



*Athens-Clarke County  
Police Department*

Directive 1.04



## CODE/RULES OF CONDUCT

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### **1.04.01 POLICY AND PURPOSE**

**[CLE 26.1.1], [CC3.6.1] and [SC 1.3-4]**

It will be the policy of this Department to require its employees to obey all laws and the rules of ACC and this Department rules and to treat all persons fairly and with respect. In order to maintain public trust and confidence, it is also the policy of this department to objectively and thoroughly investigate all allegations of wrongdoing and to consistently and fairly administer discipline when appropriate. Public faith and trust in the Department and its employees are essential to the accomplishment of its mission.

The purpose of this directive is to establish rules of professional conduct for all employees of this Department.

#### 1.04.02 PROFESSIONAL CONDUCT AND INTEGRITY

**A. Standard of Conduct:** Employees will not engage in any conduct that constitutes unbecoming conduct or neglect of duty, or any other acts on or off-duty that are likely to bring discredit on the Department. This Department has developed its own values statement (see Written directive 1.02 Mission) and has adopted Department of Criminal Justice Services (DCJS) Law Enforcement Code of Ethics (See Attachment A), as well as the Association of Public-Safety Communications Officials-International (APCO) Tele communicators Code of Ethics (See Attachment B). All employees are expected to read, sign and abide by these. Training for **all** employees will be conducted annually.

**[CLE 1.1.2], [SC 2.2 a, d] and [CC 2.2.2]**

**B. Gifts, Gratuities, Fees, Loans, Etc.**

1. Employees will not accept or solicit either directly or indirectly any gift, meal, gratuity, loan, fee or any other thing of value arising from or offered because of police employment or any activity connected with said employment, except a lawful salary or that which may be authorized by law, or by the Chief of Police. It is vital that employees not become involved in any activity that could be reasonably interpreted as an actual or perceived conflict of interest.

**[CLE 26.1.1], [CC 3.6.1] and [SC 1.3]**

2. Any unauthorized gift, gratuity, loan, fee, reward or other item falling into any of these categories and coming into the possession of any employee will be forwarded to the Chief of Police, along with a written report explaining the circumstances.

**C. False Reports and Entries:** No employee will knowingly falsify any official report or enter or cause to be entered any inaccurate, false, or improper information on records of the Department.

**D. Confidentiality**

1. Employees are required to maintain the confidentiality of certain matters pertaining to official business.

2. Employees are expected to protect from disclosure information that is marked "confidential" or is known by them to be privileged or otherwise protected from disclosure. Some examples of confidential information are as follows:
  - a. Information related to personnel actions (personnel evaluations, grievances, internal investigations, disciplinary actions, and other personnel information) will not be discussed except to the extent that the subject of such personnel information has waived his or her right to confidentiality or as required by law;
  - b. Information gained as a result of acting as a participant in a selection or promotional process, whether for this Department or another agency; and
  - c. Information related to background investigations.
3. Employees will treat official Department business as confidential. They will not impart it to anyone except those for whom it is intended, or as directed by their commander or as required by law.
4. Administrative inquiries/investigations are confidential processes, and employees are required to keep the information discussed in confidence.
5. No employee will use information that he or she knows to be confidential or privileged for his or her personal gain.
6. **Exceptions:** Unless the employee has been issued a confidentiality order (see section 2.2.02 D.7, below) nothing in this policy is intended to prohibit personnel under investigation or administrative inquiry from conducting the following activities:
  - a. Seeking advice and/or guidance from their immediate supervisor or commander, or apprising someone within their direct chain of command of the details of a complaint;
  - b. Consulting with personnel assigned to staff or technical assignments to resolve an issue involved in the investigation (for example, the Standards, Training, and Records Commander on matters involving personnel practices or policies). The employee should only disclose the amount of information necessary to resolve the question at hand, and the person being consulted will keep the information confidential;
  - c. Interviewing witnesses or possible witnesses such as, but not limited to, employees of this Department, other county departments, and other law enforcement agencies;

- d. Discussing the matter with a deputy police chief in order to obtain information or guidance in furtherance of the investigation;
- e. The Chief of Police, or the person handling an investigation at the chief's direction, may discuss the investigation with an employee's union and/or police association representative if the employee has officially requested (in writing) the representatives' involvement;
- f. The Chief of Police may discuss an investigation, an administrative inquiry, a personnel matter, or any other matter pertaining to official Department business with any person in a position to help resolve the matter, except as prohibited by law and/or by county personnel policies; and
- g. The person who initiates any discussion pertaining to a topic covered in this directive is responsible for informing any parties to such discussion (in advance) that the topic to be discussed is privileged information and must be kept confidential, and that there may be repercussions for failing to keep such information confidential. Department employees are subject to disciplinary action, including termination, for disclosing privileged information.

7. **Confidentiality orders:** The exceptions above in section 2.2.02.D.6 do not apply if an employee is placed under a confidentiality order. While under a confidentiality order an employee may not talk to anyone other than an attorney, clergy, mental health counselor, union representative or police association representative about the ongoing investigation for which the confidentiality order was issued. Confidentiality orders are issued at the discretion of the Chief of Police or designee.

**E. Compromising Criminal Cases:** Employees will not:

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 parking citation or any traffic summons, citation, or notice to appear reduced, nolle prossed, or dismissed except as provided by Department regulation; or
4. Take any other action that will interfere with the efficiency or integrity of the administration of criminal justice.

**F. Assisting Criminals:** Employees will 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 enable them to dispose of or secrete evidence of unlawful activity or property unlawfully obtained.

- G. Other Transactions:** Except when it furthers a police purpose, employees are prohibited from buying or selling anything of value from or to any suspect, defendant, or prisoner involved in any case which has come to their attention.
- H. Free Admissions and Passes:** Employees will not use their position to solicit or accept free admission to theaters, other places of amusement or transportation systems for themselves or others without written permission of the Chief of Police.
- I. Property and Evidence:** Employees are prohibited from appropriating or converting to personal use any items of property or evidence coming into the Department's possession. All such items will be disposed of in accordance with law and Department regulations.
- J. Feigning Sickness:** Employees will not feign sickness or injury, or otherwise deceive a representative of the Department as to their real condition, when such condition affects the employee's ability to perform their official duties.
- K. Truthfulness:** Employees are required to be truthful and will give all pertinent information when testifying, making reports, conducting official business, and answering job-related questions asked by supervisors and/or commanders.
- L. Use of Credentials by Others:** Employees will not permit any other person to use their badge, official identification, or other Department-issued equipment.
- M. Personal Preferment:** No Department employee will seek the influence or intervention of any person outside the Department for purposes of personal preferment, advantage, transfer, or advancement.
- N. City Auctions:** Employees who are not involved in the disposition of surplus items can view and bid on them online at [govdeals.com](http://govdeals.com). Winning bidders must complete a GovDeals participation affidavit form.
- O. Court Action or Arrests:** Employees will immediately report in writing to the Chief of Police via the Office of Professional Standards any arrest, court actions, any type of protective order instituted against them, or any civil action initiated by or against an employee. This action is required in order that the Department is cognizant of the information. If necessary, the Department will be able to appropriately respond to or use the information, if called upon by the media or any other organization to do so. The Chief of Police or designee may mandate a supervisor to attend any of the court proceeding listed above involving a

Department employee, where the best interest of the Department would be served.

P. **Traffic Infractions:** Any employee, who receives any traffic summons for a finger printable offense, or photo citation, whether the incident occurred while operating a Department vehicle or their personally owned vehicle, on or off duty, will notify his/her immediate supervisor, who shall notify the Chief of Police through the chain of command in writing within 7 days.

#### 1.04.03 GENERAL CONDUCT

A. **Knowledge of Laws and Regulations:** Officers are required to establish and maintain a working knowledge of state laws and county ordinances for which this Department has enforcement responsibility. Employees are required to establish and maintain a working knowledge of all Department and county rules, policies, and ordinances. When working on a task force, employees are responsible for knowing and maintaining a working knowledge of the governing agency's policies, regulations and directives.

B. **Obedience to Laws and Regulations**

1. Employees will not violate any criminal or civil federal, state, or local law.
2. Employees will obey all county and Departmental policies and regulations.  
[CLE 26.1.1], [CC 3.6.1] and [SC 1.3]

C. **Reporting Violations of Laws, Ordinances, Rules, or Orders:** Any employee knowing of other employees violating laws, ordinances, Department rules, or disobeying orders, will immediately report it to a supervisor who will take appropriate action. Also see section 1.04.06.l, and Directive 2.31, Complaints and Disciplinary Action.

[CLE 26.1.1], [CC 3.6.1] and [SC 1.3]

D. **Criticism:** Employees will not publicly criticize or ridicule the Department, its policies, or other employees by talking, writing, or expressing in any other manner, where such talking, writing, or other expression is defamatory, obscene, or tends to impair the operation of the Department by interfering with its efficiency, interfering with the ability of supervisors to maintain discipline, or having been made with disregard for truth.

E. **Debts:** Employees are obligated to pay all their debts and legal liabilities. Failure to do so may create unnecessary work for county employees, the time for which could have been used more productively.

**F. Residency:** In order to maintain the Department's capability to respond to disasters and other emergencies within a reasonable period of time, employees will not establish residence more than fifty (50) miles from the Clarke County line. Upon written request, the Chief of Police may grant limited exceptions to this rule, as the best interests of the Department dictate.

**G. Unused travel funds:** Employees will complete and deliver all appropriate travel/finance forms related to work-related travel and expenses and return any unused advanced travel funds in accordance with rules and regulations set forth by the Department and the Athens-Clarke County Unified Government.

**H. Conduct Toward The Public**

1. Employees will be courteous in their dealings with the public.
2. When performing their duties, employees will avoid harsh, violent, profane, or insolent language and remain calm regardless of provocation to do otherwise.
3. Language, conduct, or behavior that is discriminatory or derogatory to any person's race, religion, gender, sexual orientation, or nationality is strictly forbidden.
4. Employees will respond to requests from the public quickly and accurately, avoiding unnecessary referral to other units of the Department or county government.

[CLE 26.1.1], [CC 3.6.1] and [SC 1.3]

**I. Impartiality**

1. The Department is committed to observing, upholding, and enforcing all laws relating to the individual rights of all persons.
2. Employees will be fair and impartial toward all persons coming to the attention of the Department. Employees will treat all persons with the courtesy, dignity, and respect inherently due to every human being.

**J. Caring for Lost, Helpless, Injured or Ill Persons:** Employees will be alert to assist lost, helpless, injured, or ill persons and act and report appropriately.

**K. Commercial Testimonials:** Employees shall not authorize the use of their names, photographs, or official titles that identify them as Department employees in connection with testimonials or advertisements of any commodity or commercial enterprise, without the written approval of the Chief of Police. Any request should identify specifically what will be photographed or used and how it will be depicted. The purpose of the advertisement should also be described. If

this happens without the employee's knowledge, a memo to the Chief of Police is required when it is learned.

**L. Public Appearance Requests:** Requests to employees for public speeches, demonstrations, and the like, on behalf of the Department, will be routed in advance to the Chief of Police or his designee for approval and processing. Such requests will be coordinated through the Public Information Office (PIO). Exception: this is not necessary when a civic association liaison request another employee to attend a meeting.

**M. Identification of Personnel:** Provided that no investigation is jeopardized and no police function is hindered, when a citizen requests a Department employee or volunteer engaged in Department-related activities to produce documentation verifying their identity, the employee shall do so utilizing their Department-issued phot identification. If the citizen simply asks for an employee's name and/or badge number the employee shall provide it.

[CLE 22.1.8 a] and [CC 1.1.7 a]

The intent is to ensure the public can identify law enforcement officers and other employees of the Department.

- 1) Uniformed, sworn employees shall provide their name, unit of assignment and current badge number, and when specifically requested, shall also display their Department-issued photo identification.

[CLE 22.1.8 b] and [CC 1.1.7 b]

- 2) Non-uniformed, sworn employees shall display their badge and Department photo identification when specifically asked, unless operating in undercover capacity or doing so would otherwise compromise a specific duty, assignment, investigation, or personal safety.

- 3) Civilian employees shall verbally provide their name and display their Department-issued photo identification card if specifically requested to do so.

- 4) Citizens requesting name, badge number, or other identifying information in writing will be provided this information. A business card can be used if available.

- 5) Except for those officers working in an undercover capacity, when citizens request verbal identification over the telephone, employees will provide their name and unit of assignment. When specifically requested, employees will provide their current badge number.

[CLE 22.1.8 c] and [CC 1.1.7 c]

**N. Arrests:** In making arrest, officers will strictly observe the laws of arrest and the following provisions:

1. Officers will announce their intention to arrest prior to doing so unless the officer's safety will be threatened or it is impractical to do so.

2. Only use the force necessary to accomplish lawful objectives.

[CLE 4.1.1]

3. The arresting officer is responsible for the safety and protection of the arrested person while in the officer's custody. The officer's immediate supervisor will be notified as soon as practical regarding ill, injured, or escaped prisoners.

**O. Admonition of Rights:** The "Warning of Individual Rights" (i.e., a Miranda Warning) will be read to each arrestee in accordance with state and federal law.

[CLE 1.2.3 a-c]

**P. Arguments during Arrest:** Officers during the course of making an arrest or issuing a traffic summons or citation will not become involved in any arguments or discussions on the merits of the case. Officers will courteously give any information requested by the offender as to the procedure for handling a summons, citation, or arrest.

**Q. Treatment of Arrestees:** Officers having custody of arrestees will observe all laws and Department directives regarding this activity. Officers will not leave any arrestee unattended or without direct supervision and care. Any irregularity indicating the arrest to be contrary to a lawful principle or Department procedure will be immediately brought to the attention of the Watch Commander.

**R. Transportation of Arrestees:** Transportation of arrestees will be in accordance with current Department procedures.

**S. Recommending Attorneys, Bail Bond Services, or Other Services Prohibited:**

Department employees will 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.

**T. Acting as Bailer Prohibited:** Department employees are prohibited from acting as bailers for any person in custody except relatives.

**U. Personal Associations:** Employees are prohibited from developing a personal or financial relationship with individuals associated with criminal activity or who have a history of associating with criminal activity. Employees are not to develop a relationship and/or affiliate with any person or group, which advocates or engages in illicit or illegal conduct. Such relationships are inconsistent with the mission of the Department, directly call into question the credibility and integrity of the Department and/or the employee concerned, and potentially place the

employee and the Department in a position in which this agency's operational effectiveness may be compromised.

**V. Employee Contact Information:** Each employee will maintain at least one telephone number by which Department personnel can contact him/her while she/he is off duty and will provide the Department that number. Any change to a contact telephone number will be reported within 72 hours. Each employee will provide the Department the physical address to his/her current residence and an emergency contact person to be contacted in case of emergency. No private telephone number, physical address, or emergency contact of an employee will be released to any person outside of the Department, without prior consent of the employee.

**W. Long Distance Telephone Calls, Cellular Telephone Calls, Fax Machines**

**Personal Long-Distance Calls:** The use of county telephones and fax machines for personal long-distance calls is prohibited except in emergencies.

**X. Voice Mail and E-Mail:** All employees having ACC Voice Mail and/or E-Mail will check their messages each workday and reply or respond to requests promptly.

**1.04.04 CONDUCT ON DUTY**

**A. General Responsibilities:** When on duty and within the county, officers will take appropriate action to:

[CLE 1.2.1]

1. Protect life and property;
2. Preserve the peace;
3. Prevent crime;
4. Detect and arrest violators of the law;
5. Enforce federal, state, and local laws and ordinances within Department jurisdiction; and
6. Promptly and professionally respond to all requests for police service.

**B. Availability When On-Duty:** Employees when on-duty will not conceal themselves except for a police purpose, and will be immediately and readily available to the public during duty hours.

**C. Cooperation:** Employees will maintain a spirit of cooperation within the Department.

**D. Conduct Toward Other Employees**

1. Employees will be courteous and civil at all times in their relationships with one another.
2. Racial, ethnic, sexual, or religious comments directed at or concerning other employees that could reasonably be considered inappropriate are prohibited.
3. In the presence of other employees or the public, employees will refer to other employees by last name, rank, or title, as appropriate to the situation.
4. When in the presence of defendants or other members of the public, officers will refrain from addressing magistrates by their first names.

**E. Assistance:** All officers are required to take appropriate police action toward aiding another officer exposed to danger or in a situation where danger might be imminent.

**F. Duty Responsibilities**

1. Employees will respond appropriately to the lawful orders of a superior officer and other proper authorities and to requests for police assistance from citizens.
2. Employees will obey lawful orders relayed from a superior by an employee of the same or lesser rank.

[CLE 12.1.3] and [CC 2.1.3]

3. If any employee deliberately fails or refuses to obey a lawful order given by a superior, that employee will be guilty of insubordination.
4. Officers assigned to special duties are not relieved from taking enforcement action outside the scope of their specialized assignment when necessary.
5. Employees will perform their duties as required or directed by law; Department rule, policy or directive; or by order of a supervisor.

[CLE 12.1.3] and [CC 2.1.3]

6. Employees will follow the chain of command in their official dealings.

**G. Activities Prohibited On-Duty:** Employees are prohibited from engaging in the following activities while on duty:

1. Sleeping or appearing to be asleep, loafing, idling, and loitering;
2. Failing to provide prompt, correct, courteous service to others;
3. Conducting private business;
4. Carrying any article which distracts from the proper performance of police duty;
5. Consuming intoxicating beverages. All personnel, except those assigned to the Tactical Anti-Crime Section, are expressly prohibited from consuming intoxicating beverages while on duty. The only exception is when the use of such beverages is necessary in the performance of a police duty AND approved in writing by the Chief of Police. Tactical Anti-Crime Section personnel will adhere to their respective Standard Operating Procedures and policies regarding the use of alcoholic beverages.
6. Gambling (unless to further a police purpose);
7. Failing to report back in service immediately on the completion of an assignment;
8. Inattention to duty such as;
  - a. Excessive personal visiting with citizens;
  - b. Excessive personal visiting with other employees; and
  - c. Parking in locations and in such a manner as to serve no useful purpose in preventing crime.
9. Failing to perform assigned tasks; and
10. Misuse of Department equipment or supplies

**H. Unsatisfactory Performance:** Employees will maintain and demonstrate sufficient competency to properly perform their assigned duties. Unsatisfactory and unprofessional performance may include, but is not limited to the following:

1. Unwillingness or inability to perform assigned tasks;
2. Lack of knowledge of the application of laws;
3. Failure to perform assigned duties properly;
4. Articulable, progressively downward trend in performance;

5. Written record of repeated violations of rules, regulations, directives, policies, or orders;
6. Failure to conform to work standards established for the employee's rank, grade, or position; or
7. Failure to progress in on-the-job training, remedial training, or any required training imposed by the Department.

**I. Saluting:**

1. Unless performing police duties requiring immediate attention, officers in uniform will hand salute the American flag as it passes during all public occasions, ceremonies, or parades.
2. When in formation, hand salutes will be rendered on the command, "Present Arms". The hand salute will be returned on the command "Order Arms".
3. When not in uniform, the right hand (with the hat, if any) will be placed over the heart as the flag passes.

**J. Relief:** Employees will remain at their assignment and on duty until properly relieved by competent authority.

**K. Fitness for Duty:** Employees will, to the best of their ability, maintain a good physical and mental condition. When an employee is unable to satisfactorily perform the essential functions of his or her duties and responsibilities due to an apparent mental or physical condition, the Chief of Police may submit a written request to the Director of Human Resources for a fitness-for-duty examination.

**[CLE 22.2.1]**

**L. Intoxicants and Controlled Substances:** Employees will not:

1. Be intoxicated or under the influence of a controlled substance while on-duty.
2. Be intoxicated or under the influence of a controlled substance in public view on or off-duty.
3. Consume intoxicants or controlled substances while off-duty to the extent that evidence of such consumption is apparent when reporting for duty, or court, or to the extent that their ability to perform their duty is impaired.
4. Consume intoxicants while in uniform or parts thereof while in public view, whether on or off-duty. For the purpose of this section only, the gun, badge, and identification are not considered part of the uniform.

5. Purchase intoxicants while on duty or in uniform or parts thereof.
6. Purchase or consume controlled substances without prescription whether on or off-duty.
7. Consume intoxicants within four hours prior to reporting for scheduled duty.
8. Consume intoxicants during breaks or lunch periods, whether compensated or not.
9. Bring into or keep any alcoholic beverages on Department premises or in Department vehicles except when necessary in the performance of a police task. Alcoholic beverages will be properly identified and stored according to current policy.

**M. Smoking/Use of Tobacco While On Duty:**

1. Employees in uniform will not smoke or use other tobacco products while conducting Department business in public.
2. Employees will use discretion when smoking or using other tobacco products in homes and places of business so as not to do so under conditions that may be detrimental to good conduct or manners.
3. Employees will not smoke or use other tobacco products while in ACC vehicles, directing traffic, investigating accidents, at crime scenes, or where smoking or tobacco use is prohibited.

**N. Defects of Public Thoroughfares:** Officers will observe the conditions of public thoroughfares and public utilities (electric company sites and poles, water company properties, natural gas lines, etc.). They will promptly report hazardous conditions or obstructions on any street, roadway, sidewalk, or county property. If necessary, they will promptly barricade or cause dangerous areas to be barricaded. Officers will ensure that the proper agencies (county or public utility) are notified.

**[CLE 41.2.4]**

**O. Eating in Public Dealings:** Employees will not consume food while dealing with Public except to serve a police purpose.

**P. Meals:** Officers may take a meal break within their beats or assigned duty areas, subject to modification by their commanding officer. Officers who are paid for their meal breaks are on duty and subject to call and may not sever radio contact during meal breaks. All other officers are off-duty during lunch and are not paid; however, if in an emergency officers must take enforcement action they will be

compensated with overtime and worker's compensation benefits will apply (Fair Labor Standards Act).

#### 1.04.05 CONDUCT OFF DUTY

- A.** Officers, while off-duty within Clarke County, will take police action in situations involving a felony or immediate protection of public safety, and must notify the Department as soon as possible; except that:
  - 1.** Officers may refrain from taking action or from identifying themselves as police officers when doing so would endanger them or citizens in the area; and
  - 2.** Off-duty officers who are not armed are not required to take action that would endanger themselves or citizens in the area.
- B.** Off-duty officers observing or involved in an incident requiring police action, but not involving a felony or jeopardy of public safety, will promptly report the incident to the Department for handling by an on-duty officer.
- C.** Other than felonies, off-duty officers are discouraged from taking any police action. If an officer takes police action, the officer must be prepared to justify that action.
- D.** Officers are prohibited from making traffic stops while off-duty unless they are driving a marked cruiser and have a radio. Officers will notify Communications when making an off-duty traffic stop.
- E.** Employees who are off-duty and become involved in any situation of a personal nature which could potentially require police assistance or intervention from an on-duty officer, will only request such assistance via police radio or by phoning the Communications Center. The Communications Center employee will contact an on-duty police supervisor and inform him/her of the circumstances.
- F.** In any case where an off-duty officer is involved in a situation of a personal nature, which could potentially require police assistance or intervention from an on-duty officer, or in any case where an off-duty officer is the alleged suspect or victim of a crime in Clarke County, an off-duty officer is the alleged suspect or victim of a crime in Clarke County, an on-duty police supervisor will respond to the scene to conduct the preliminary investigation. The supervisor will interview witnesses, examine any physical evidence, and complete the police report when appropriate.

Responsibility for conducting the preliminary investigation and completing the report may be delegated to an on-duty officer, but only in cases where no crime has been committed or where the off-duty officer is the obvious victim of, or

witness to a crime. These responsibilities may be delegated only after the on-duty police supervisor has consulted with and received concurrence from the on-duty police Watch Commander.

On-duty employees are prohibited from rendering assistance to off-duty employees in such cases without simultaneous notification of an on-duty supervisor.

#### 1.04.06 SUPERVISORY ISSUES

- A. **Manner of Issuing Orders:** Orders from a supervisor to a subordinate shall be in clear, understandable language, civil in tone, and issued in pursuit of Department business.
- B. **Questions Regarding Assignment:** Employees in doubt as to the nature or detail of their assignment will seek such information from their supervisors through the chain of command.
- C. **Unlawful Orders:** No command or supervisory employee will knowingly issue any order that is in violation of any law; ordinance; county policy; Department rule, order, or policy.
- D. **Obedience to Unlawful Orders:** No employee is required to obey any order which is contrary to federal or state law, local ordinance or ACC policy. Responsibility for refusal to obey rests with the employee and he or she will be required to justify his or her action.
- E. **Obedience to Unjust or Improper Orders:** Employees who are given orders that they feel to be unjust or contrary to Department or ACC policies must call the conflict to the attention of the issuing superior. If not rescinded the order must be obeyed to the best of the ability of the employee. Appeals may be made as provided below in section 1.04.06G.
- F. **Conflicting Orders:** Upon receipt of an order conflicting with any previous order or instruction, the employee affected will respectfully so advise the person issuing the second order. Responsibility for rescinding the original instruction then rests with the individual issuing the second order. If so directed, employees will obey the latter command first.

[CLE 12.1.3] and [CC 2.1.3]

- G. **Unlawful, Unjust, Improper Orders – Reports and Appeal:** Employees receiving an unlawful, unjust, or improper order may at first opportunity report in written memorandum form to the commander of the person who issued the order. The report will contain the facts of the incident and the action taken. Appeals for

relief from such orders may be made at the same time. Any further Department action regarding such an appeal will be conducted through the Chief of Police. If the Department decision or disposition of the appeal is unsatisfactory, the employee may appeal the matter through the ACC grievance procedure.

[CLE 12.1.3] and [CC 2.1.3]

**H. Accountability for Performance:** Supervisory personnel are accountable for the activities of employees under their immediate control and each employee is accountable to the watch or unit supervisor on duty at the time of their tour of duty.

[CLE 11.3.2] and [CC 1.1.3]

**I. Positive/Corrective Disciplinary Action:** Supervisors will take appropriate formal or informal action on observing any violation by a subordinate. This may be in the form of:

1. Supervisory guidance/oral counseling conducted to provide assistance. Such guidance allows the supervisor to bring to the attention of the employee the need to improve performance, work habits, attitude, or other behaviors and to serve as a warning against future repetition of unsatisfactory conduct.
2. Training may be employed by itself in a proactive manner, or it may be employed in conjunction with other components of the disciplinary system. The purpose is to strengthen the employee's performance in a positive manner.
3. Supervisors are expected to identify performance deficiencies and insufficient knowledge during the performance evaluation process. When appropriate supervisors should take the necessary steps to secure such remedial training for the employee.

[CLE 26.1.4 a-c] and [CC 3.6.5 a-c]

**J. Roll Call Procedures and Supervisory Briefings**

1. Employees will be given guidance as to their assignments by their supervisors on an on-going basis. This may be done at roll calls or by other means appropriate to their assignment.
2. Field Operations Bureau and Operational Support Bureau supervisors will also provide the following minimum information on a regular basis:
  - a. Assignment for the shift;
  - b. Athens Crime Information Sharing Network (ACISN) notices;
  - c. Lookouts of a law enforcement nature; if any.

- d. New or amended policies; if any.
- e. Information concerning major crimes; if any.
- f. Training, as needed;
- g. Any information deemed necessary by the supervisor or higher authority; and
- h. Weekly personnel inspections to evaluate employee readiness for duties (Patrol only).

[CLE 41.1.2]

#### 1.04.08 POLITICAL ACTIVITES

**A. Employee Rights:** Employees may:

1. Vote in all elections without fear of reprisal, restraint or coercion;
2. Privately express opinions on candidates and issues;
3. Support candidates for political office through contribution of funds or time; and
4. Be candidates for political office subject to the conditions outlined below.

**B. Prohibited Activities:** Employees may not:

1. Use Department of ACC supplies, equipment, or facilities for the purpose of furthering political parties, candidates, or causes.
2. Use their Department or ACC position in any form of endorsement or support of political parties, candidates, or causes.

#### 1.04.09 CARE OF POLICE PROPERTY [CLE 17.5.2], [CLE 41.3.2] and [CC 2.4.10]

**A. Liability for Equipment:**

1. Issuance, and accountability of agency-owned property and equipment to authorized users is the responsibility of the department's Quartermaster. Items controlled by this position include expendable items, installed and uninstalled property, munitions, and personal wear items. This position is responsible for ensuring that stored items of the agency's equipment or assigned property are maintained in a state of operational readiness.

**[CLE 17.5.1 a-b], [CC 2.4.8 a-b] and [CC 2.4.10]**

2. Employees must immediately report any theft, damage, or loss of Department or county property or equipment to their supervisor.
3. Financial liability for loss of or damage to property may be required in addition to any disciplinary action determined by the Department (See Directive 3.03 Equipment.)
4. Financial responsibility will not apply to damage resulting from police vehicle accidents.
5. As much as reasonably possible, employees will be responsible for the security and care of all issued equipment while on-duty or off-duty. In the event of theft, damage, or loss of issued equipment negligence, if any, will be determined by considering what security or preventive measures had been taken and what other security or preventive measures were available at the time of the theft, damage, or loss.
6. Employees are prohibited from leaving equipment in ACC vehicles, unattended in police buildings, or in open view in privately owned vehicles or ACC vehicles after the end of the tour of duty or anywhere else it will be susceptible to loss, theft, or damage.
7. Employees are responsible for the security of issued weapons both on and off duty. Officers are issued a security lock with their duty sidearm and shall use the issued lock or other suitable lock to keep their duty sidearm, as well as personally owned firearms, locked in a secure place when not in use. Officers are required to secure and lock their duty sidearm keeping them out of the reach of children and irresponsible adults who may live in or visit their home. At no time will Department portable radios, mobile computers, or weapons be left unattended in an unlocked vehicle. Computers, shotguns, and rifles should be locked in their mounts or security devices when not being used. Portable radios and weapons will not be stored in vehicles overnight unless the vehicle is in a personal, locked garage; except that, weapons may be left in take-home vehicles that have an appropriate safe or lock box built into the vehicle.
8. It is the responsibility of the employee's supervisor to determine through investigation if any theft, damage, or loss occurred willfully or through negligence. If it is determined that the employee was responsible, that employee will be held accountable and subject to disciplinary action.
9. The administrative remedy herein provided will in no way, or to any extent, limit or otherwise affect any course of action of ACC as a result of the theft, damage, or loss of Department or ACC property.

**B. Care of Department Facilities:**

1. **Facility Surfaces:** Employees will not mark or deface any surface in any Departmental facility.
2. **Posted Notices:**
  - a. Employees will not mark or deface any posted notice of the Department;
  - b. No material will be affixed in any way to any wall or bulletin board in Department buildings without authorization from the commander responsible for the area; and
  - c. All posted notices must bear the name of the commander who approved the notice, the date posted, and the termination date.
3. **Bulletin Boards:**
  - a. Department bulletin boards are maintained to provide employees with information about Department, ACC and community activities, promotional and employment opportunities, health and workplace issues, and notices required by law;
  - b. The precinct commander or their designee is responsible for monitoring appropriate use of bulletin boards in shared areas. Commanders are responsible for monitoring appropriate use of bulletin boards in their units. ALL employees are responsible for ensuring that items posted conform to Department standards and that any items not conforming to Department standards are promptly removed from any bulletin board on which they are found;
  - c. All items posted on bulletin boards will include the date it was posted. Items that are required to be posted permanently, such as OSHA notices, will be labeled "Do Not Remove.;"
  - d. Employees wishing to bring published newspaper or magazine articles, clippings, or opinion columns to the attention of other employees may forward these to the Public Information Officer for consideration;
  - e. Employees will not place items or markings on any bulletin board, marker board, or on any other item, including those in roll call and conference rooms that disparage or discriminate against any individual or group because of race, color, religion, gender, national origin, age, disability, or sexual orientation; and
  - f. Following are examples of items that may be posted on bulletin boards:

Type of Item	Authority to Post
Personnel Information	Personnel and Training
Mandatory Notices	Personnel and Training, Facilities Management
Administration / official notices (Department, county, or community notices, correspondence, etc.)	

Announcements regarding Department or county events	All employees
Employee news (Examples: personal items for sale or rent, travel or recreational opportunities, outside training or job opportunities)	All employees, 2 weeks maximum

g. Employees who place items on bulletin boards in violation of this order or in violation of Department or ACC policies may be subject to disciplinary action.

C. **Surrender of Department Property:** Employees are required to surrender all Department property in their possession upon separation from service. Suspended officers will surrender their weapon, badge, and identification for the duration of a suspension.

**By Authority of:**

**Cleveland L. Spruill, Sr.  
Chief of Police**