

GENERAL ORDER, ADMINISTRATION, NUMBER 2
JULY 26, 2006, APRIL 7, 2004
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25, 1986
WATERLOO POLICE DEPARTMENT

A. SUBJECT:

Department Rules and Regulations

B. PURPOSE:

To establish the Rules of Conduct for the Department.

This General Order is for internal use only and does not enlarge an employee's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this General Order, if proven, can only form the basis of a complaint by this Department, and then only, in a nonjudicial, administrative setting.

C. POLICY:

It is the policy of the Department that the following procedures, namely the Rules of Conduct, shall be strictly adhered to by all employees of the Department. All Rules of Conduct shall be uniformly enforced by superior officer(s) and supervisor(s).

D. PROCEDURES:

1. Violation of Rules:

Employees shall not commit any acts or omit any acts which constitute a violation of any of the Rules, Regulations, Directives or Orders of the Department, whether stated in this General Order or elsewhere.

2. Unbecoming Conduct:

Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming an employee shall include that which brings the Department into disrepute or reflects discredit upon the employee as a member of the Department, or that which impairs the operation or efficiency of the Department or employee.

3. Immoral Conduct:

Employees shall maintain a level of moral conduct in their personal and business affairs, which is in keeping with the highest standards of the law enforcement profession.

Employees shall not participate in any incident involving moral turpitude, which impairs their ability to perform as law enforcement employees or cause the Department to be brought into disrepute.

4. Conformance to Laws:

Employees shall obey all laws of the United States and of any state and local jurisdiction in which the employees are present.

A conviction of the violation of any law, except non-indictable traffic offenses other than reckless driving, shall be prima facie evidence of a violation of this Section.

5. Reporting for Duty:

Employees shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. Employees shall be properly equipped and cognizant of information required for the proper performance of duty so they may immediately assume their duties. Judicial subpoenas or official notification to appear in court shall constitute an order to report for duty under this Section. Official notification shall be deemed made if a completed call or message for the employee is left at his or her residence by, or at the direction of a supervisor.

In the event of an illness, notice shall be given to the on-duty Watch Commander prior to the employee's absence, as soon as possible of the intent to use illness leave, but in no event later than the start of the watch which the employee is scheduled to work, except in emergencies. Failure to notify the Department shall relieve the City of the responsibility to compensate the employee during his or her absence.

In the event an employee wishes to utilize paid time off, the employee shall contact his/her appropriate supervisor to ask permission to use said time.

6. Neglect of Duty:

Employees shall not read, play games, watch television or movies or otherwise engage in entertainment while on duty except as may be required in the performance of duty. Employees shall not engage in any activities or personal business, which would cause them to neglect or be inattentive to duty.

7. Fictitious Illness or Injury Reports:

Employees shall not feign illness or injury, falsely report themselves or a member of their immediate family ill or injured, or otherwise deceive or attempt to deceive any supervisor of the Department as to the condition of their health or their family's health.

8. Sleeping on Duty:

Employees shall remain awake while on duty, if unable to do so, they shall so report to their supervisor who shall determine the proper course of action.

9. Leaving Duty Post:

Employees shall not leave their assigned duty posts during a tour of duty except when authorized by proper authority.

10. Meals/Breaks:

Employees shall be permitted to suspend patrol or other assigned activity, subject to immediate call at all times, for the purpose of having meals and breaks during their tours of duty, but only for such period of time and at such time and place as established by Department procedures.

11. Unsatisfactory Performance:

Employees shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Employees shall perform their duties in a manner, which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the employee's rank, grade or position; the failure to take appropriate action on the occasion of a crime, disorder or other condition deserving Department attention; or absence without leave. In addition to other indicia or unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance; repeated poor evaluation or a written record of repeated infractions of Rules, Regulations, Directives or Orders of the Department.

12. Alcoholic Beverages and Drugs in Police Installations:

Employees shall not store or bring into any police facility or vehicle, alcoholic beverages or controlled substances, except alcoholic beverages or controlled substances, which have been seized as evidence or contraband.

13. Possession and Use of Drugs:

Employees shall not possess or use any controlled substances except when prescribed in the treatment of employees by a physician or dentist or when necessary in the performance of their duty. When controlled substances are prescribed, employees shall notify their supervisor.

14. Use of Alcohol on Duty or in Uniform:

- a. Employees shall not consume intoxicating beverages while in uniform or on duty except when necessary in the performance of duty and while acting under proper and specific orders from a supervisor.
- b. Employees shall not appear for duty, or be on duty while under the influence of intoxicants to any degree whatsoever, or with an odor of intoxicants on their breath.
- c. Enforcement of these provisions shall be in compliance with the City of Waterloo's Substance Abuse policy and the provisions therein but said City policy shall not prevent the establishment of higher standards of conduct necessary for job performance.

15. Use of Alcohol off Duty:

Employees, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in impairment, intoxication or obnoxious or offensive behavior which discredits them or the Department, or renders the employees unfit to report for their next regular tour of duty.

16. Use of Tobacco:

Officers, when in uniform, may use tobacco as long as: (1) they are not in formation; (2) they do not have to leave their assignment or post for the sole purpose of doing so; (3) they are not engaged in traffic direction and control; and, (4) when they are in direct contact with the public, officers must obtain permission to use tobacco from the public with whom they are in direct contact; (5) tobacco use in all City Buildings and City Vehicles is prohibited.

17. Insubordination:

Employees shall promptly obey any lawful orders of a supervisor. This will include orders relayed from a supervisor by an employee of the same or lesser rank or grade.

18. Conflicting or Illegal Orders:

- a. Employees who are given an otherwise proper order, which is in conflict with a previous Order, Rule, Regulation or Directive, shall respectfully inform the supervisor issuing the order of the conflict. If the supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the supervisor. Employees shall obey the conflicting order and shall not be held responsible for disobedience of the Order, Rule, Regulation or Directive previously issued.
 - b. Employees shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, employees shall request the issuing supervisor to clarify the order or to confer with higher authority.
19. Gifts, Gratuities, Bribes or Rewards:
- a. Employees shall not solicit or accept from any person, business, or organization any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service or entertainment) for the benefit of the employees or the Department, if it may reasonably be inferred that the person, business, or organization:
 - 1. Seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty.
 - 2. Has an interest which may be substantially affected directly or indirectly by the performance or nonperformance of an official duty.
 - b. Any employee receiving an unsolicited gift which may reasonably be inferred to be connected to the employee's official position shall immediately report the receipt of such gift to the Chief who shall determine its disposition. During the employee's next tour of duty, the employee shall file a written report with the Chief. The Chief shall dispose of the gift in an appropriate manner and shall notify the original recipient of its disposition.
 - c. Any employee may receive an unsolicited gift as long as it does not violate Chapter 68B.22 of the Code of Iowa.
20. Abuse of Position:
- a. Use of Official Position or Identification:
 - 1. Employees shall not use their official position, official identification cards or badges: (1) for personal or financial gain; (2) to solicit privileges not otherwise available to them

except in the performance of duty; or (3) for avoiding consequences of illegal acts.

2. Employees shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief.

b. Use of Name, Photograph or Title:

Employees shall not authorize the use of their names, photographs, or official titles which identify them as Department employees in connection with testimonials or advertisements of any commodity or commercial enterprise without the approval of the Chief.

21. Endorsements and Referrals:

Employees shall not recommend or suggest to the public 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, ambulance service, wrecker service, bondsman, mortician, etc.). When a wrecker service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, employees shall suggest the most suitable wrecker service as determined by pertinent factors such as proximity to scene, service and promptness history, availability of specialized equipment, etc.

22. Identification:

Employees shall carry their badges and identification cards on their persons at all times, except when impractical or dangerous to their safety or to an investigation. They shall furnish their name and exhibit their I.D. to any person requesting that information, when they are on duty or while holding themselves out as having an official capacity, except when the withholding of such information is necessary for the performance of Department duties or is authorized by proper authority.

23. Citizen Complaints:

Employees shall courteously and promptly attempt to resolve the complaint of a citizen against any employee or the Department, but shall never attempt to dissuade any citizen from lodging a complaint against any employee of the Department. Employees shall follow established Department procedures for processing complaints.

24. Courtesy:

Employees shall be courteous to the public. Employees shall be tactful in the performance of their duties, shall control their tempers and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, employees shall not use coarse, violent, profane or insolent language or gestures and shall not express any prejudice concerning race, religion, politics, national origin, life style or similar personal characteristics.

25. Requests for Assistance:

When any person applies for assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information shall be obtained in an official and courteous manner and shall be properly and judiciously acted upon consistent with the established Department procedures.

26. Associations:

Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the employees.

27. Visiting Prohibited Establishments:

Employees shall not knowingly visit, enter or frequent a house of prostitution, gambling house or establishment wherein the laws of the United States, the state or the local jurisdiction are regularly violated except in the performance of duty or while acting under proper and specific orders from a supervisor.

28. Gambling:

Employees shall not engage or participate in any form of illegal gambling at any time except in the performance of duty and while acting under proper and specific orders from a supervisor.

29. Public Statements and Appearances:

- a. Employees shall not publicly criticize or ridicule the Department, its policies or other employees by speech, writing or other expression where such speech, writing or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interfere with the maintenance of discipline or is made with reckless disregard for truth and falsity.

- b. Employees shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge investigative information or any other matters of the Department while holding themselves out as representing the Department in such matters without proper authority. Employees may lecture on "police" or other related subjects only with the prior approval of the Chief.

30. Personal Appearance:

- a. Except when acting under proper and specific orders from a supervisor, employees on duty shall maintain a neat, well-groomed appearance and shall style their hair according to the following guidelines:

1. Uniformed Male Officers:

- a. Hair must be clean, neat and combed. Hair shall not be worn longer than one inch below the top of the shirt collar at the back of the neck when standing with the head in a normal posture. Side hair shall not extend below the mid-ear line. The bulk or length of the hair shall not interfere with the normal wearing of all standard headgear.
- b. Wigs or hairpieces are permitted if they conform to the above standards for natural hair.
- c. Sideburns shall be neatly trimmed, rectangular in shape and shall not extend below the bottom of the ear lobe.
- d. Officers shall be clean-shaven except that they may have mustaches, which do not extend more than one-half inch below the corner of the upper lip.
- e. Hair color must look natural and complement the individual. Faddish and outrageous multi-colored hair is not authorized. Any hairstyles, which interfere with the proper wearing of headgear, are not permitted.
- f. The wearing of earrings or any other facial jewelry is prohibited and the officer shall not alter their appearance, which would bring undue attention to themselves and/or have an adverse effect on the public.

2. Uniformed Female Officers:

- a. Hair must be clean, neat and combed. Hair shall not be worn longer than one inch below the top of the shirt collar at the back of the neck when standing with the head in a normal posture. Side hair shall not extend below the mid-ear line. The bulk or length of the hair

shall not interfere with the normal wearing of all standard headgear.

- b. Wigs or hairpieces are permitted if they conform to the above standards for natural hair.
- c. Hair color must look natural and complement the individual. Faddish and outrageous multi-colored hair is not authorized. Any hairstyles, which interfere with the proper wearing of headgear, are not permitted.
- d. The wearing of earrings (studs only) is allowed but other facial jewelry is prohibited, and the officer shall not alter their appearance, which would bring undue attention to themselves and/or have an adverse effect on the public.

3. Non-uniformed Male Officers:

- a. Hair must be clean, neat and combed. Hair shall not be worn longer than one inch below the top of the shirt collar at the back of the neck when standing with the head in a normal posture. Side hair shall not extend below the mid-ear line.
- b. Wigs or hairpieces are permitted if they conform to the above standards for natural hair.
- c. Sideburns shall be neatly trimmed, rectangular in shape, and shall not extend below the bottom of the ear lobe.
- d. Officers shall be clean-shaven except that they may have mustaches, which do not extend more than one-half inch below the corner of the upper lip line.
- e. Hair color must look natural and complement the individual. Faddish and outrageous multi-colored hair is not authorized. Any hairstyles, which interfere with the proper wearing of headgear are not permitted.
- f. The wearing of earrings or any other facial jewelry is prohibited and the officer shall not alter their appearance, which would bring undue attention to themselves and/or have an adverse effect on the public.
- g. Facial jewelry is prohibited and the civilian shall not alter their appearance, which would bring undue attention to themselves and/or have an adverse effect on the public.
- h. A supervisor may prescribe other types of clothing or appearance when necessary to meet a particular police objective.

4. Non-uniformed Female Officers:

- a. Hair must be clean, neat and combed. Hair shall not be worn longer than one inch below the top of the shirt collar at the back of the neck when standing with the head in a normal posture. Side hair shall not extend below the mid-ear line.
- b. Wigs or hairpieces are permitted if they conform to the above standards for natural hair.
- c. Hair color must look natural and complement the individual. Faddish and outrageous multi-colored hair is not authorized. Any hairstyles, which interfere with the proper wearing of headgear are not permitted.
- d. The wearing of earrings or any other facial jewelry is prohibited and the officer shall not alter their appearance, which would bring undue attention to themselves and/or have an adverse effect on the public.
- e. A supervisor may prescribe other types of clothing or appearance when necessary to meet a particular police objective.

5. Civilian Employees:

- a. The following policy shall define minimum personal appearance criteria for on-duty, civilian employees. On-duty is defined as time when the civilian employee is actually working, participating in training or appearing in public as a representative of the Department.
- b. All clothing shall be neat, clean and compatible with contemporary standards. Footwear shall be cleaned or polished and in good taste with attire. Hair shall be clean, neat and combed. Male civilian employees may wear beards or mustaches if they are neatly trimmed and clean.
- c. Male civilian employees shall wear wash and wear or dress slacks, dress shirts or sweaters.
- d. Female civilian employees shall wear dresses, suits, slacks, blouses or sweaters.
- e. All types and styles of jeans, shorts, tee shirts, athletic wear and other clothing described as strictly casual shall not be worn.
- f. Clothing guidelines may be temporarily modified by immediate supervisors when necessary.
- g. Hair color must look natural and complement the individual. Faddish and outrageous multi-colored hair is not authorized.

33. Cosmetics:

- a. Excessive cosmetics such as dark, heavy eye shadow, false eyelashes, and heavy mascara, which would detract from the uniform or proper business attire is prohibited. Cosmetics, if worn, shall be moderate and natural appearing.

34. Jewelry:

- a. Jewelry items worn by all uniform officers shall be of a nature, which will not detract from the uniform or interfere with the officers' duties or cause a hazard to the other officer or to any other person.
- b. Officers may wear only one necklace while on duty. This must be worn under the shirt and must not be allowed to dangle outside the clothing. It must be of a material that will easily break if caught on something.

35. Personal Appearance at Department Training:

In the interest of maintaining the highest standards of professionalism and because of the Waterloo Police Department personnel are on display while in training and do represent the City of Waterloo, all personnel will follow these guidelines.

- a. During monthly training at the Waterloo Police Department training center, officers shall appear well groomed and their clothing should not be soiled. Appropriate attire for training may be specified by the Training Unit of the Waterloo Police Department.
- b. Any officer required to attend training outside our police department will dress according to the standards for a non-uniform officers unless otherwise stated by their supervisor.
- c. Non-sworn personnel attending training outside of our training center will dress according to standards set in the General Orders and will adhere to the standards while they are performing their normal duties unless directed otherwise by their supervisor.

36. Uniforms and Other Clothing:

- a. Employees on duty shall wear uniforms or other clothing in accordance with established procedures.

37. Political Activity:

- a. Employees

1. Employees may express opinions as **individuals**, privately and publicly, on political issues and candidates.
2. Any employee shall not solicit in any manner a contribution for any political party or candidate or engage in any political activity during working hours.
3. Except when acting within their official capacity, employees are prohibited from using city equipment and/or supplies for political activities.
4. Employees are prohibited from endorsing or opposing any candidate for public office in a political advertisement, broadcast or campaign literature.
5. Employees shall not wear during working hours or have posted on city property any political advertising or endorsement.
6. Employees shall not belong to or participate in the activities of any organization, association, society or other group, which in any way may adversely influence or control the work or service of such employees in their official capacity, or the activities or purpose of which is subversive in nature.

b. Supervisors

1. A supervisor shall not, directly or indirectly, solicit an employee to contribute money, anything of value or service to any political candidate or political party.

38. Labor Activity:

- a. Employees shall have the right to join labor organizations but nothing shall compel the Department to recognize or to engage in collective bargaining with any such labor organizations except as provided by law.
- b. Employees shall not engage in any strike. "Strike" includes the concerted failure to report for duty, willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a physician's statement when demanded, the stoppage of work or the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment for the purposes of inducing, influencing or coercing a change in conditions, compensation, rights, privileges or obligations of employment.

39. Telephone:

Employees shall have telephones in their residences and shall immediately report any changes of telephone numbers or addresses to their supervisor and the Department Administrative Services Unit.

40. Payment of Debts:

Employees shall not undertake any financial obligations which they know or should know they will be unable to meet, and shall pay all just debts when due. An isolated instance of financial irresponsibility will not be grounds for discipline except in unusually severe cases. However, repeated instances of financial difficulty may be cause for disciplinary action. Filing for a voluntary bankruptcy petition shall not, by itself, be cause for discipline. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline, provided that a good faith effort to settle all accounts is being undertaken.

41. Dissemination of Information:

Employees shall treat the official business of the Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established Department procedures. Employees may remove or copy official records or reports from a police installation only in accordance with established Department procedures. Employees shall not divulge the identity of persons giving confidential information except as authorized by proper authority.

42. Intervention:

- a. Employees shall not interfere with cases, investigations, reports or other official documents being handled by other employees of the Department or by any other governmental agency unless:
 1. Ordered to intervene by a supervisor.
 2. The intervening employee believes beyond a reasonable doubt that a manifest injustice or neglect of the police function would result from failure to take immediate action.
- b. Employees shall not undertake any investigation or other official action not part of their regular duties without obtaining permission from their supervisor unless the exigencies of the situation require immediate police action.

43. Departmental Reports:

Employees shall submit all necessary reports on time and in accordance with established Department procedures. Reports submitted by employees shall be truthful and complete, and no employee shall knowingly enter or cause to be entered any incomplete, false, inaccurate or improper information.

44. Processing Property and Evidence:

Property or evidence which has been discovered, gathered or received in connection with Department responsibilities will be processed in accordance with established Department procedures. Employees shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold any property or evidence in connection with an investigation or other police action, except in accordance with established Department procedures.

45. Abuse of Process:

Employees shall not make false accusations of a criminal or traffic charge.

46. Use of Department Equipment:

Employees shall utilize Department equipment only for its official intended purpose, in accordance with established Department procedures and shall not abuse, damage or lose Department equipment. All equipment lost, stolen or damaged shall be promptly reported to immediate supervisor. All Department equipment issued to employees shall be maintained in proper order.

47. Operating Vehicles:

Employees shall operate official vehicles in a careful and prudent manner and shall obey all laws and all Department orders pertaining to such operation.

48. Carrying Firearms:

Officers shall carry firearms in accordance with law and established Department procedures.

49. Truthfulness:

Upon the order of the Chief, or a supervisor, employees shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department, which may be asked of them for the purpose of an administrative investigation.

50. Use of Medical Examination, Photographs and Lineups:

Upon the order of the Chief, for good cause, employees shall submit to any medical, ballistics, chemical or other tests, photographs or lineups. All procedures carried out under this rule shall be specifically directed and narrowly related to a particular administrative investigation being conducted by the Department.

51. Financial Disclosure:

Upon the order of the Chief, employees shall submit financial disclosure statements in accordance with Department procedures in connection with a specific, credible complaint in which this information is material to the investigation.

These statements are to be maintained by the Chief and shall not be available for disclosure. All procedures carried out under this rule shall be specifically directed and narrowly related to a particular administrative investigation being conducted by the Department.

52. Treatment of Persons in Custody:

Employees shall not mistreat persons who are in their custody. Employees shall handle such persons in accordance with law and Department procedures.

53. Use of Force:

Employees shall not use more force in any situation than is reasonably necessary under the circumstances. Employees shall use force in accordance with law and Department procedures.

54. Use of Weapons:

Officers shall not use or handle weapons in a careless or imprudent manner. Officers shall use weapons in accordance with law and Department procedures.

55. Arrest, Search and Seizure:

Officers shall not make any arrest, search or seizure which they know or should know is not in accordance with law.

By order of:

Thomas J. Jennings
Chief of Police