



Rockville City Police Department

GENERAL ORDER

Subject RULES AND REGULATIONS		Procedure G.O. # 8 - 3
Authorizing Signature	Effective 09-15-07	Total Pages 12

I. POLICY

The policy of the Rockville City Police Department is to ensure that all employees maintain an exemplary standard of personal integrity and ethical conduct in their relationship with other employees and the community. The recognition that our primary responsibility is to the community requires the understanding that police powers are limited and that police action, in whatever form, must be accountable to the community. The rules and regulations contained herein are designed to serve as a professional standard governing employees' conduct. The Department also recognizes that employees possess certain basic individual rights. Protection of employee rights enhances the integrity of the Department and further promotes the goal of furnishing to the community the highest quality of police services.

II. PURPOSE

The purpose of this General Order is to control, direct, and coordinate the activities of employees of the Rockville City Police Department in the successful and professional fulfillment of their public safety responsibilities. In addition to these rules, employees will also be governed by the regulations and procedures established by the State of Maryland and by the City of Rockville.

III. DEFINITIONS

A. Employee

All personnel, sworn and non-sworn.

B. Officer

A MPCTC certified Police Officer.

C. Member

All non-sworn personnel of the Department.

IV. GENERAL RESPONSIBILITIES

A. KNOWLEDGE OF REGULATIONS

It is unreasonable to expect that any employee will have detailed knowledge of each of the countless State and City statutes and codes, but every employee is required to establish and

maintain a working knowledge of all laws of the State, ordinances of the City, and Departmental rules and regulations. In the event of improper action or breach of discipline, it will be presumed that the employee was familiar with the rule, regulation or order in question. Violation of any rule, regulation or order may be grounds for disciplinary action.

B. CITY PERSONNEL REGULATIONS

Employees of the Department shall be governed by the City of Rockville's Personnel Policies and Procedures Manual unless they are specifically exempted. Each employee of the Department is required to be familiar with these policies and procedures.

C. OBEDIENCE TO LAWS AND REGULATIONS

All employees shall observe and obey all laws and ordinances, all rules and regulations of the Department, and all general and special orders of the Department.

D. PERFORMANCE OF DUTY

All employees shall perform their duties as required or directed by law, Departmental rule, policy, or order, or by order of a superior officer. All lawful duties required by competent authority shall be performed promptly as directed notwithstanding the general assignment of duties and responsibilities.

E. REPORTING VIOLATION

Any employee who has knowledge of other employees, individually or collectively, who knowingly or unintentionally violate any laws or statutes, ordinances, or rules and regulations of the Department or who disobey orders shall bring any and all facts pertaining to the matter to the attention of a supervisor. The supervisor contacted shall then take appropriate action. Employees may by-pass official chains of command and directly advise the Chief of Police of the violations(s).

F. PRESERVATION OF PEACE AND PROTECTION OF LIFE AND PROPERTY

It shall be the duty of each sworn officer of the Department to:

1. Preserve the public peace
2. Protect life and property
3. Enforce and uphold the laws of the State of Maryland, and the Ordinances of the City of Rockville
4. Promptly and professionally respond to all requests for police service

G. CONDUCT UNBECOMING AN OFFICER / EMPLOYEE

Employees shall not engage in any action, which constitutes unbecoming conduct, neglect of duty, or any other act on or off duty, which is likely to bring discredit upon the Department.

H. COOPERATION/COORDINATION

Employees shall coordinate their efforts with all other employees of the Department and appropriate City, County, State, and Federal agencies with the objectives of ensuring maximum achievement and continuity of purpose through teamwork. All employees are charged with the responsibility of fostering and maintaining a high degree of cooperation both within the Department and with all other agencies.

I. ASSISTANCE TO FELLOW EMPLOYEES

No employee shall fail to aid, assist, or protect a fellow employee to the full extent of his/her capability in time of need in accordance with established procedures.

J. OBLIGATION TO DUTY

Officers of the Department are always subject to duty, but are periodically relieved from its routine performance. They shall at all times respond to the lawful orders of superior officers and other proper authorities as well as requests for police assistance from citizens. Proper police action must be taken whenever required. Officers assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.

K. INCOMPETENCE

Employees of this agency shall be held strictly responsible for the proper performance of their duties. Employees shall maintain sufficient competency to properly perform their duties and assume the responsibility of their positions. Employees shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the agency.

L. ESTABLISHING ELEMENTS OF VIOLATION

The existence of facts confirming a violation of law, ordinance, rule, or regulation is all that is necessary to support any allegation for a charge under this section. It is not necessary that formal complaints be filed or sustained.

M. REPEATED VIOLATIONS

If an employee is disciplined as a result of a sustained complaint and that employee has been disciplined on three (3) or more sustained complaints within the previous two (2) years, he/she shall be considered to have violated this rule. If a complaint of violation of this rule is sustained,

the employee may be dismissed.

N. REPORTING TO DUTY

Unless otherwise directed, employees shall report for duty at the time and place specified, properly attired and equipped and prepared to assume duty. They shall give their undivided attention to orders, instructions, and any other information, which may be disseminated.

O. COURTESY AND HUMAN RELATIONS

1. The provisions of this regulation shall apply to all personnel in any use of language and in all interactions with other employees, members of other agencies, and the public.
2. Every employee is expected to perform their duties in an efficient, courteous, and orderly manner employing patience and good judgement at all times.
3. Every employee is expected to maintain proper decorum and command of their temper.
4. Employees shall refrain from using profane, harsh, insolent, discourteous, or uncivil language.
5. Employees shall not use racial or ethnic slurs.
6. The use of language that is within these forbidden categories will be considered unprofessional and disruptive of the teamwork and relationships required to do our work effectively.
7. Displays of bias toward any person on account of race, sex, religious preference or life style shall be considered conduct unbecoming of an officer and/or conduct unbecoming a Rockville City Employee. Employee conduct will be in accordance with the City of Rockville Human Rights Ordinance.

P. AID AND ASSISTANCE TO CITIZENS

While on duty, employees shall aid and/or assist citizens within the City whenever such aid or assistance appears to be called for and is not in conflict with the general principles of law enforcement or in violation of legal statutes or Departmental rules and regulations. Included herein is the requirement to render all possible assistance to citizens who wish to make any report in accordance with established policies and procedures of the Department. In an off-duty status, a sworn officer has a professional obligation to aid or assist in a bona fide emergency situation which they may encounter or where their assistance is requested.

Q. CARRYING OF CREDENTIALS AND IDENTIFICATION

1. Police Officers will carry their department credentials and their MPCTC certification card while on duty and while off duty when armed unless exempted by the Chief of Police. Credentials will be displayed upon request by law enforcement officers conducting investigative activities, security at controlled access buildings, airports, and in other similar situations when off duty. Citizens requests for credentials or identity while off duty will be provided if the officer has been involved in an interaction with the citizen that occurred in the jurisdiction of the officer, or whenever the interaction involved a concern about the operation of a marked police vehicle while inside or outside the jurisdiction of the officer. Law enforcement action, regardless of jurisdiction, requires identification upon request when it can be safely provided. General requests outside of these parameters for identification of off duty officers not engaged in law enforcement activities is not required.
2. Employees will carry their Rockville City Police ID card while on duty. Employees will display their ID card upon request.
3. Rockville City Police Identification Cards and Police Credentials will include a photograph of the respective employee.

R. STAND-BY DUTY

An employee who is placed on stand-by duty shall furnish the on-duty PCO with the location and/or telephone number where they can be immediately contacted.

S. PHYSICAL FITNESS

The role of a police officer often demands quick response to situations requiring physical exertion after long periods of sedentary activity. The safety of the general public and individual officers demands that officers maintain themselves in good physical condition regardless of assignment. A poor physical condition, such as obesity, is as much a detriment to the Departmental image as improper demeanor or unkempt uniform appearance. All officers will keep fit and undertake such programs of exercise as may be required by the Department. All officers are encouraged to have an annual physical examination conducted by a qualified medical person.

T. NATIONAL COLORS AND ANTHEM

Uniformed employees will render full military honors to the national colors and anthem when appropriate. Employees in civilian dress shall render proper civilian honors to the national colors and anthem at appropriate times.

V. PROHIBITED ACTIVITIES

A. LOITERING, SLEEPING, LOAFING ON DUTY

No employee shall loiter, sleep, or loaf on duty or in any other manner shirk their responsibilities in the performance of duty.

B. SMOKING ON DUTY

Employees shall not smoke while on duty and in direct contact with the public; however, smoking is permitted in public view at mealtimes.

C. CONSUMPTION AND PURCHASE OF INTOXICANTS

Employees shall not consume intoxicants while off-duty within the preceding six (6) hours of reporting for duty. Employees, unless in the performance of official business, shall not consume or purchase any intoxicant while on duty.

D. INTOXICATION

1. Employees shall never be impaired or under the influence while on duty, nor shall they ever be impaired or intoxicated in public view at any time within the City limits.
2. An officer will not exercise any police authority, take any official police action or represent himself or herself as a police officer while impaired by, or under the influence of, alcohol or drugs.
3. Officers will not be armed while impaired by, or under the influence of, alcohol or drugs.
4. Impairment is defined as having a blood alcohol level (BAC) of .05% or higher. Under the influence is defined as having a BAC of .07% or higher.

E. DRUGS

The possession, use, sale, purchase, transfer, manufacturing, distributing, or dispensing of an illegal drug or controlled substance by an employee is a crime; and should it occur by an employee is cause for dismissal.

F. PUBLICITY

Employees shall not use their position within the Department to enhance or promote any private enterprise or to seek personal publicity. This provision is required to protect individuals and the Department from potential conflicts of interest.

G. DEBTS - INCURRING AND PAYMENT

Financial irresponsibility is contrary to the special public trust granted all employees of the Department. To protect this trust and the integrity of the Department, employees shall make every reasonable effort to pay all debts for which they are legally responsible.

H. ACCEPTING GIFTS, GRATUITIES, ETC.

Employees shall not accept any gift, gratuity, or any other form of material benefit, directly or indirectly, when the rendering of such gift, gratuity, or material benefit is accompanied by an explicit expectation of special consideration at anytime involving the use of the recipient's position of authority as a Departmental employee.

I. OTHER TRANSACTIONS

Employees are prohibited from buying or selling or offering to buy or sell anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any circumstance which arose out of their Departmental employment except as may be specifically authorized by the Chief of Police.

J. FREE ADMISSION AND PASSES

Employees shall not solicit or accept free admission to theaters and other places of amusement for themselves or others except in the line of duty.

K. DISPOSITION OF UNAUTHORIZED GIFTS, GRATUITIES, ETC.

Any unauthorized gift, gratuity, loan, fee, reward, or other material benefit which comes into the possession of any employee shall be forwarded to the Chief of Police along with a written report explaining the circumstances. The Chief of Police shall make a determination of whether to arrange for the return of the gift and/or to pursue an investigation against the giver. The employee involved shall be notified in writing of the disposition.

L. FIREARMS - DISPLAY

Officers shall never display firearms unnecessarily or draw them in any place, either public or private, except for inspection, cleaning, or official use.

M. COMMERCIAL TESTIMONIALS

Employees shall not permit their names or photographs to be used in endorsing any product or service connected with law enforcement without the prior written permission of the Chief of

Police or allow their names or photographs to be used in any commercial testimonial which alludes to their position or employment with the Department.

N. MEMBERSHIP IN ORGANIZATIONS

Except for Armed Forces Reserve components, employees shall not become affiliated with any organization which in any way exacts prior consideration or which would prevent its members from rendering proper and efficient service to the Department.

O. POLITICAL ACTIVITY

Employees shall not use their position in the Department to endorse political candidates, nor shall they use their positions to solicit, directly or indirectly, funds or other services in support of a political issue. Employees shall not use their official capacity in any manner to influence the outcome of any political issue. Nothing in this section is intended to prevent an employee from exercising their Constitutional Rights during off duty hours.

P. PERSONAL PREFERMENT

Employees shall not seek the influence or intervention of any person outside the Department for purposes of personal preferment, advantage, transfer, advancement, or to gain favor or preferential treatment of any kind within the agency.

Q. UNTRUTHFUL RESPONSES

Employees shall not give untruthful responses, verbally or in writing, to questions narrowly and specifically related to the performance of official duties and/or their fitness to hold public office.

VI. INVESTIGATIONS, ARRESTS, AND DETENTIONS

A. INVESTIGATIONS

Investigations at the scene of any crime, accident or other police incident shall be conducted in accordance with current departmental procedures. All reports shall be completed and submitted to an approving supervisor by the end of the tour of duty unless otherwise specifically authorized by the officer's supervisor.

B. ADMONITION OF RIGHTS

The "Warning of Individual Rights" (Miranda Rights) shall be read to each arrestee (adult and juvenile) when an officer intends to question the arrestee.

C. ARGUMENTS DURING ARREST

No officer during the course of making an arrest or issuing a traffic summons or citation shall allow themselves to become involved in any arguments or discussions on the merits of the case at

point. Information requested by the offender as to procedure for handling of summons, citation, or arrest shall be courteously given by the officer.

D. TREATMENT OF ARRESTEE

Officers having custody of arrestees shall observe all laws and departmental orders regarding this activity. Any irregularity indicating the arrest to be contrary to a lawful principle or department procedure shall be immediately brought to the attention of the immediate supervisor.

E. FALSE REPORTS AND ENTRIES

No member or employee shall knowingly falsify any official report or enter or cause to be entered any inaccurate, false, or improper information on records of the Department.

F. SECURITY OF DEPARTMENTAL BUSINESS

Departmental employees shall treat the official business of the Department as confidential. They shall not impart it to anyone except those for whom it is intended, as directed by their Supervisor, or as required by law.

G. COMPROMISING CRIMINAL CASES

Departmental employees shall not engage in any of the following conduct:

1. Interfere with the service of lawful process.
2. Interfere with the attendance or testimony of witnesses through coercion, bribery, or other means.
3. Attempt to have any traffic summons, citation, or notice to appear reduced, nolle prossed, or dismissed except for a law enforcement purpose as provided by Departmental regulation.
4. Take any other action that will interfere with the efficiency or integrity of the administration of criminal justice.
5. Have knowledge of such interferences and fail to inform a supervisor.

H. ASSISTING CRIMINALS

Department employees shall not communicate in any manner, either directly or indirectly, any information which might assist persons charged with or suspected of criminal acts to escape arrest or punishment or which may enable them to dispose of or secrete evidence of unlawful activity or money, merchandise or other property unlawfully obtained.

I. RECOMMENDING ATTORNEYS, BAIL BOND SERVICES, OR OTHER SERVICES PROHIBITED

Department employees shall not suggest, recommend, advise or otherwise counsel the retention of any attorney, bail bond services or any other specific service to any person coming to their attention as a result of police business.

VII. ADMINISTRATIVE ACTIVITIES

A. ALTERATIONS OF REPORTS

Employees shall not alter or request any other person to alter or withdraw any report, letter, request, or other written communication that is or has been conducted through official channels. This restriction shall not preclude the correction of grammatical errors. No employee shall advise, counsel, order, or otherwise dissuade any other employee from submitting any lawful report.

B. SECURITY OF OFFICIAL RECORDS

Employees shall not reveal police information except as provided elsewhere in this manual or as required by law or competent authority. Specifically, information contained in police records, other official correspondence, other information ordinarily accessible only to employees, and names of informants, complainants, witnesses, and other persons known to the police are considered confidential in nature. Indiscriminate and/or unauthorized disclosure of this and similar information reflects gross misconduct.

C. NOTIFICATION OF CHANGE OF ADDRESS

Each employee shall make certain that the Department has their current home address and telephone number. A change of address and/or phone number must be reported to an employee's Bureau Commander, through the proper chain of command, within twenty-four hours of the change on the Rockville City Police Department's Emergency Notification Information Form (RCPD #08). Employees also need to complete the prescribed City of Rockville Personal Data Change form found on iRock.

D. REQUIREMENT FOR TELEPHONE

Every officer shall have a telephone at their residence and shall provide their immediate supervisor and the communications center with the current number.

E. REPORTING ARRESTS AND COURT ACTIONS INVOLVING EMPLOYEES

Employees shall advise their immediate supervisor in the event that they have been arrested or court action has been initiated against them.

F. ACCEPTING COMPENSATION FOR DAMAGES

Employees shall not seek, file suit against, solicit, nor accept from any person or agency any money or other compensation for damages or expenses incurred in the line of duty, or for which the employee has received sick leave pay, without previously notifying the Chief of Police in writing of his/her intended course of action.

G. PUBLIC APPEARANCE REQUESTS

All requests for public speeches, presentations, and the like will be routed to the Bureau Commander for approval and processing. Employees directly approached with requests of this nature shall refer the party to their Bureau Commander.

H. CIVIL ACTION, COURT APPEARANCES, REPORTING SERVICE OF PROCESS

1. An employee shall not testify in civil actions unless served with a legal subpoena. This shall not apply to cases in which the employee is the plaintiff or where the employee is related to the litigant by blood or marriage. Employees shall not enter into any financial agreement regarding appearances as witnesses in any civil action except as authorized by the Chief of Police.
2. Any employee named as a defendant who is served with a civil process and any employee who is served with a subpoena to testify as a witness in a civil action where another employee is named as a defendant shall immediately notify the Office of the Chief of Police.

I. CIVIL DEPOSITIONS AND AFFIDAVITS

Employees shall confer with their supervisors before giving a deposition or affidavit in a civil case resulting from their performance of duty. The supervisor shall then contact the Chief of Police prior to giving the deposition or affidavit.

VIII. ORDERS

A. INSUBORDINATION

Except as otherwise stated herein, defiance of lawful authority or disobedience to orders constitutes insubordination.

B. MANNER OF ISSUING ORDERS

Orders shall be issued in a clear and civil tone, in an understandable manner, and in the interest of departmental business

IX. UNLAWFUL, IMPROPER OR QUESTIONABLE ORDERS

- A. No officer/supervisor shall knowingly issue any order that is in violation of any department order, policy, procedure or standard of conduct.
- B. Obedience to an unlawful order is never a defense for an unlawful action. Therefore, employees will not obey any internal order, which they know would require them to commit an illegal act. If in doubt as to the legality or propriety of an order, employees will express their concern to the officer/supervisor issuing the order requesting a clarification of the order or referral to higher authority. Responsibility for refusal to obey rests with the employee who refused the order, who will be required to justify their action.
- C. An employee who is given an order that they believe to be unjust or contrary to directives or General Orders (but not unlawful) must first obey the order to the best of their ability, and may at their first opportunity appeal the order to higher authority through the chain of command.
- D. An employee receiving an unlawful, unjust, or improper order will, unless rescinded by the issuing officer/supervisor or higher authority, at their first opportunity report the matter in writing to the Chief of Police through the chain of command. The report will contain the facts of the incident and the action taken, as well as any appeals for relief from the orders given.