other just and reasonable cause.

## 1.05 Residence Change and Notification Requirement

- A. Division personnel shall:
  1. Record their residence address, telephone number, and/or emergency telephone number with the Personnel Unit.
  2. Notify the Personnel Unit in writing of any change of address or telephone number within 48 hours of such change.

## 1.06 Conflicting or Illegal Orders

- A. Division personnel who are given an otherwise proper order which conflicts with a previous order, rule, regulation, or directive shall respectfully inform the supervisor issuing the second order of the conflict. The supervisor issuing the second order shall decide which order is to stand. Under these circumstances, responsibility for the conflict rests with the supervisor who

issues the second order. Personnel will not be held responsible for disobedience of an order, rule, regulation, or directive which they are ordered to disregard. If necessary, the supervisor issuing the second order shall write a letter to the Chief of Police explaining the reason for the conflicting order.

- B. Division personnel shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, personnel shall request the issuing party to clarify the order or to confer with a higher authority.

### 1.07 Insubordination

Division personnel shall obey any lawful order of a supervisor or any order relayed from a supervisor by an employee of the same or lesser rank. Insubordination includes, but is not limited to, any language or action directed toward a supervisor which is disrespectful, mutinous, insolent, or abusive.

### 1.08 Requirement to Take Action

- A. Sworn personnel, regardless of duty status, shall take prompt, effective action regarding anything which comes to their attention requiring a police response within the City of Columbus.

- 1. Sworn personnel are not relieved of the responsibility for taking proper action when they are detailed to special duties.
- 2. Sworn personnel assigned to undercover operations are exempted when taking action would seriously impair the success of the undercover assignment.
- 3. Sworn personnel shall not enforce violations of traffic laws while in **an** off-duty status unless in uniform and in a marked vehicle.
- 4. Sworn personnel should not enforce violations of non-violent misdemeanors while in **an** off-duty status.
- 5. No exceptions apply in life-threatening situations.

- B. Personnel shall render medical aid to individuals injured, unconscious, or in medical distress as soon as it is reasonable and safe to do so. This includes the following:**

- 1. Summon Emergency Medical Services (EMS) and ensure that the dispatcher acknowledges the request. When possible, advise the dispatcher of the type of injury and location of the injured individual.**
- 2. While maintaining scene security, ensure that an ingress/egress route is available for EMS personnel.**
- 3. Administer first aid consistent with training and available equipment, for example, applying a tourniquet, placing pressure on**

***a wound, administering naloxone, performing Cardiopulmonary Resuscitation (CPR), or utilizing an automated external defibrillator (AED). Personnel may cease rendering aid upon arrival of EMS personnel or other medical response.***

**4. *If the injured individual is conscious, advise them that EMS has been requested and is en route.***

**C.** Division personnel who either engage in or become aware of another Division employee's involvement in conduct that violates local, state, or federal law or violates a Division Rule of Conduct shall take immediate, appropriate action to stop said conduct (for example, advising the employee to stop the misconduct, directly intervening to stop excessive force, or arresting the employee) and shall immediately report critical misconduct to a Division supervisor.

**D.** Division personnel who become aware of another Division employee's involvement in misconduct of a criminal nature may also report the alleged misconduct to any law enforcement agency with proper jurisdiction, any regulatory body with proper oversight, or the Assistant Director – EEO Compliance for the Department of Public Safety.

**E.** Any report of criminal activity by a Division employee, which is made either to a Division supervisor or to the Assistant Director – EEO Compliance for the Department of Public Safety, shall be treated as a report made pursuant to Ohio Revised Code 4113.52 (Ohio's Whistleblower Protection Act) and shall receive the protections outlined therein.

## **1.09 Aid to Fellow Officers**

Sworn personnel, except when actually incapacitated, shall aid, assist, and protect fellow officers in time of danger or under circumstances where danger might reasonably be impending.

## **1.10 Interference with Written/Electronic Communications**

**A.** Division personnel shall not request others to alter or withdraw reports, letters, requests, or other written/electronic communications without justification for doing so.

**B.** Division personnel shall forward all communications without unnecessary delay.

**C.** Division personnel shall forward all confidential mail unopened. If accidentally opened, personnel doing so shall initial it before forwarding.

**D.** Division personnel shall not add, modify, or delete information from any Division report, written or electronic, in which they or a family member are the victim, witness, or suspect.

### **1.11 Care of Division Property**

- A. Division personnel are responsible for the proper care and use of Division property and equipment assigned to or used by them.
- B. Division personnel shall not loan individually issued keys, electronic key cards, or identification cards to other persons.

### **1.12 Rescinded**

### **1.13 Rescinded**

### **1.14 Reporting for Duty**

- A. Division personnel shall report for and remain on duty at the time and place required by their assignment or as ordered. Division employees shall ensure that the electronic timekeeping system accurately reflects time worked.
- B. Division personnel shall be physically and mentally fit to perform their duties.
- C. Division personnel shall be properly equipped and able to immediately assume their duties.

### **1.15 General Requirements**

- A. Division personnel shall:
  - 1. Be civil, orderly, and courteous in their conduct and demeanor.
  - 2. Address and/or refer to Division supervisors by rank or “Sir/Ma’am.”
  - 3. Maintain a strictly impartial attitude toward citizens, complainants, and violators.
  - 4. Coordinate their efforts in order to attain the goals of the Division of Police.
  - 5. Be truthful at all times.
  - 6. Carry out such orders and directives as may be given them by Division supervisors.
  - 7. Adhere to the Division of Police Code of Ethics.
  - 8. Adhere to the City of Columbus Central Work Rules.

Note: This is not applicable to sworn Division of Police personnel when a violation of a particular City work rule is required in order to accomplish their lawful duties in accordance with Division rules, policies, or procedures.

### **1.16 Requirement to Carry Badge, ID, and Firearm**

- A. Sworn personnel shall wear or carry their police badge, identification card, and authorized firearm at all times, except as exempted by other directives, by law, or as approved by a Division supervisor for officer safety or the performance of an undercover assignment.

- B. Sworn personnel on duty in plain clothes **or the business casual uniform may openly carry their firearm as long as their badge is clearly visible.**
- C. **Sworn personnel off duty, not in uniform, and carrying their police badge, identification card, and authorized firearm shall do so in a concealed manner.**

### **1.17 Wearing of Identification Card**

- A. Division personnel shall wear the issued identification card in the chest area of the outermost garment with the photo side visible at all times when in a police facility, at a crime scene, or in any other area secured by police. This section does not apply to sworn personnel while in uniform.
- B. Division personnel shall challenge, or cause to be challenged, individuals who are not wearing issued identification cards while in police facilities, at crime scenes, or in any other area secured by police.

### **1.18 Arrest, Search, and Seizure**

Sworn personnel shall make arrests, searches, and seizures only in accordance with law and Division policy and procedures.

### **1.19 Use of Force**

Sworn personnel shall use force only in accordance with law and Division policy and procedures. Civilian personnel have the right to defend themselves in accordance with the law.

### **1.20 Use of Firearm**

Division personnel shall carry and use firearms only in accordance with law, and when in the line of duty, in accordance with Division policy and procedure.

### **1.21 Display of Firearms**

Sworn personnel shall not draw or display their firearms in public except for official inspection or use.

### **1.22 Public Statements and Appearances**

- A. While acting as a Division employee or otherwise representing the Division of Police, Division personnel shall not publicly criticize or ridicule the Division, its policies, or other personnel by speech, writing, or other expression unless otherwise permitted by law.
- B. Division personnel addressing the public or the broadcast media, preparing any **written work** for publication, or acting as correspondents with a newspaper or periodical shall not divulge investigative information, information contained in Division records, or any other Division matter in violation of law or Division policy.

### **1.23 Gratuities**

Division personnel shall not solicit or accept from any person, business, or organization any tangible or intangible property, promise, or service, or in any way use their official position, if it may be reasonably inferred that private interests conflict with police duties and responsibilities.

### **1.24 Endorsing Products/Use of Division Badge, Patch, Logo, or Equipment**

- A. Division personnel, without the prior written approval of the Chief of Police, shall not use or allow the use of their rank designation, name, photographs, or employment position with the Division as an endorsement of products or services, whether their own or another's, when the endorsement alludes to their affiliation with the Division of Police.
- B. Division personnel shall not use nor permit the use of any reproduction of any Division badge, patch, other official logo, and/or any equipment for commercial purposes, either profit or nonprofit, without the prior written approval of the Chief of Police.

### **1.25 Personal Correspondence**

- A. Division personnel shall not use the Division of Police as their personal mailing address, except to be displayed on their operator's license and/or vehicle registration as permitted by State law.
- B. Division personnel shall not use official letterhead for private correspondence.

### **1.26 Visiting Prohibited Establishments**

Division personnel shall not knowingly visit or enter a house of prostitution, gambling house, or other establishment wherein the laws of the United States, the state, or the local jurisdiction are regularly violated, except in the line of duty.

### **1.27 Interference in Private Business**

Division personnel shall not interfere in the private business or affairs of another other than in the course of official police business.

### **1.28 Neglect or Inattention to Duty**

Division personnel shall not engage in activity or personal business which may cause them to neglect or be inattentive to duty.

### **1.29 Associations**

- A. Division personnel, except in the line of duty or when unavoidable, shall avoid associations or dealings with persons or organizations who they know, or should know, are under criminal investigation or indictment or who are known to have involvement in criminal or subversive activity.

- B. Division personnel are prohibited from donating to, being a member of, or participating in activities (including attending meetings or rallies or participating in social media groups) organized by or executed on behalf of any group that they know, or should know, is a hate group. This section does not apply to Division personnel when affiliation is necessary for conducting official duties.

### **1.30 Withholding Information**

- A. Division personnel shall communicate to their immediate supervisor and/or any appropriate unit within the Division information or tips on crimes, suspects, criminal activity, or other important police matters of which they may be aware.
- B. Division personnel involved in or becoming aware of any misconduct of a serious nature by another Division employee shall promptly report the misconduct to a Division supervisor.

### **1.31 Divulging Police Information**

Division personnel shall not divulge police information or information contained in police records to anyone except as provided by law and Division policy.

### **1.32 Identifying Informants**

Division personnel shall not divulge the identity of persons giving confidential information to the Division except as directed by a deputy chief or the Chief of Police.

### **1.33 Recommending Professionals or Businesses**

Division personnel shall not recommend a person or business to any non-Division person with whom they have contact while on duty.

### **1.34 Political Activity**

- A. Division personnel are permitted to participate in the electoral process to the extent it is consistent with federal, state, and local law and the following:
  - 1. Division personnel shall be off duty, out of uniform, and not represent that they speak for the City of Columbus and/or the Division of Police while engaging in any political activity. Division personnel shall not wear or display any item or uniform part that identifies them as a member of the Division of Police.
  - 2. Division personnel shall not use their official capacity to otherwise interfere with or affect the result of any election.
  - 3. Division personnel may freely express their political opinions but shall not campaign for a partisan political candidate or otherwise take part in partisan politics.

4. Division personnel may attend political gatherings but shall not assume any active role in the management, organization, or fiscal matters of the political gathering.
5. Division personnel may sign political petitions and circulate non-partisan political petitions but shall not circulate or file partisan political petitions.
6. Division personnel are prohibited from being a candidate for any elective office within the City of Columbus and partisan elections outside the City of Columbus. Division personnel are permitted to be a candidate for and hold a position as a member of a local board of education, village council outside the City of Columbus, or a board of trustees as long as they:
  - a. Do not solicit, directly or indirectly, campaign funding for their campaign for elective office.
  - b. Do not seek or use the endorsement of a political party.
  - c. Do not participate in matters under consideration by the local school board, village council, or board of township trustees whenever a conflict of interest appears.
  - d. Do not perform work for the local school board, village council, or board of township trustees during assigned working hours for the Division of Police.
7. Division personnel shall not bring any political material or activity into the work environment.
8. Division personnel shall not intentionally associate themselves with the Columbus Division of Police while engaged in any activity involving the electoral process.
9. Division personnel shall not solicit or receive any assessment, subscription, or contribution for any political party or any candidate for public office.

### 1.35 Requirement to Attend Trials or Hearings

Division personnel who have been subpoenaed or otherwise notified by competent authority to appear in court or at a hearing are required to comply with the notification. This requirement is excepted when personnel are notified by **the** Court Liaison Section that their attendance is not necessary, or when there is a legitimate conflict and prior permission to be absent is obtained from **the** Court Liaison Section or the prosecutor's office.

### 1.36 Unbecoming Conduct

Division personnel shall conduct themselves at all times, both on and off duty, in such a manner as to reflect favorably on the Division. Unbecoming conduct is behavior that implicitly or explicitly dishonors the Division and/or its members, reflects discredit upon the individual as a member of the Division, or impairs the operation or efficiency of the Division or the individual. This includes, but is not limited to, derogatory, discriminatory, or harassing comments, gestures, or insinuations.



### **1.37 Use of Tobacco**

A. Division personnel shall not:

1. Smoke, use, or permit the use of smokeless tobacco products, electronic cigarettes, or alternative nicotine products while in any Division facility or City-owned or leased vehicle; while in formation; while participating in a ceremony; or while engaged in official duties with the public.

Note: This does not apply to other nicotine cessation products such as patches, gum, or lozenges.

2. Take cigarette or tobacco breaks.

### **1.38 Display of Material in Police Facilities**

A. Only authorized material shall be posted within or upon Division of Police property.

B. Division personnel shall not post any type of personal notice or any cartoons, drawings, papers, or other material that may be offensive or contain derogatory language. This includes any material that contains sexual, ethnic, or racial slurs or is demeaning to other protected class members (for example, age, religion, disability, or sexual orientation). Division personnel shall remove any material they become aware of that violates this policy.

C. Division personnel shall not deface, damage, destroy, or tamper with material which is authorized.

### **1.39 Dependent Health Care Coverage**

Division personnel shall notify the Employee Benefits Unit as soon as practical when their dependents become ineligible for health care coverage for any reason.

### **1.40 Sick/Injury Reporting**

Division personnel shall not feign illness or injury, falsely report illness or injury, or otherwise deceive or attempt to deceive the Division as to a health condition.

### **1.41 Rescinded**

### **1.42 Alcohol/Drugs**

A. Division personnel shall not be under the influence of intoxicants or illicit/illegal drugs while on duty or while in any part of their uniform.

B. Division personnel shall not purchase or consume alcoholic beverages or have the odor of an alcoholic beverage on their breath while on duty or in any part of their uniform, except as required in the line of duty and with prior approval of their bureau commander.

C. Division personnel shall not consume, possess, or purchase illicit/illegal drugs except as required in the line of duty.

- D. Division personnel shall not consume alcohol to the extent it renders them unfit to report for their next regularly scheduled tour of duty.
- E. Division personnel shall not possess intoxicants or illicit/illegal drugs in police buildings or vehicles, on police property, or on property leased to the City of Columbus for police use, except as required in the line of duty or with the express approval of the Chief of Police.

### **1.43 Over-the-Counter Medication/Prescription Drug Use**

Division personnel shall not abuse prescription or over-the-counter medication. Division personnel shall notify their immediate supervisor if their ability to perform their duties may be impaired by prescription or over-the-counter drugs.

### **1.44 Expenditures of Division Funds**

- A. Division personnel shall not incur expenditures of money or financial obligations in the name of the Division without prior authorization from a commander or higher.
- B. Division personnel shall not use customer loyalty or rewards cards when making purchases on behalf of the City of Columbus.

Note: This does not apply to a personal credit card with a reward program that is used by a Division employee to make a purchase for which the City later provides reimbursement, such as hotel or travel accommodations for a conference or training.

### **1.45 Requirement to Give Name and Badge Number**

- A. Division personnel shall give their name and badge/tech/IBM number to any person upon request.
- B. Uniformed sworn personnel shall display their identification card to any person upon request or as soon as safe and practical.
- C. Sworn personnel in plainclothes, when exercising their authority under the law and identifying themselves as a police officer, shall display the badge and police identification concurrently or as soon as safe and practical.

### **1.46 Requirement to Submit Body Fluids**

Division personnel who are the subject of an investigation shall submit body fluids for analysis if doing so would aid the investigation and if ordered by the investigating supervisor. Blood specimens will be taken by medical personnel under medically safe and sanitary conditions.

### **1.47 Saluting**

Uniformed officers, while outdoors upon approaching or meeting a uniformed officer of the rank of lieutenant or higher, shall promptly render the regulation salute which shall immediately be returned. While in formation, sworn personnel shall not salute unless ordered to do so by the officer in command.

## **1.48 Compliance with EEO Laws, Rules, Orders, Policies, and Directives**

- A. Division personnel shall obey Division and City rules, orders, directives, and policies pertaining to EEO.
- B. Division personnel shall obey federal, state, and local antidiscrimination statutes pertaining to EEO.
- C. EEO violations that involve discrimination, retaliation, or a hostile work environment will be deemed critical misconduct. If resulting departmental charges are sustained, the standard discipline recommendation shall be suspension and/or termination.

## **1.49 Rescinded**

## **1.50 Stopping or Detaining Persons**

- A. Division personnel shall stop and detain a person only for an articulable reason and shall not stop or detain a person based solely on a common trait of a group (for example, race, ethnicity, gender, sexual orientation, religion, economic status, age, or cultural group).
- B. Division personnel stopping or detaining a person for any reason shall advise that person of the reason for the stop or detention as soon as practicable, but prior to termination of the contact. Division personnel shall be courteous and, when applicable, shall express appreciation for the involved person's cooperation.

## **1.51 Identifying Offenders**

- A. Division personnel shall take reasonable actions to identify any individual who does not have a picture ID and is being charged with a traffic violation or a criminal offense. Reasonable actions may include using an OHLEG photograph, using an arrest photograph from the ID Section, verifying fingerprints through a mobile fingerprint device, or processing the individual through the ID Section.
- B. Division personnel shall document the actions taken to identify the individual on the appropriate report or document (for example, Arrest Information Form, U-10.100; electronic incident report; or the traffic citation).