

Standards of Conduct

319.1 PURPOSE

This policy establishes standards of conduct that are consistent with the values and mission of the Plymouth Police Department and are expected of all department members including all officers, employees, and volunteers of the Plymouth Police Department. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct.

In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors. This policy supplements the ethical standards contained in the Law Enforcement Code of Ethics located in the Plymouth Police Department Policy Manual and incorporated into this policy by reference.

319.1.1 STANDARDS OF CONDUCT FOR PEACE OFFICERS

The Plymouth Police Department adopts the language and content in the Professional Conduct of Peace Officers model policy established and published by the Minnesota Board of Peace Officer Standards and Training Board (POST) (Minn. Stat. § 626.8457). This policy applies to all peace officers of this department.

[See attachment: MN POST Professional Conduct of Peace Officers Model Policy.pdf](#)

The provisions of this policy are in addition to collective bargaining agreements or any other applicable law (see generally Minn. R. 6700.1500).

The Department shall report annually to POST any data regarding the investigation and disposition of cases involving alleged misconduct of officers (Minn. Stat. § 626.8457, Subd. 3).

319.2 POLICY

For law enforcement agencies and their officers, employees, and volunteers to remain effective while serving their communities, they must earn and maintain the trust and confidence of their citizenry. Conduct, which detracts from this trust and confidence, is detrimental to the public interest and should be prohibited. It is the policy of this Department to investigate circumstances or information suggesting an officer, employee, or volunteer has engaged in improper conduct, and to impose appropriate disciplinary action when such conduct has been established.

319.3 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Minnesota Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the

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event of any perceived ambiguity or uncertainty. The provisions of this policy are in addition to collective bargaining agreements or any other applicable law (see generally Minn. R. 6700.1500).

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct. The Department shall report annually to POST any data regarding the investigation and disposition of cases involving alleged misconduct of officers (Minn. Stat. § 626.8457, Subd. 3).

Any disciplinary actions arising from violations of this policy shall be investigated in accordance with MN STAT 626.89, Peace Officers Discipline Procedures Act and this Department's policy on internal affairs investigations as required by MN Rules 6700.2000 to 6700.2600.

319.4 SCOPE

The continued employment or appointment of every member of the Plymouth Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. This policy will apply to all officers, employees, and volunteers of the Plymouth Police Department engaged in the discharge of official duties, whether within or outside of the territorial jurisdiction of this agency. This policy also applies to off-duty conduct where a violation of the principles and rules set forth in this policy detracts from the public trust in the individual officer, employee, volunteer or agency.

This policy is organized into eight principles governing standards of conduct. Each principle, in turn, is followed by the rules deriving from the principle. Conduct not mentioned under any of the specific rules, but which still violates the general principle, is prohibited by this policy.

319.4.1 PRINCIPLE 1

Officers shall conduct themselves, at all times, whether on or off-duty, in accordance with the Constitution of the United States, the Minnesota Constitution, and all applicable laws, ordinances, and rules enacted or established pursuant to legally constituted authority.

Rationale: Community cooperation with the police is a product of its trust that officers will act honestly and with impartiality. The officer, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust. Peace officers conduct their duties pursuant to a grant of limited authority from Minnesota State Statute. Therefore, officers must understand the laws defining the scope of their enforcement powers. Peace officers may only act in accordance with the powers granted to them.

Rules:

- (a) Officers shall not knowingly exceed their authority in the enforcement of the law.
- (b) Officers shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogation, arrest and detention, searches, seizures, use of informants and preservation of evidence, except where permitted in the performance of duty under proper authority.
- (c) Officers shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.

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- (d) Officers, employees, and volunteers, whether on or off-duty, shall not knowingly commit any criminal offense under any laws of the United States or of any state or local jurisdiction.
- (e) Peace officers will not, according to MN STAT 626.823, knowingly allow a person who is not a peace officer to make a representation of being a peace officer or perform any act, duty or responsibility reserved by law for a peace officer.

319.4.2 PRINCIPLE 2

Officers, employees, and volunteers shall refrain from any conduct in an official capacity that detracts from or otherwise undermines the public's faith and confidence in the integrity and fairness of the criminal justice system.

Rationale: Community cooperation with the police is a product of its trust that officers will act honestly and with impartiality. The officer, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust.

Rules:

- (a) Officers shall take no action knowing that it will violate the constitutional rights of any person.
- (b) Officers must obey lawful orders, but must refuse to obey any orders the officer knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order, the officer shall, if feasible, request the issuing officer to clarify the order. An officer refusing to obey an order shall be required to justify his or her actions.
- (c) Officers learning of conduct or observing conduct which is in violation of any law or policy of this department shall take necessary action and report the incident to the officer's immediate supervisor, who shall forward the information to the Director of Public Safety. In the event the misconduct observed was committed by the officer's immediate supervisor, the officer shall report the incident to the Divisional Commander.
- (d) Officers shall not interfere with cases being handled by other officers of this Department or by any other governmental agency unless:
 - 1. Ordered to intervene by a superior officer, or
 - 2. The intervening officer reasonably believes, beyond a reasonable doubt, that an injustice would result from failure to take immediate action.
- (e) Officers, employees, and volunteers shall carry out their duties with integrity, fairness, and impartiality. Any employee found to have made a false allegation under this policy or found to have given knowingly false information during an investigation of such a complaint will also be subject to disciplinary action.
- (f) Officers, employees, and volunteers shall not knowingly make false accusations of any criminal, ordinance, traffic, or other law violation. This provision shall not be construed, however, to prohibit the use of deception during criminal investigations or interrogations to the extent permitted under law.

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- (g) Officers, employees, and volunteers shall truthfully, completely, and impartially report, testify, and present evidence, including exculpatory evidence, in all matters of an official nature.
- (h) Officers, employees, and volunteers shall not make false or malicious criticisms of the Plymouth Police Department's operations when such actions tend to damage public trust without providing substantial evidence that such actions were of public concern.

319.4.3 PRINCIPLE 3

Officers, employees, and volunteers shall discharge their duties and apply the law impartially and without prejudice or discrimination.

Rationale: Law enforcements' effectiveness requires public trust and confidence. Diverse communities must have faith in the fairness and impartiality of their police. Officers must refrain from fostering disharmony in their communities based upon diversity and perform their duties without regard to race, color, creed, religion, national origin, gender, marital status, status with regard to public assistance, disability, sexual orientation or age.

Rules:

- (a) Officers shall not allow their exercise of discretion in making enforcement decision to be influenced by race, color, creed, religion, nation origin, gender, marital status, status with regard to public assistance, disability, sexual orientation or age.
- (b) Officers will not make a stop of a citizen without a legitimate reason. Race, ethnicity, or national origin alone never provides a sufficient reason. The use of racial profiling as the basis for self-initiated enforcement will not be tolerated. Racial profiling will be defined as any law enforcement-initiated action that relies upon the race, ethnicity or national origin of an individual rather than the behavior of the individual or information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.
- (c) Officers, employees, and volunteers shall provide every person in our society with professional, effective and efficient law enforcement services.
- (d) Officers, employees, and volunteers shall not express in any manner, whether by act, omission or statement, any prejudice concerning race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation or age.

319.4.4 PRINCIPLE 4

Officers, employees, and volunteers shall not, whether on or off-duty, exhibit any conduct which brings discredit upon themselves or their department, or otherwise impairs or diminishes their ability or that of other officers or the Department to provide law enforcement services to the community.

Rationale: An officer's ability to perform his or her duties is dependent upon the respect and confidence communities have for the officer and law enforcement officers in general. Officers must conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by the public.

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Rules:

- (a) Officers shall not commit any acts which, as defined under Minnesota law, constitute: (1) domestic abuse, or (2) the violation of a court order restraining the officer from committing an act of domestic abuse or harassment, having contact with the petitioner, or excluding the officer from the petitioner's home or workplace.
- (b) Upon the order of the Director of Public Safety or their designee officers shall submit to any ballistics, drug testing in accordance with City Policy or other tests, photographs or lineups. All procedures carried out under this subsection shall be specifically directed and narrowly related to a particular internal investigation being conducted by the Department.
- (c) Officers in the course of performing their duties shall not, engage in any sexual contact or conduct constituting lewd behavior, including but not limited to, showering or receiving a massage in the nude, exposing themselves or otherwise making physical contact with the nude or partially nude body of any person, except as pursuant to a written policy of the department.
- (d) Officers while off duty, shall not engage in any conduct which the officer knows, or reasonably should know constitutes an unwelcome sexual advance or request for sexual favor, or unwelcome sexually motivated physical contact or other unwelcome verbal or physical conduct or communication of a sexual nature.
- (e) Officers shall not commit any acts which constitute sexual assault or indecent exposure as defined under Minnesota law. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.
- (f) In addition, all employees are subject to the City of Plymouth's Respectful Workplace Policy.
- (g) Officers, employees, and volunteers shall not consume alcoholic beverages or chemical substances while on-duty, except as permitted in the performance of official duties, and under no circumstances while in uniform, except as provided for in section i.
- (h) Officers, employees, and volunteers shall not consume alcoholic beverages to the extent they would be rendered unfit for their next scheduled shift. Officers, employees, and volunteers shall not report for work with an odor of an alcoholic beverage on their breath.
- (i) Officers, employees, and volunteers shall not use narcotics, hallucinogens, or other controlled substances except when legally prescribed. When medications are prescribed, officers shall inquire of the prescribing physician whether the medication will impair the officer in the performance of their duties. The officer shall immediately notify the officer's supervisor if a prescribed medication is likely to impair the officer's performance during the next scheduled shift.
- (j) In addition, all employees shall be subject to the City of Plymouth Policy on drug and alcohol testing.
- (k) Officers, employees, and volunteers, while on-duty, shall not commit any act which, as defined under Minnesota law, constitutes sexual harassment, including, but

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not limited to, making unwelcome sexual advances, requests for sexual favors, engaging in sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.

- (l) In addition, all employees are subject to the City of Plymouth's Sexual Harassment Policy.
- (m) Officers, employees, and volunteers shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public's trust and confidence in the officer or department. This rule does not prohibit those associations that are necessary to the performance of official duties, or where such associations are unavoidable because of the officer's personal or family relationships.
- (n) Officers, employees, and volunteers shall not post derogatory script on bulletin boards, dry marker boards, walls, locker rooms, in vehicles or on any city property that could reasonably be construed or perceived by another as hostile, degrading, offensive or intimidating.
- (o) Attendance:
 - 1. Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
 - 2. Unexcused or unauthorized absence or tardiness.
 - 3. Excessive absenteeism or abuse of leave privileges.
 - 4. Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.
 - 5. Officers shall not feign illness or injury, falsely report themselves ill or injured or otherwise deceive any official of the Department as to the condition of their health.
- (p) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. While on department premises.

319.4.5 PRINCIPLE 5

Officers, employees, and volunteers shall treat all members of the public courteously and with respect.

Rationale: Police officers, employees, and volunteers are the most visible form of local government. Therefore, they must make a positive impression when interacting with the public and each other.

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Rules:

- (a) Officers shall courteously and promptly record in writing any complaint made by a citizen against any officer of the Department. Officers shall not attempt to dissuade any citizen from lodging a complaint against any officer or the Department. Officers shall follow established Departmental procedures for processing complaints.
- (b) Officers, employees, and volunteers shall exercise reasonable courtesy in their dealings with the public, other officers, superiors, and subordinates.
- (c) No officer, employee, or volunteer shall ridicule, mock, deride, taunt, willfully embarrass, humiliate, or shame any person to do anything reasonably calculated to incite a person to violence.

319.4.6 PRINCIPLE 6

Officers, employees, and volunteers shall not compromise their integrity, nor that of the Plymouth Police Department or their profession, by accepting, giving, or soliciting any gratuity which could be reasonably interpreted as capable of influencing their official acts or judgments, or by using their status as an officer for personal, commercial, or political gain.

Rationale: For a community to have faith in its officers, officers must avoid conduct that does or could cast doubt upon the ethical standards of the individual officer or the agency.

Rules:

- (a) Officers, employees, and volunteers shall not use their official position, identification cards or badges for: (1) personal or financial gain, for themselves or any other person; (2) obtaining privileges not otherwise available to them except in the performance of duty; and (3) avoiding consequences of unlawful or prohibited actions.
- (b) Officers, employees, and volunteers shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without approval of the Director of Public Safety.
- (c) Officers, employees, and volunteers shall not lend to another (other than a Plymouth Police Officer) any uniform apparel which identifies the Plymouth Police Department. When uniform apparel becomes unserviceable, patches and other identifiable items must be removed to ensure they are not used improperly.
- (d) As directed by City Policy and State Law, officers, employees, and volunteers shall refuse favors, to include food or beverage, gifts or gratuities, either large or small which could reasonably be interpreted as capable of influencing official acts or judgments.
- (e) Unless required for the performance of official duties, officers, employees, and volunteers shall not, while on-duty, be present at establishments that have the primary purpose of providing sexually oriented adult entertainment. This rule does not prohibit police officers from conducting walk-throughs of such establishments as part of their regularly assigned duties.
- (f) Officers, employees, and volunteers shall:

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1. not authorize the use of their names, photographs, or titles in a manner that identifies the officer as an employee of this department in connection with advertisements for any product, commodity, or commercial enterprise;
2. maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration while acting in an official capacity;
3. not make endorsements of political candidates while on-duty or while wearing the department's official uniform. This section does not prohibit officers from expressing their views on existing, proposed, or pending criminal justice legislation in their official capacity;
4. not address public gatherings, appear on radio or television, prepare any articles for publications, act as correspondents to a newspaper or periodical, release or divulge investigative information or address or discuss any other matters of the Department while holding themselves out as representing the Department in such matters without specific permission of the Director of Public Safety. This will not, nor is it intended, to further restrict General Order 103, News Media Information;
5. not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service or commercial service (such as an attorney, bondsman, mortician, etc.). In the case of ambulance or towing service, when such service is necessary and that person needing the service is unable or unwilling to produce it or requests assistance, officer shall proceed in accordance with established departmental procedures;
6. when on-duty or acting in an official capacity, furnish their name or badge number to any person requesting that information, except when the withholding of such information is necessary for the performance of police duties or is authorized by proper authority.

None of these rules shall prevent an officer from engaging in the free expression of political speech in their capacities as private citizens, or the rights of police fraternal or labor organizations to endorse political candidates or express views on political issues or other matters of public concern.

319.4.7 PRINCIPLE 7

Officers, employees, and volunteers shall not compromise their integrity, nor that of the Plymouth Police Department or profession, by taking or attempting to influence official actions when a conflict of interest exists.

Rationale: For the public to maintain its faith in the integrity and impartiality of officers and their agencies, officers must avoid taking or influencing official actions where those actions would or could conflict with the officer's appropriate responsibilities.

Rules:

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- (a) Unless required by law or policy, officers shall, refrain from becoming involved in official matters, or influencing actions of other officers in official matters, impacting the officer's immediate family, relatives, or persons with whom the officer has or has had a significant personal relationship.
- (b) Unless required by law or policy, officers shall refrain from acting or influencing official actions of other officers in official matters impacting persons with whom the officer has or has had a business or employment relationship.
- (c) Officers shall not use the authority of their position as officers, or information available to them due to their status as officers, for any purpose of personal gain including, but not limited to, initiating or furthering personal and/or intimate interactions of any kind with persons with whom the officer has had contact while on-duty.
- (d) Police officers shall not engage in any off-duty employment if the position compromises or would reasonably tend to compromise the officer's ability to impartially discharge the officer's official duties. Officers will comply with the Department's Policy on Secondary Employment.

319.4.8 PRINCIPLE 8

Officers, employees, and volunteers shall observe the confidentiality of information available to them due to their status as officers.

Rationale: Officers are entrusted with vast amounts of private and confidential information, or access thereto. Officers must maintain the confidentiality of such information to protect the privacy of the subjects of that information, and to maintain public faith in the officer's and agency's commitment to preserving such confidences.

Rules:

- (a) Officers, employees, and volunteers shall not knowingly violate any legal restriction for the release or dissemination of information.
- (b) Officers, employees, and volunteers shall not, except in the course of official duties or as required by law, publicly disclose information likely to endanger or embarrass victims, witnesses or complainants.
- (c) Officers, employees, and volunteers shall not divulge the identity of persons giving confidential information except as required by law or Department policy.

319.4.9 SAFETY

Officers, employees and volunteers shall maintain a standard level of safety that enables them to effectively provide law enforcement services to the community.

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.

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- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on or off-duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

319.5 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

Attachments

MN POST Professional Conduct of Peace Officers Model Policy.pdf

PROFESSIONAL CONDUCT OF PEACE OFFICERS MODEL POLICY
MN STAT 626.8457

I. POLICY

It is the policy of the _____ (law enforcement agency) to investigate circumstances that suggest an officer has engaged in unbecoming conduct, and impose disciplinary action when appropriate.

II. PROCEDURE

This policy applies to all officers of this agency engaged in official duties whether within or outside of the territorial jurisdiction of this agency. Unless otherwise noted this policy also applies to off duty conduct. Conduct not mentioned under a specific rule but that violates a general principle is prohibited.

A. PRINCIPLE ONE

Peace officers shall conduct themselves, whether on or off duty, in accordance with the Constitution of the United States, the Minnesota Constitution, and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

1. Rationale: Peace officers conduct their duties pursuant to a grant of limited authority from the community. Therefore, officers must understand the laws defining the scope of their enforcement powers. Peace officers may only act in accordance with the powers granted to them.

2. Rules

- a) Peace officers shall not knowingly exceed their authority in the enforcement of the law.
- b) Peace officers shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogation, arrest, detention, searches, seizures, use of informants, and preservation of evidence, except where permitted in the performance of duty under proper authority.
- c) Peace officers shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.
- d) Peace officers, whether on or off duty, shall not knowingly commit any criminal offense under any laws of the United States or any state or local jurisdiction.
- e) Peace officers will not, according to MN STAT 626.863, knowingly allow a person who is not a peace officer to make a representation of being a peace officer or perform any act, duty or responsibility reserved by law for a peace officer.

B. PRINCIPLE TWO

Peace officers shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the criminal justice system.

1. Rationale: Community cooperation with the police is a product of its trust that officers will act honestly and with impartiality. The peace officer, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust.

2. Rules

- a) Peace officers shall carry out their duties with integrity, fairness and impartiality.

- b) Peace officers shall not knowingly make false accusations of any criminal, ordinance, traffic or other law violation. This provision shall not prohibit the use of deception during criminal investigations or interrogations as permitted under law.
- c) Peace officers shall truthfully, completely, and impartially report, testify and present evidence, including exculpatory evidence, in all matters of an official nature.
- d) Peace officers shall take no action knowing it will violate the constitutional rights of any person.
- e) Peace officers must obey lawful orders but a peace officer must refuse to obey any order the officer knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order the officer shall, if feasible, request the issuing officer to clarify the order. An officer refusing to obey an order shall be required to justify his or her actions.
- f) Peace officers learning of conduct or observing conduct that is in violation of any law or policy of this agency shall take necessary action and report the incident to the officer's immediate supervisor who shall forward the information to the CLEO. If the officer's immediate supervisor commits the misconduct the officer shall report the incident to the immediate supervisor's supervisor.

C. PRINCIPLE THREE

Peace officers shall perform their duties and apply the law impartially and without prejudice or discrimination.

1. **Rationale:** Law enforcement effectiveness requires public trust and confidence. Diverse communities must have faith in the fairness and impartiality of their police. Peace officers must refrain from fostering disharmony in their communities based upon diversity and perform their duties without regard to race, color, creed, religion, national origin, gender, marital status, or status with regard to public assistance, disability, sexual orientation or age.
2. **Rules**
 - a) Peace officers shall provide every person in our society with professional, effective and efficient law enforcement services.
 - b) Peace officers shall not allow their law enforcement decisions to be influenced by race, color, creed, religion, national origin, gender, marital status, or status with regard to public assistance, disability, sexual orientation or age.

D. PRINCIPLE FOUR

Peace officers shall not, whether on or off duty, exhibit any conduct which discredits themselves or their agency or otherwise impairs their ability or that of other officers or the agency to provide law enforcement services to the community.

1. **Rationale:** A peace officer's ability to perform his or her duties is dependent upon the respect and confidence communities have for the officer and law enforcement officers in general. Peace officers must conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by the public.
2. **Rules**

- a) Peace officers shall not consume alcoholic beverages or chemical substances while on duty except as permitted in the performance of official duties, and under no circumstances while in uniform, except as provided for in **c**).
- b) Peace officers shall not consume alcoholic beverages to the extent the officer would be rendered unfit for the officer's next scheduled shift. A peace officer shall not report for work with the odor of an alcoholic beverage on the officer's breath.
- c) Peace officers shall not use narcotics, hallucinogens, or other controlled substances except when legally prescribed. When medications are prescribed, the officer shall inquire of the prescribing physician whether the medication will impair the officer in the performance of the officer's duties. The officer shall immediately notify the officer's supervisor if a prescribed medication is likely to impair the officer's performance during the officer's next scheduled shift.
- d) Peace officers, whether on or off duty, shall not engage in any conduct which the officer knows, or should reasonably know, constitutes sexual harassment as defined under Minnesota law, including but not limited to; making unwelcome sexual advances, requesting sexual favors, engaging in sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.
- e) Peace officers shall not commit any acts which constitute sexual assault or indecent exposure as defined under Minnesota law. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.
- f) Peace officers shall not commit any acts which, as defined under Minnesota law, constitute (1) domestic abuse, or (2) the violation of a court order restraining the officer from committing an act of domestic abuse or harassment, having contact with the petitioner, or excluding the peace officer from the petitioner's home or workplace.
- g) Peace officers, in the course of performing their duties, shall not engage in any sexual contact or conduct constituting lewd behavior including but not limited to, showering or receiving a massage in the nude, exposing themselves, or making physical contact with the nude or partially nude body of any person, except as pursuant to a written policy of the agency.
- h) Peace officers shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the officer or agency. This rule does not prohibit those associations that are necessary to the performance of official duties or where such associations are unavoidable because of the officer's personal or family relationships.

E. PRINCIPLE FIVE

Peace officers shall treat all members of the public courteously and with respect.

1. **Rationale:** Peace officers are the most visible form of local government. Therefore, peace officers must make a positive impression when interacting with the public and each other.
2. **Rules**
 - a) Peace officers shall exercise reasonable courtesy in their dealings with the public, other officers, superiors and subordinates.

- b) No peace officer shall ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate, or shame any person to do anything reasonably calculated to incite a person to violence.
- c) Peace officers shall promptly advise any inquiring citizen of the agency's complaint procedure and shall follow the established agency policy for processing complaints.

F. PRINCIPLE SIX

Peace officers shall not compromise their integrity nor that of their agency or profession by accepting, giving or soliciting any gratuity which could be reasonably interpreted as capable of influencing their official acts or judgments or by using their status as a peace officer for personal, commercial or political gain.

1. **Rationale:** For a community to have faith in its peace officers, officers must avoid conduct that does or could cast doubt upon the impartiality of the individual officer or the agency.

2. Rules

- a) Peace officers shall not use their official position, identification cards or badges for: (1) personal or financial gain for themselves or another person; (2) obtaining privileges not otherwise available to them except in the performance of duty; and (3) avoiding consequences of unlawful or prohibited actions.
- b) Peace officers shall not lend to another person their identification cards or badges or permit these items to be photographed or reproduced without approval of the chief law enforcement officer.
- c) Peace officers shall refuse favors or gratuities which could reasonably be interpreted as capable of influencing official acts or judgments.
- d) Unless required for the performance of official duties, peace officers shall not, while on duty, be present at establishments that have the primary purpose of providing sexually oriented adult entertainment. This rule does not prohibit officers from conducting walk-throughs of such establishments as part of their regularly assigned duties.
- e) Peace officers shall:
 - not authorize the use of their names, photographs or titles in a manner that identifies the officer as an employee of this agency in connection with advertisements for any product, commodity or commercial enterprise;
 - maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration while acting in an official capacity;
 - not make endorsements of political candidates while on duty or while wearing the agency's official uniform.

This section does not prohibit officers from expressing their views on existing, proposed or pending criminal justice legislation in their official capacity.

G. PRINCIPLE SEVEN

Peace officers shall not compromise their integrity, nor that of their agency or profession, by taking or attempting to influence actions when a conflict of interest exists.

1. **Rationale:** For the public to maintain its faith in the integrity and impartiality of peace officers and their agencies officers must avoid taking or influencing official actions

where those actions would or could conflict with the officer's appropriate responsibilities.

2. Rules

- a) Unless required by law or policy a peace officer shall refrain from becoming involved in official matters or influencing actions of other peace officers in official matters impacting the officer's immediate family, relatives, or persons with whom the officer has or has had a significant personal relationship.
- b) Unless required by law or policy a peace officer shall refrain from acting or influencing official actions of other peace officers in official matters impacting persons with whom the officer has or has had a business or employment relationship.
- c) A peace officer shall not use the authority of their position as a peace officer or information available to them due to their status as a peace officer for any purpose of personal gain including but not limited to initiating or furthering personal and/or intimate interactions of any kind with persons with whom the officer has had contact while on duty.
- d) A peace officer shall not engage in any off-duty employment if the position compromises or would reasonably tend to compromise the officer's ability to impartially perform the officer's official duties.

H. PRINCIPLE EIGHT

Peace officers shall observe the confidentiality of information available to them due to their status as peace officers.

1. **Rationale:** Peace officers are entrusted with vast amounts of private and personal information or access thereto. Peace officers must maintain the confidentiality of such information to protect the privacy of the subjects of that information and to maintain public faith in the officer's and agency's commitment to preserving such confidences.

2. Rules

- a) Peace officers shall not knowingly violate any legal restriction for the release or dissemination of information.
- b) Peace officers shall not, except in the course of official duties or as required by law, publicly disclose information likely to endanger or embarrass victims, witnesses or complainants.
- c) Peace officers shall not divulge the identity of persons giving confidential information except as required by law or agency policy.

I. APPLICATION

Any disciplinary actions arising from violations of this policy shall be investigated in accordance with MN STAT 626.89, Peace Officer Discipline Procedures Act and the law enforcement agency's policy on Allegations of Misconduct as required by *MN RULES* 6700.2000 to 6700.2600.