

THURMONT POLICE DEPARTMENT

GENERAL ORDER	<i>Date Issued:</i> February 15, 2007	<i>Effective Date:</i> February 15, 2007	<i>Order No:</i> Chapter 3.0
<i>Authority: Chief of Police Gregory L. Eyer</i>			<i>Manual Page No:</i>
<i>Subject:</i> Disciplinary Procedures			<i>Replaces Page No:</i>
<i>CALEA Standard:</i> 26.1.1	<i>Distribution:</i> ALL	<i>Amends:</i>	<i>Number of Pages:</i> 12
<i>Related Documents:</i> Chapter			<i>Rescinds:</i>

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s) (including discipline and/or termination).

I. PURPOSE:

The purpose of this order is to provide guidelines outlining the disciplinary process for employee misconduct.

II. POLICY:

It shall be the policy of the Thurmont Police Department to provide a disciplinary system governing all employees consisting of rules, regulations, and procedures of accountability.

III. DEFINITIONS:

Incorporated in procedures.

IV. PROCEDURE:

- A. ***Code of Conduct and Appearance (CALEA 26.1.1):*** The code of conduct and appearance for the Thurmont Police department employees is in the form of Rules of Conduct. These Rules of Conduct specify both required and prohibited conduct by employees and are preceded in this manual by both the Canon of Police Ethics and the Law Enforcement Code of Ethics as adopted by the International Association of Chiefs of Police.

B. **Personal Appearance and Grooming (Rules of Conduct 25-0):** It is the policy of the Thurmont Police Department that all personnel maintain a neat, clean and well groomed appearance at all times. As stated in Rule 25-0 of the Rules of Conduct, personnel of the Department shall be held to the following set of standards.

1. *Male Personnel – Uniformed and/or Sworn Employees*

- a. Hairstyles for all male personnel will be groomed and shall not extend below the top of the shirt collar in the rear and shall not have any side growth over the ear.
- b. Sideburns with limitations are permitted. The length may not extend below the lowest point of the ear lobe and will end with a clean-shaven horizontal line. The width of the sideburns shall be no more than one and one-half inches (1 ½”), with the edges parallel without being flared. Sideburns are to be kept neatly trimmed at all times and shall not be bushy or shaggy in appearance.
- c. Mustaches must be neatly trimmed with the growth limited to one-quarter inch (¼”) beyond the corner of the mouth, both vertically and horizontally. The ends of the mustache shall not be waxed or twisted.
- d. Beards and goatees are not permissible unless required in Section IV of this order.
- e. Male employees in uniform or in an on-duty status are prohibited from wearing earrings or any other visible body piercing jewelry (including but not limited to: ears, lips, nose, tongue, eyebrows, etc.).

2. *Female Personnel – Uniformed and/or Sworn Employees*

- a. Hair will be neatly groomed and arranged in such a style so it does not extend below the bottom edge of the back of the shirt collar.
- b. No ribbons or ornaments will be worn in the hair except for neat and inconspicuous bobby pins and barrettes.
- c. Earrings will be small, with a post or clip-on back. Hoop or dangling earrings and any other visible body piercing jewelry are prohibited (including, but not limited to: lips, nose, tongue, eyebrows, etc.). Only two earrings may be worn in each ear.

3. *General Rules*

- a. The length, bulk or appearance of the hair will not be excessive, unkempt, cut or styled in a manner which would discredit or embarrass the department.
- b. Hair in the front will be groomed so it does not fall below the band of the properly worn headgear.
- c. Hairstyles must allow for proper wear of the uniform hat.
- d. Hair coloring, if used, must look natural.
- e. No new tattoos will be permitted unless they are covered by the appropriate uniform.
- f. Gaudy, excessive, outlandish or offensive jewelry of any kind shall not be worn while in uniform by a member of the department.
- g. The Chief of Police may prohibit the wearing of bracelets, earrings, and other jewelry (excluding medical alert identification) while on duty should it detract from the professional appearance of the employee, or should it constitute a safety hazard.
- h. No necklaces will be worn which show when wearing the uniform.
- i. All personnel are expected to maintain a neat, clean appearance, free or dirt or foul smelling odors.
- j. Cologne, perfume, after-shave, if utilized shall be done so in moderate amounts. Make-up shall be applied moderately and in good taste.
- k. Fingernail polish shall be prohibited from sworn personnel while in uniform. Female civilian personnel may utilize fingernail polish; however, the color shall be conservative.

4. *Exceptions*

- a. Personnel assigned to duties which require an inconspicuous appearance may be exempted from the provisions of this order upon approval by the Chief of Police.

5. *Uniform and Equipment Procedures*

- a. Titles to all uniforms and equipment purchased for and issued to members of the department shall be the property of the Town of Thurmont. All members of the Department shall be held strictly

accountable for the proper care, use and maintenance of all articles, uniforms, and equipment issued to them. Uniforms and equipment shall only be worn or used in accordance with department regulations. At any time, the Department reserves the right to inspect any equipment owned by the Town of Thurmont, i.e. desks, lockers, vehicles, etc. Reimbursement for lost property is the responsibility of the individual at a cost determined by the Chief of Police.

- b. All employees shall maintain all uniform and equipment in neat order and in good repair at all times. The uniform shall at all times be worn in compliance with department policy. Employees shall be neat and well groomed at all times while in uniform or representing the department.
- c. Normally, personnel will be required to wear the issued uniform and equipment; however, supervisors may prescribe other clothing and/or equipment as necessitated by the specific nature of the duty to which an individual is assigned.
- d. Civilian clothing worn by the members of the department during a tour of duty shall conform to the standards normally found in private business. The Chief of Police may prescribe other types of clothing as is deemed necessary. All articles of clothing worn while on-duty shall reflect a positive image of the Department.
- e. Claims for damage to clothing, uniforms and/or equipment resulting from the performance of duty shall be directed in memorandum form to the Chief of Police through the chain of command. Reasoning for the replacement will be included in the memorandum.
- f. Personnel shall immediately report to their supervisor any defects or potentially hazardous conditions found in any equipment or property issued to them.
- g. No mixture of (visible) civilian clothing with official uniform shall be permitted, on or off-duty, except for recognition purposes by plain clothes members during raids or other such special situations, and only with permission of a supervisor.
- h. Personnel shall not attend any Court, in any jurisdiction for the purpose of testifying or appearing as a defendant, attired in any part of the uniform if it does not relate to acts which occurred in the performance of official duties.

- i. No personnel shall wear any part of the uniform while off-duty and not performing an official act for the department with exception to approval secondary equipment use.
- j. Routine replacement of uniform items and equipment shall be made twice per calendar year (Spring and Fall), as long as budget allows.
- k. The Deputy Chief of Police will specify dates when requests for replacement uniform items and equipment must be submitted.
- l. The employee seeking the acquisition of new uniform items or equipment will submit a *Property Request* through the chain of command, to the Deputy Chief of Police. The request will include the specific item, quantity and sizes.
- m. The Chief of Police will have final approval for all uniform items and equipment requests, and shall place all purchase orders, unless otherwise authorized.
- n. Upon receipt of uniform items or equipment ordered, the shipping statement will be forwarded to the Chief of Police. Upon receipt of the actual billing statement, the Chief of Police will forward to the appropriate personnel for payment.
- o. All uniform items and equipment issued will be signed for by the receiving member.

6. *Uniform Alterations:*

- a. No uniform issued by the Department shall be altered without approval of the Chief of Police with the exception of initial alternation of the trousers/slacks and shirts.
- b. The Department shall make the arrangements for any approved alternations.
- c. Personnel shall submit all receipts to the Chief of Police for all approved alterations.

C. *Distribution of Rules of Conduct:*

- 1. All department employees will be issued a copy of the Department's Rules of Conduct. These Rules of Conduct will be kept in a designated section in each employee's Operational Procedures Manual.

2. It shall be each employee's responsibility to read, understand and comply with all Rules of Conduct, Department Regulations, Policies, Procedures, Laws and Ordinances.
3. Employees will be issued the Operational Procedures Manual from the Deputy Chief of Police at the time of employment. Employees will be required to sign for receipt of the manual upon issuance.
4. Documented training will be included as a part of orientations with the employee's signature of understanding and compliance recorded in the training file.
5. Lost or damaged manuals will require reimbursement by the employee in an amount determined appropriate by the Chief of Police.
6. All issued manuals are to be returned to the Deputy Chief of Police on termination of employment.

D. Regulations have been established in accordance with Rules of Conduct governing the following areas:

1. *Unbecoming Conduct* (Rule of Conduct 1-0)
 - a. Police agencies must demand of their employees the highest standards of conduct in order to establish and maintain public trust. To that end, Police Departments must establish standards of conduct that are clear and concise and define acceptable behavior of all employees.
 - b. Every employee shall conduct him/herself at all times, both on and off-duty, in a manner which reflects most favorably on the Police Department. The phrase "reflects most favorably" pertains to the perception of both the citizens and other department employees. Conduct unbecoming of an employee shall include that which tends to bring the Police Department into disrepute, or reflects discredit upon the employee as a representative of the department, or that which tends to impair the operation or efficiency of the Department or employee.
2. *Gratuities* (Rule of Conduct 9-0)
 - a. As employees of the Thurmont Police Department and public servants to the citizens, it is incumbent to maintain the highest degree of professionalism and impartiality. The acceptance of gratuities in any form is detrimental to the public trust and the integrity of the Department and contrary to the Code of Ethics.

- b. It shall be the policy of the Thurmont Police Department that acceptance or solicitation of gratuities in any form shall be strictly prohibited by all personnel.
 - c. Employees will not accept any bribe in any form whatsoever. Employees will **immediately** report, and will initiate appropriate enforcement action in the case of: any offer, or attempt to offer; any bribe; or inducement made in an effort to influence their official conduct.
3. *Employee Addresses, Telephones and Issued Pagers* (Rule of Conduct 13-9)
- a. To provide a point of contact for all employees while on and off-duty, employees are subject to twenty-four (24) hours call and shall therefore be required to maintain residence telephones and issued cell phones and pagers in operating order.
 - b. All employees are required to maintain a telephone at their place of residence in working order with the number made known to the department for listing.
 - c. Whenever an employee's residence phone number or address is changed, the employee shall submit notification of the new information in writing to their supervisor immediately or within twenty-four (24) hours of the change.
 - d. Supervisors shall forward all changes as they occur through the chain of command to the Administrative Specialist for revision to the Master List.
 - e. Employee's personal telephone numbers and addresses are not to be given to anyone other than verified department staff. Personnel telephone numbers and addresses are for department use only.
 - f. Cell phones and/or pagers are to be active for call 24 hours daily with exception only as follows:
 - i. When an employee is available for contact at their place of residence.
 - ii. During an employee's approved leave days.
 - iii. During occasions of approval from the employee's supervisor.

4. *Use of Tobacco Products*

- a. Scientific evidence has demonstrated the practice of utilizing tobacco products is linked to respiratory disease, hypertension, heart disease and cancer. There are indications that passive smoking, i.e., inhalation of smoke for someone else's tobacco product is also linked to these diseases.
- b. Therefore, in the best interest of members of the Thurmont Police Department, the general public and prisoners, and to maintain a professional appearance, sworn personnel are prohibited from smoking while in the Thurmont Police Department's facility.
- c. While not encouraged, use of tobacco products will be allowed by employees in permanently assigned vehicle, except:
 - i. while transporting any prisoner, victim, or witness;
 - ii. any non-smoker who objects to smoking is present in the vehicle;
 - iii. when dealing with the general public in any manner.
- d. The use of snuff, chewing tobacco, or any other type of oral product is also prohibited as previously described.

5. *Political Activities (Rules of Conduct 10-0)*

- a. Employees may participate in politics, as well as in political campaigns, and may express their political opinions as long they do not do so in a public form while on duty; while in uniform; while operating department vehicles; or while they are acting in any capacity as a representative of the department.
- b. Employees will not use their official capacity to influence, interfere with, or affect the results of election, or to otherwise obtain partisan goals.
- c. Employees will not use their employment or association with the Department or any information, records, symbols, uniforms, or equipment of the department in any manner that would imply or suggest the department's endorsement of, support of, or alliance with a political candidate or partisan objective.
- d. Employees will not directly or indirectly coerce, attempt to coerce, or command another employee to pay, lend, or contribute anything of

value to any agency, committee, organization, party or person for political purposes.

- e. Employees assigned to duties financed in whole or in part by any loans or grants made by the United States or any federal agency may not be a candidate for elected office in any partisan primary, general, or special election.
- f. Employees will not knowingly become a member of or be connected with any organization that advocates the overthrow of the government by unconstitutional and/or violent means, except when necessary in the performance of duty and there only under direction of the Chief Police.

6. *Restrictions Concerning Use:*

- a. Off-duty vehicle usage is deemed a privilege and shall be subject to suspension or revocation for abuse thereof. Removal of an employee's privilege to operate a department vehicle while off-duty should not be construed to constitute a formal disciplinary action since this privilege, like all other privileges, is subject to suspension or revocation when it is in the best interest of the Department.
- b. Officers will not operate a department vehicle having consumed or intending to consume alcoholic beverages. The purchasing of alcoholic beverages while utilizing department vehicles is strictly prohibited.
- c. Officers will not transport anyone in the vehicle (other than for official police duties) who is intoxicated, under the influence of, or with the odor of any alcoholic beverage or other intoxicant still on their breath or about their person.
- d. Officers will not transport unofficially in the vehicle any heavy, excessive loads, or allow any object to protrude from its trunk or windows.
- e. Officers will not utilize the vehicle for any purpose that is not approved by the Department.
- f. The vehicle will not be utilized to transport any pets or animals. (Exception – K-9 handlers).
- g. Officers will not leave any firearm unattended in the vehicle unless secured in a gun case or locked in the trunk. No weapons will be left

in the vehicle when the vehicle is being serviced at a garage or other establishment.

- h. Officers will not display any bumper stickers, placards, banners, decals, insignia, etc., without the express written approval of the Chief of Police.
- i. Officers will not engage in any pursuits whenever there are any non-police passengers in the vehicle.

ATTACHMENTS:

DOCUMENT DATES:

Amended Date:

Review Date:

Review Date:

Rescinds:

Order Written by: Chief Gregory L. Eyer

Order Edited and Approved by: Chief Gregory L. Eyer

