

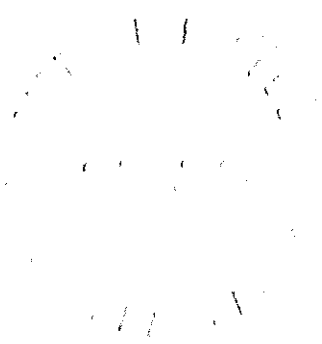
RESOLUTION NO. 55

WHEREAS, the City of Lowell has not prescribed written personnel policies for police officers;

AND WHEREAS, it is desirable that a written Code of Conduct be adopted.

NOW THEREFORE, be it resolved by the City Council of the City of Lowell that the attached Code of Conduct be adopted.

PASSED, this 8th Day of July, 1980.


John Raymond
CITY CLERK

Ryan Rooney
MAYOR

CODE OF CONDUCT

LOWELL POLICE DEPARTMENT

CODE OF CONDUCT

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1.000 INTRODUCTORY MATERIAL

1.010 INTENT OF CODE

(A) THE CODE OF CONDUCT OF THE LOWELL POLICE DEPARTMENT IS DESIGNED TO PROMOTE EFFICIENCY, DISCIPLINE, AND GOOD PUBLIC RELATIONS BY SETTING OUT THE POLICIES GOVERNING THE CONDUCT OF EVERY OFFICER AND CIVILIAN EMPLOYEE OF THE DEPARTMENT.

1.020 DUTY TO KNOW AND COMPLY WITH PROVISIONS

(A) ALL EMPLOYEES SHALL FAMILIARIZE THEMSELVES AND CONFORM WITH THE CODE OF CONDUCT, GENERAL ORDERS, AND ALL OTHER ORDERS, POLICIES, AND DIRECTIVES ISSUED BY PROPER AUTHORITY.

1.030 VIOLATIONS

(A) VIOLATIONS OF THE CODE OF CONDUCT SHALL SUBJECT THE OFFENDER TO DISCIPLINARY ACTION WHICH MAY TAKE THE FORM OF CORRECTION, WRITTEN REPRIMAND, SUSPENSION, REDUCTION IN RANK, DISMISSAL, OR RESTITUTION FOR PROPERTY LOST, DAMAGED, OR DESTROYED.

(B) THE DISCIPLINARY ACTION TAKEN SHALL DEPEND DIRECTLY ON THE DEGREE OF THE OFFENSE, THE RECORD OF THE OFFENDER, AND THE SERIOUSNESS OF THE CONSEQUENCES OF THE VIOLATION.

1.040 SUMMARY PUNISHMENT

(A) FIRST OFFENSE MINOR INFRACTIONS WHICH DO NOT INVOLVE MORAL TURPITUDE AND WHICH WILL NOT REFLECT DISCREDIT ON THE DEPARTMENT BUT WHICH DO INDICATE A NEED FOR TIGHTENING OF THE DISCIPLINE AND/OR TRAINING, MAY BE HANDLED BY THE COMMANDER OR BY THE SUPERVISOR THAT DETECTS OR OBSERVES SAID VIOLATION.

(B) SUMMARY PUNISHMENT SHALL GENERALLY BE LIMITED TO VERBAL CORRECTION OR FORMAL REPRIMANDS.

1.050 SERIOUS OR REPEATED OFFENSES

(A) SHOULD THE VIOLATION NOT BE ONE INVOLVING GROSS MISCONDUCT NOR MORAL TURPITUDE BUT OF A TYPE WHICH MIGHT CAST DISCREDIT UPON THE DEPARTMENT OR ANY MEMBER THEREOF, A REPORT SHALL BE MADE IN WRITING THAT SETS OUT THE KNOWN FACTS OF THE CASE AND AN INVESTIGATION SHALL BE INITIATED TO DETERMINE THE EXACT NATURE AND DEGREE OF THE OFFENSE.

(B) NO LATER THAT (3) BUSINESS DAYS AFTER THE DISCOVERY OF THE VIOLATION, AN APPOINTMENT SHALL BE MADE WITH THE OFFICE OF THE CHIEF OF POLICE FOR A FORMAL REVIEW OF THE MATTER WHICH SHALL BE ATTENDED BY THE ALLEGED OFFENDER AND THE COMMANDER OR SUPERVISOR, MAYOR OF LOWELL, AND THE POLICE COMMISSIONER OR THE PERSON REPORTING VIOLATION.

(C) SHOULD THE VIOLATION INVOLVE AN INCIDENT OF AN EXTREMELY SERIOUS NATURE, THE SUPERVISOR OR COMMANDER DETECTING THE VIOLATION SHALL RELIEVE THE OFFENDER FROM DUTY AND MAY TAKE UP ANY CREDENTIALS ISSUED BY THE POLICE DEPARTMENT. THE OFFENDER SHALL BE INSTRUCTED TO REPORT TO THE OFFICE OF THE CHIEF OF POLICE ON THE NEXT BUSINESS DAY FOLLOWING THE INCIDENT.

(D) IN CASES FOLLOWING IMMEDIATE RELIEF FROM DUTY, THE SUPERVISOR OR COMMANDER SHALL PREPARE PROPER WRITTEN REPORTS AND SHALL BE PRESENT WITH OFFENDER AT THE OFFICE OF THE CHIEF OF POLICE AT THE DESIGNATED TIME.

1.060 ADMINISTRATIVE HEARINGS

(A) ANY VIOLATION OR VIOLATIONS OF CODE OF CONDUCT WILL BE HANDLED THROUGH ADMINISTRATIVE HEARINGS. THE DEGREE OF PROOF REQUIRED FOR A VIOLATION OF CRIMINAL LAW IS PROOF BEYOND A REASONABLE DOUBT, HOWEVER, THE DEGREE OF PROOF REQUIREMENT FOR AN ADMINISTRATIVE HEARING IS REASONABLE PROOF.

(B) WITH THE EXCEPTION OF SUMMARY PUNISHMENTS AS DEFINED IN SECTION 1.040 OF THE CODE OF CONDUCT, HEARINGS ON VIOLATIONS SHALL BE CONDUCTED BY THE CHIEF OF POLICE.

1.070 SUSPENSIONS

(A) PURSUANT TO THE AUTHORITY GRANTED BY ARKANSAS STATUTE, THE CHIEF OF POLICE HAS THE POWER TO SUSPEND WITHOUT PAY ANY EMPLOYEE FOR CAUSE FOR ANY PERIOD OF TIME NOT TO EXCEED (30) THIRTY DAYS.

(B) SHOULD AN EMPLOYEE OF THE LOWELL POLICE DEPARTMENT BE SUSPENDED AFTER ADMINISTRATIVE HEARING BECAUSE HE OR SHE HAS VIOLATED ANY RULE OF THE CODE OF CONDUCT, HE OR SHE WILL RECEIVE A LETTER OF SUSPENSION THAT SETS FORTH THE RULE THAT WAS VIOLATED AND THE DETAILS OF THE SAID VIOLATION.

1.090 APPEALS

(A) APPEALS OF THE RULINGS BY THE CHIEF OF POLICE, MAYOR, AND POLICE COMMISSIONER MAY BE MADE TO THE LOWELL CITY COUNCIL.

1.100 EMPLOYEE'S RIGHT TO LEGAL COUNSEL

(A) AN EMPLOYEE SHALL NOT BE DENIED THE RIGHT TO LEGAL REPRESENTATION DURING ANY STAGE OF THE FORMAL PROCEEDINGS DESCRIBED IN THIS CHAPTER.

- 4-
- 2.000 ATTEMPTS-CONSPIRACIES
- 2.010 DEFINITION
- (A) ANY EMPLOYEE WHO BY ANY OVERT ACT OR CONDUCT ATTEMPTS TO VIOLATE OR CONSPIRES WITH ANY PERSON OR PERSONS TO VIOLATE THE CODE OF CONDUCT, GENERAL ORDERS, OR POLICIES OF THE LOWELL POLICE DEPARTMENT, SHALL BE HELD ACCOUNTABLE AS THOUGH THE ACTUAL VIOLATION HAD BEEN ACCOMPLISHED.
- 3.000 ADVERTISEMENTS-ENDORSEMENTS
- 3.010 RESTRICTIONS
- (A) MEMBERS ARE FORBIDDEN FROM ENDORSING, SANCTIONING, OR PERMITTING THE USE OF THEIR NAMES OR PHOTOGRAPHS AS LOWELL POLICE DEPARTMENT EMPLOYEES IN CONNECTION WITH ANY FORM OF ADVERTISING WITH OUT THE EXPRESS WRITTEN PERMISSION OF THE CHIEF OF POLICE.
- (B) MEMBERS SHALL NOT ENDORSE, RECOMMEND, OR GIVE TESTIMONIALS FOR ANY COMMERCIAL PRODUCT OR ENTERPRISE.
- (C) NO EMPLOYEE SHALL RECOMMEND TO ANY PRISONER OR MEMBER OF THE GENERAL PUBLIC THE EMPLOYMENT OF ANY PERSON AS HIS OR HER ATTORNEY, COUNSEL, OR BONDSMAN.
- 4.000 ALCOHOLIC BEVERAGES
- 4.010 ON-DUTY STATUS
- (A) MEMBERS WHO ARE FOUND TO BE UNDER THE INFLUENCE OF INTOXICANTS, INTOXICATED, OR DRINKING INTOXICANTS WHILE ON-DUTY SHALL BE SUBJECT TO DISMISSAL PROCEEDINGS.
- 4.020 OFF DUTY STATUS
- (A) NO EMPLOYEE SHALL DRINK INTOXICANTS WHILE WEARING THE UNIFORM OF THE LOWELL POLICE DEPARTMENT.
- (B) NO EMPLOYEE SHALL APPEAR BEFORE THE PUBLIC OR IN A PUBLIC PLACE WHILE IN AN INTOXICATED STATE.
- (C) MEMBERS SHALL NOT BE HABITUALLY EXCESSIVE USERS OF INTOXICANTS.
- 5.000 ARREST-PRISONERS
- 5.010 (A) THE OFFICER MAKING AN ARREST SHALL INFORM THE PERSON ABOUT TO BE ARRESTED OF THE INTENTION TO ARREST HIM, AND THE OFFENSE CHARGED AGAINST HIM FOR WHICH HE IS TO BE ARRESTED, AND, IF ACTING UNDER A WARRANT OF ARREST, SHALL GIVE INFORMATION THEREOF, AND IF REQUIRED, SHOW THE WARRANT.
- (B) NO UNNECESSARY FORCE OR VIOLENCE SHALL BE USED IN MAKING AN ARREST.
- 5.020 POSSESSIONS
- (A) ANY EMPLOYEE WHO, THROUGH NEGLIGENCE, LOSES, DAMAGES, OR DESTROYS ANY PROPERTY OR EQUIPMENT BELONGING TO A PERSON IN CUSTODY OR THAT HAS COME INTO POSSESSION OF SAID EMPLOYEE BY REASON OF HIS OR HER OFFICE HAS VIOLATED THIS CODE OF CONDUCT.
- (B) NO EMPLOYEE SHALL PURCHASE OR ACCEPT AS A GIFT ANY ARTICLE WHATSOEVER FROM ANY PERSON UNDER ARREST OR POLICE DETENTION.
- 5.030 PROSECUTION
- (A) AN EMPLOYEE SHALL NOT PERSONALLY FILE ANY FELONY CHARGE IN ANY COURT OF LAW AGAINST ANY PERSON FOR ANY CRIMINAL OFFENSE COMMITTED AGAINST THAT EMPLOYEE OR ANY MEMBER OF HIS OR HER IMMEDIATE FAMILY. SUCH OFFENSES COMMITTED AGAINST EMPLOYEES OR MEMBERS OF THEIR FAMILIES SHALL BE REPORTED TO THE DIVISION OF THIS AGENCY OR SUCH OTHER POLICE AGENCY HAVING RESPONSIBILITY FOR THE INVESTIGATION OF THE OFFENSE AND PERSONNEL OF THAT DIVISION OR OTHER POLICE AGENCY SHALL FILE SUCH CHARGES AS MAY BE PROPER.

(B) NO EMPLOYEE SHALL TAKE PART OR BE CONCERNED, DIRECTLY OR INDIRECTLY, IN MAKING OR NEGOTIATING ANY COMPROMISE OR OTHER ARRANGEMENT BETWEEN A PERSON CHARGED WITH, OR SUSPECTED OF, A CRIMINAL OFFENSE AND THE PERSON WHO SUFFERED BY HIS OR HER ACT.

(C) NO EMPLOYEE SHALL SEEK TO OBTAIN OR OBTAIN ANY CONTINUANCE OR DISMISSAL OF ANY CASE IN COURT FOR ANY DEFENDANT FOR REASONS ARISING FROM PERSONAL INVOLVMENT OR FRIENDSHIP.

5.040 TREATMENT OF ARRESTED PARTIES

(A) ALL MEMBERS SHALL PROTECT THE RIGHTS OF ANY PRISONER HELD IN CUSTODY.

(B) NO EMPLOYEE SHALL WILLFULLY MISTREAT, OR GIVE INHUMANE TREATMENT TO ANY PRISONER HELD IN CUSTODY.

(C) EMPLOYEES ARE STRICTLY FORBIDDEN FROM RIDICULING, MOCKING, TAUNTING, OR BELITTLING ANY PRISONER, OR FROM TAKING ANY UNNECESSARY ACTION THAT IS INTENDED TO INCITE THE PRISONER TO VIOLENCE.

6.000 ASSOCIATIONS-ORGANIZATIONS

6.010 COMMUNITY SERVICE GROUPS

(A) ALL MEMBERS ARE ENCOURAGED TO BE ACTIVE IN COMMUNITY AFFAIRS, SOCIAL, AND FRATERNAL ORGANIZATIONS, AND CHURCH GROUPS.

6.020 INTERNAL GROUPS

(A) MEMBERS SHALL NOT ATTEMPT TO CREATE, ORGINATE, EXCITE, CAUSE, OR JOIN ANY MUTINOUS, SEDITIOUS, REBELLIOUS, OR REACTIONARY MOVEMENTS WITHIN THIS DEPARTMENT.

(B) ANY EMPLOYEE WITH FOREKNOWLEDGE OF THE AFOREMENTIONED MOVEMENTS WITHIN THIS ORGANIZATION MUST DO HIS UTMOST TO SUPPRESS SAME AND, WITHOUT DELAY GIVE INFORMATION THEREOF DIRECTLY TO THE CHIEF OF POLICE.

6.030 RADICAL GROUPS

(A) NO EMPLOYEE SHALL BECOME A MEMBER OF ANY ORGANIZATION, ASSOCIATION, MOVEMENT GROUP, OR COMBINATION WHICH THE ATTORNEY GENERAL OF THE UNITED STATES HAS DESIGNATED AS TOTALITARIAN, FASCIST, COMMUNIST, OR SUBVERSIVE, OR AS HAVING A POLICY OF ADVOCATING OR APPROVING THE COMMISSION OF ACTS OF FORCE OR VIOLENCE TO DENY OTHERS THEIR RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES, OR AS SEEKING TO ALTER THE FORM OF GOVERNMENT OF THE UNITED STATES BY UNCONSTITUTIONAL MEANS.

(B) NO EMPLOYEE SHALL BELONG TO OR ASSOCIATE WITH ANY ORGANIZATION, ASSOCIATION, MOVEMENT, GROUP, OR COMBINATION OF PERSONS, ALTHOUGH NOT SPECIFICALLY NAMED OR DESIGNATED BY THE ATTORNEY GENERAL OF THE UNITED STATES, WHICH ADVOCATES, COMMITS OR ASSISTS OTHERS IN COMMITTING AN ACT OR ACTS WHICH ARE IN VIOLATION OF THE LAWS OF THE UNITED STATES, THE STATE OF ARKANSAS OR THE ORDINANCES OF THE CITY OF LOWELL, OR ADVOCATES RACIAL OR RELIGIOUS SUPREMACY AS A POLITICAL OBJECTIVE OR POLITICAL PHILOSOPHY.

(C) MEMBERS SHALL NOT PARTICIPATE IN ANY TYPE OF PROTEST DEMONSTRATION NOR SHALL ANY EMPLOYEE ACT AS A SPOKESMAN, REPRESENTATIVE, OR AGENT FOR ANY GROUP ENGAGED IN OR PLANNING TO ENGAGE IN ANY TYPE OF PROTEST DEMONSTRATION WITHOUT WRITTEN AUTHORIZATION FROM THE CHIEF OF POLICE.

7.000 ATTENTION TO DUTY

7.010 BEARING-POSTURE

(A) ALL EMPLOYEES SHALL REMAIN ALERT, OBSERVANT, AND OCCUPIED WITH POLICE BUSINESS DURING THEIR TOUR OF DUTY AND SHALL NOT CONDUCT THEMSELVES IN A MANNER THAT WOULD MERIT CRITICISM FOR INATTENTIVENESS, SLOVENLY BEARING OR WASTE OF TIME.

(B) ALL MEMBERS SHALL STAND AND WALK ERECTLY, EVIDENCING ATTENTION TO DUTY BY HIS OR HER BEARING.

(C) AN OFFICER SHALL NOT UNNECESSARILY LEAN AGAINST ANY LAMP POST, BUILDING, OR OTHER OBJECT, NOR PLACE HIS OR HER FOOT UPON ANY VEHICLE, LEDGE OR OTHER PROJECTION FOR THE PURPOSE OF LOUNGING OR

RESTING.

7.020 PERFORMANCE

- (A) NO EMPLOYEE SHALL ENGAGE IN PERSONAL CONVERSATIONS TO THE EXTENT THAT THE ASSIGNED WORK IS NEGLECTED, OR GIVE THE APPEARANCE OF LOITERING OR INATTENTION TO DUTY.
- (B) NO EMPLOYEE SHALL READ A NEWSPAPER, BOOK OR MAGAZINE WHILE ON DUTY UNLESS SUCH READING HAS BEEN ASSIGNED BY A SUPERVISOR OR COMMANDING OFFICER.
- (C) WASTE OF TIME, FAILURE TO GIVE PROPER ATTENTION TO DUTY, ACTS OR OMISSIONS WHICH BRING DISCREDIT UPON THE DEPARTMENT WILL NOT BE TOLERATED.

8.000 CARE OF EQUIPMENT

8.010 ALTERATIONS-REPAIRS

- (A) NO EMPLOYEE SHALL ALTER, REPAIR OR IN ANY WAY CHANGE, ADD TO, OR REMOVE ANY PARTS OR ACCESSORIES TO ANY CITY-OWNED PROPERTY WITHOUT THE PERMISSION OF THE CHIEF OF POLICE.
- (B) EACH EMPLOYEE SHALL PROMPTLY REPORT THE NEED OF REPAIRS TO ANY CITY-OWNED PROPERTY USED BY HIM OR HER, IN HIS OR HER POSSESSION, OR ISSUED TO HIM OR HER, TO THE CITY EMPLOYEES OFFICIALLY CHARGED WITH THE MAINTENANCE OF SAID PROPERTY.

8.020 MISAPPROPRIATION-NEGLIGENCE

- (A) NO EMPLOYEE SHALL APPROPRIATE ANY CITY OWNED PROPERTY OR CONVERT IT TO HIS OR HER OWN USE.
- (B) IMPROPER OR NEGLIGENT HANDLING, OR WILLFULL DAMAGE OF CITY OWNED PROPERTY, FIXED OR MOVABLE, IS PROHIBITED.
- (C) ANY EMPLOYEE WHO HAS LOST, DAMAGED, OR DESTROYED ANY EQUIPMENT ISSUED TO HIM OR HER BY THE POLICE DEPARTMENT, MAY BE REQUIRED TO MAKE RESTITUTION IF THE LOSS OR DAMAGE IS THE RESULT OF NEGLIGENCE ON THE PART OF THE EMPLOYEE.
- (D) IF ANY CITY OWNED PROPERTY OR EQUIPMENT BECOMES LOST, DAMAGED, OR DESTROYED, REGARDLESS OF THE CIRCUMSTANCES INVOLVED, A WRITTEN REPORT SHALL BE FORTHWITH SUBMITTED EXPLAINING THE CIRCUMSTANCES TO THE OFFICE OF THE CHIEF OF POLICE.

- (E) NO EMPLOYEE SHALL, THROUGH MISCONDUCT, VIOLATION OF RULES, REGULATIONS, OR ORDERS, CITY ORDINANCES OR STATE STATUTES, BECOME INVOLVED IN A MOTOR VEHICLE ACCIDENT WHILE OPERATING A CITY OWNED VEHICLE.

9.000 CITY PURCHASING

9.010 FINANCIAL EXPENDITURES

- (A) NO EXPENDITURE OF MONEY SHALL BE MADE OR LIABILITY INCURRED IN THE NAME OF THE CITY OF LOWELL OR THE POLICE DEPARTMENT UNLESS APPROVED BY THE CHIEF OF POLICE, OR HIS AUTHORIZED REPRESENTATIVE.

10.000 CIVIL MATTERS

10.010 POLICE HANDLING

- (A) THE POLICE DEPARTMENT HAS JURISDICTION IN CRIMINAL CASES ONLY, AND NO EMPLOYEE OF THE DEPARTMENT SHALL RENDER AID OR ASSISTANCE IN EXCEPT FOR OFFICERS TO PREVENT AN IMMEDIATE BREACH OF THE PEACE OR TO QUELL A DISTURBANCE ACTUALLY EXISTING. THIS RULE IS NOT INTENDED TO PREVENT OFFICERS FROM INFORMING ANY CITIZEN AS TO THE STEPS NECESSARY TO INSTITUTE A CIVIL PROCEEDING.

11.000 COURT

11.010 ATTENDANCE

- (A) ALL EMPLOYEES MUST BE PRESENT AND AVAILABLE TO TESTIFY IN ANY COURT OR GRAND JURY IN BENTON COUNTY, WHEN OFFICIALLY NOTIFIED TO APPEAR.
 - (B) IN CRIMINAL CASES OUT SIDE OF BENTON COUNTY AND IN ALL CIVIL CASES, EMPLOYEES WILL RESPOND ONLY TO A PROPER SUBPENA.
 - (C) ANY EMPLOYEE WHO FOR A VALID REASON IS UNABLE TO ANSWER AN OFFICIAL SUMMONS, MUST BE EXCUSED BY THE COURT OR GRAND JURY PRIOR TO THE TIME THAT HE OR SHE IS SCHEDULED TO APPEAR. SUCH EXCUSED ABSENCES MAY BE OBTAINED BY REPORTING TO THE EMPLOYEE'S IMMEDIATE SUPERVISOR THE REASON FOR THE ABSENCE, ALLOWING AS MUCH TIME AS IS REASONABLY POSSIBLE FOR ANY NECESSARY ADJUSTMENT OF THE COURT DOCKET.
- 11.020 TESTIMONY
- (A) ALL MEMBERS SHALL TESTIFY IN COURT WITHOUT BIAS, EXAGGERATION, MISREPRESENTATION, OR DISPLAYING OF EMOTION.
- 11.030 RELATIONS WITH COURT OFFICIALS
- (A) EMPLOYEES SHALL NOT PUBLICLY CRITICIZE THE ACTIONS OF ANY COURT OR COURT OFFICIAL.
 - (B) NO EMPLOYEE SHALL DISPLAY ANY DISRESPECT OR DISCOURTESY TOWARD ANY COURT OFFICIAL.
- 12.000 DERELICTION OF DUTY
- 12.010 ATTENDANCE
- (A) FOR AN EMPLOYEE TO FAIL TO REPORT FOR DUTY AT THE DESIGNATED TIME AND PLACE OF DUTY OR FOR AN EMPLOYEE TO LEAVE HIS OR HER PLACE OF DUTY OR ASSIGNMENT, WITHOUT PROPER AUTHORIZATION SHALL BE CONSIDERED DERELICTION OF DUTY.
- 12.020 PERFORMANCE OF DUTIES
- (A) NO EMPLOYEE SHALL SLEEP ON DUTY.
 - (B) NO EMPLOYEE SHALL DISPLAY A LACK OF ENERGY OF SUCH CHARACTER AS TO AMOUNT TO INCOMPETENCY.
 - (C) NO EMPLOYEE SHALL FAIL TO FULLY OBSERVE AND GIVE EFFECT TO THE POLICIES OF THIS DEPARTMENT.
 - (D) NO EMPLOYEE SHALL FEIGN ILLNESS, AVOID RESPONSIBILITY, OR SHOW COWARDICE.
- 12.030 REPORTS
- (A) EVERY EMPLOYEE SHALL MAKE A PROPER REPORT OF OFFENSES INVESTIGATED, OBSERVED, OR REPORTED, IN ACCORDANCE WITH DEPARTMENTAL STANDARD OPERATING PROCEDURES.
- 12.040 STORAGE OF EVIDENCE-LOST AND FOUND
- (A) NO EMPLOYEE SHALL FAIL TO DELIVER TO THE OFFICIALLY DESIGNATED PLACE FOR PRESERVATION AND STORAGE ANY PROPERTY FOUND BY, CONFISCATED BY, OR RELINQUISHED TO MEMBERS OF THIS DEPARTMENT. SAID DELIVERY SHALL BE MADE NO LATER THAN THE END OF THAT PARTICULAR DAY OF DUTY DURING WHICH THE PROPERTY WAS OBTAINED.
- 12.050 SUPERVISORS
- (A) FAILURE OF A SUPERVISOR OR COMMANDER TO IMMEDIATELY TAKE PROPER ACTION WHEN A VIOLATION OF THE CODE OF CONDUCT COMES TO HIS OR HER ATTENTION SHALL CONSTITUTE DERELICTION OF DUTY ON THE PART OF THE SUPERVISOR OR COMMANDER.
 - (B) NO SUPERVISOR OR COMMANDER SHALL USE SUMMARY PUNISHMENT AS PRESCRIBED IN SECTION 1.040 OF THIS CODE OF CONDUCT TO PREVENT INVESTIGATION OF ANY VIOLATION OR TO COVER A TRANSGRESSION WARRANTING A MORE SEVERE PENALTY. TO DO SO CONSTITUTES A DERELICTION OF DUTY ON THE PART OF SAID SUPERVISOR OR COMMANDER.

13.000 DRUGS-MEDICATIONS

13.010 USE OF DRUGS

- (A) NO EMPLOYEES SHALL BE ADDICTED, EITHER MENTALLY OR PHYSICALLY, OR BE A HABITUAL USER OF ANY HABIT-FORMING DRUG OR MEDICATION IN ANY FORM UNLESS SUCH USE IS UNDER THE DIRECTION AND CONTROL OF A QUALIFIED DOCTOR OF MEDICINE AND IS ESSENTIAL TO THE HEALTH OR WELL BEING OF THE EMPLOYEE.
- (B) NO EMPLOYEE SHALL UNLAWFULLY POSSESS, TAKE, USE, OR CONSUME ANY FORM-OF CONTROLLED SUBSTANCE, DRUG, OR MEDICATION.
- (C) ANY EMPLOYEE USING ANY FORM OF DRUG OR MEDICATION WHICH MIGHT AFFECT THE PERFORMANCE OF HIS OR HER DUTIES MUST ADVISE HIS OR HER IMMEDIATE SUPERVISOR OF THIS FACT PRIOR TO THE BEGINNING OF A DAY OF DUTY.

14.000 EMPLOYEE IDENTIFICATION

14.010 REQUIREMENTS

- (A) NO MEMBER OF THIS DEPARTMENT SHALL REFUSE TO GIVE THEIR NAME AND IF AN OFFICER, THEIR BADGE NUMBER TO ANY PERSON ON REQUEST.
- (B) ALL OFFICERS SHALL CARRY THEIR BADGES AND IDENTIFICATION CARD AT ALL TIMES, WHETHER ON OR OFF DUTY.
- (C) OFFICERS SHALL DISPLAY THE AUTHORIZED NAME TAG IN THE PROPER MANNER AT ANY TIME THEY ARE IN UNIFORM.

14.020 RESTRICTIONS

- (A) EMPLOYEE IDENTIFICATION SHALL NOT BE USED FOR ANY ILLEGAL PURPOSE NOR TO ASSERT AUTHORITY WHERE NONE EXISTS.

15.000 FALSE STATEMENTS-PERJURY

15.010 APPLICATIONS

- (A) IT SHALL BE CONSIDERED AN OFFENSE AGAINST THIS CODE FOR ANY PERSON OR PERSONS TO PROCURE APPOINTMENT IN THE DEPARTMENT BY MEANS OF WILLFULL MISREPRESENTATION.

15.020 POLICE DUTIES

- (A) NO EMPLOYEE SHALL WILLFULLY MISREPRESENT ANY MATTER, SIGN ANY FALSE STATEMENT OR REPORT, PERJURE HIMSELF OR HERSELF, OR GIVE FALSE TESTIMONY BEFORE ANY COURT OR OFFICIAL HEARING.

16.000 GAMBLING

16.010 GAMES OF CHANCE

- (A) NO OFFICER SHALL ENGAGE IN ANY GAMES OF CARDS, POOL, DOMINOES, BILLIARDS, PINBALL, OR ANY OTHER GAMES OF CHANCE IN ANY PUBLIC PLACE WHILE ON DUTY OR WHILE WEARING THE DEPARTMENT UNIFORM.
- (B) NO EMPLOYEE SHALL ENGAGE IN ANY FORM OF GAMBLING IN ANY MANNER WHATSOEVER, WHETHER ON OR OFF DUTY.

17.000 INSUBORDINATION

17.010 GENERAL BEHAVIOR

- (A) NO EMPLOYEE SHALL CONDUCT HIMSELF OR HERSELF IN A MANNER WHICH WOULD BE SUBVERSIVE TO THE GOOD ORDER OR DISCIPLINE OF THE POLICE DEPARTMENT.

17.020 EMPLOYEE INVESTIGATIONS

- (A) WHEN AN EMPLOYEE HAS BEEN FORMALLY ACCUSED OF A VIOLATION OF CRIMINAL STATUTES, THE CODE OF CONDUCT, OR SUCH OTHER ORDERS, POLICIES, OR PROCEDURES ESTABLISHED BY THIS DEPARTMENT AND SUCH EMPLOYEE DECLINES TO MAKE A STATEMENT REGARDING THE ALLEGATIONS, HE OR SHE MAY BE SUSPENDED UNTIL SUCH TIME AS THE ALLEGATIONS MAY BE PROVED TO BE TRUE OR FALSE IN NATURE.

17.030 OBEDIENCE TO COMMANDS

- (A) NO EMPLOYEE SHALL WILLFULLY DISOBEY ANY LAWFUL ORDER ADDRESSED TO HIM OR HER BY A SUPERVISORY OFFICER OR A COMMANDER WHEN SUCH SUPERVISOR OR COMMANDER IS AN OFFICER SENIOR IN GRADE OR SENIORITY OR ACTING IN THAT CAPACITY.
- (B) IN SITUATIONS WHERE A CONFLICT ARISES BETWEEN AN ORDER GIVEN BY ONE SUPERVISORY OFFICER AND AN ORDER GIVEN BY ANOTHER SUCH OFFICER, THE MEMBER SHALL CALL ATTENTION TO THE CONFLICT. IF THE SUPERVISORY OFFICER GIVING THE LAST ORDER THEN DOES NOT CHANGE SAID ORDER TO AVOID CONFLICT, THE LAST ORDER THEN SHALL BE CARRIED OUT AND THE RESPONSIBILITY FOR THE MEMBER'S FAILURE TO CARRY OUT THE FIRST ORDER SHALL BE ON THE OFFICER GIVING THE CONFLICTING ORDER.
- (C) IN SITUATIONS WHERE A CONFLICT ARISES BETWEEN AN ORDER GIVEN BY A SUPERVISORY OFFICER AND ANY RULE OR ORDER FOUND WITHIN THIS POLICY AND PROCEDURES MANUAL, THE MEMBER SHALL CALL ATTENTION TO THE CONFLICT. IF THE SUPERVISORY OFFICER ISSUING THE CONFLICTING ORDER AND THE RESPONSIBILITY FOR THE MEMBER'S FAILURE TO CONFORM TO THE WRITTEN RULES OR POLICY SHALL BE ON THE SUPERVISOR GIVING THE ORDER.
- (D) EMPLOYEES SHALL NOT BE EXPECTED TO OBEY ORDERS WHICH VIOLATE ANY FEDERAL, STATE, OR MUNICIPAL LAWS.

17.040 SUPERVISOR-SUBORDINATE RELATIONS

- (A) NO EMPLOYEE SHALL USE ABUSIVE, INSULTING, OR OBSCENE LANGUAGE TOWARD ANY SUPERVISOR OR COMMANDER IN THIS DEPARTMENT.
- (B) UNDER NO PRETENSE SHALL ANY EMPLOYEE STRIKE, ASSAULT, OR THREATEN ANY SUPERVISOR OR COMMANDER IN THIS DEPARTMENT.
- (C) NO EMPLOYEE SHALL BY WORD OR ACTION BEHAVE IN AN INSUBORDINATE OR DISRESPECTFUL MANNER TOWARD ANY SUPERVISOR OR COMMANDER IN THIS DEPARTMENT.

18.000 LINE OF DUTY

18.010 DUTY HOURS

- (A) THE DUTY HOURS OF ALL OFFICERS AND CIVILIAN EMPLOYEES OF THE DEPARTMENT SHALL BE REGULATED BY THE CHIEF OF POLICE, WHO HAS THE AUTHORITY, WHEN NECESSARY, TO CALL AN OFFICER OR CIVILIAN EMPLOYEE TO RETURN TO DUTY AT ANY TIME, REGARDLESS OF THE HOURS NORMALLY ASSIGNED THAT OFFICER OR CIVILIAN EMPLOYEE. EMPLOYEES SHOULD THEREFORE CONSIDER THEMSELVES SUBJECT TO CALL (24) TWENTY-FOUR HOURS A DAY.
- (B) IT SHALL BE THE DUTY OF ALL OFFICERS AT ALL TIMES OF THE DAY OR NIGHT, WITHIN THE CITY OF LOWELL, TO PRESERVE THE PUBLIC PEACE AND TO PROTECT LIFE AND PROPERTY, REGARDLESS OF THE ASSIGNED HOURS OF SAID OFFICER.

18.020 RESPONSIBILITIES

- (A) A POLICE OFFICER SHALL, WHILE ON DUTY, IMMEDIATELY GO TO THE SCENE OF ANY DISTURBANCE OR BREACH OF THE PEACE OCCURRING WITHIN HIS VICINITY, USE HIS BEST EFFORTS TO RESTORE PEACE AND QUIET, MAKING SUCH ARRESTS AS MAY BE NECESSARY, UNLESS OTHERWISE ORDERED BY THE POLICE DISPATCHER OR A SUPERVISOR.
- (B) NO MEMBER SHALL FAIL TO RESPOND TO ANY CALL OR TO PERFORM ANY NECESSARY POLICE FUNCTION.

18.030 EMERGENCY RUNS

- (A) EMERGENCY RUNS SHALL BE PERMITTED ONLY AS AUTHORIZED IN CURRENT STANDARD OPERATION PROCEDURES.
- (B) OFFICERS SHALL NOT ESCORT PRIVATE OR EMERGENCY VEHICLES UNLESS SPECIFICALLY AUTHORIZED TO DO SO BY A SUPERVISOR OR COMMANDER.
- (C) NO UNAUTHORIZED DRIVER SHALL BE PERMITTED TO OPERATE CITY EQUIPMENT UNLESS A STATE OF DIRE EMERGENCY EXISTS.

18.040 PUBLIC CONTACTS

- (A) ALL EMPLOYEES SHALL BE HABITUALLY COURTEOUS; THEY SHALL DUTIFULLY

ACCEPT THEIR RESPONSIBILITIES AS PUBLIC SERVANTS AND SHALL BE ATTENTIVE TO CITIZENS SEEKING ASSISTANCE OR INFORMATION, OR WHO DESIRE TO REGISTER COMPLAINTS OR GIVE EVIDENCE.

- (B) ALL EMPLOYEES SHALL ENFORCE THE LAW IN A COURTEOUS, FAIR, JUST, IMPARTIAL, AND REASONABLE MANNER, ACCORDING NO ONE MORE REASONABLE TREATMENT THAN OTHERS.

20.000 NOTIFICATION OF LOCATION

20.010 ADDRESS-TELEPHONE

- (A) ALL EMPLOYEES SHALL KEEP THE DEPARTMENT INFORMED AS TO HIS OR HER CURRENT ADDRESS AND TELEPHONE NUMBER.

- (B) EACH MEMBER SHALL HAVE TELEPHONE SERVICE WITHIN THEIR PLACE OF RESIDENCE AS A CONDITION OF THEIR CONTINUED EMPLOYMENT.

- (C) ALL EMPLOYEES SHALL REPORT ANY CHANGES IN ADDRESS OR TELEPHONE NUMBER WITHIN (24) TWENTY-FOUR HOURS OF SUCH CHANGE.

20.020 TEMPORARY CHANGES

- (A) WHEN AN EMPLOYEE WILL NOT BE AVAILABLE AT HIS OR HER LISTED TELEPHONE NUMBER OR ADDRESS FOR AN EMERGENCY CALL FOR MORE THAN (24) TWENTY-FOUR HOURS, HE OR SHE WILL SUBMIT IN WRITING TO HIS OR HER COMMANDING OFFICER THE INFORMATION AS TO TIME OF DEPARTURE, EXPECTED TIME OF RETURN, DESTINATION, AND AS FAR AS PRACTICAL, INFORMATION AS TO HOW AND WHERE HE OR SHE MAY BE REACHED IN THE EVENT OF AN EMERGENCY.

21.000 OFFICIAL COMMUNICATIONS

21.010 CORRESPONDENCE

- (A) NO EMPLOYEE SHALL DIRECT OR SEND ANY OFFICIAL WRITTEN COMMUNICATIONS TO ANY PERSON OUTSIDE THE POLICE DEPARTMENT WITHOUT THE SIGNATURE OF THE CHIEF OF POLICE ON THE WRITTEN COMMUNICATION, EXCEPT AS OTHERWISE AUTHORIZED BY THE CHIEF OF POLICE.

22.000 OUTSIDE AGENCIES

22.010 COOPERATION

- (A) ALL MEMBERS SHALL COOPERATE WITH ALL FEDERAL, STATE, COUNTY, CITY, AND LOCAL OFFICIALS TO FURTHER INSURE THE SAFETY AND GENERAL WELFARE OF THE PUBLIC.

- (B) NO EMPLOYEE SHALL ALLOW PERSONAL DIFFERENCES OR JEALOUSIES TO INFLUENCE THEIR COOPERATION WITH OTHER AGENCIES.

- (C) BEFORE AN EMPLOYEE GOES OUT ON A MUTUAL AID CALL, HE OR THE DISPATCHER WILL CONTACT THE SUPERVISOR OR THE CHIEF OF POLICE TO INFORM HIM OF THE TRAFFIC.

23.000 OUTSIDE EMPLOYMENT

23.010 RESTRICTIONS

- (A) EACH EMPLOYEE SHALL DEVOTE HIS OR HER ENTIRE TIME AND ATTENTION TO THE BUSINESS OF THE DEPARTMENT WHEN ON-DUTY AND IS EXPRESSLY PROHIBITED FROM FOLLOWING ANY OTHER CALLING OR BEING EMPLOYED IN ANY OTHER BUSINESS WHICH MIGHT CONFLICT OR INTERFERE WITH THE RESPONSIBILITY TO THE DEPARTMENT.

- (B) ANY EMPLOYEE WHO WISHES TO ENGAGE IN OTHER WORK OR EMPLOYMENT DURING HIS OR HER OFF-DUTY TIME MUST FIRST OBTAIN THE EXPRESS WRITTEN PERMISSION OF THE CHIEF OF POLICE.

24.000 PERSONAL APPEARANCE

24.010 CLOTHING

- (A) NO EMPLOYEE SHALL REPORT FOR DUTY WEARING DIRTY, SOILED, OR UNKEMPT CLOTHING OR UNIFORM.

- (B) ALL METAL, LEATHERGOODS, AND FOOTWEAR SHALL BE PROPERLY SHINED.

24.020 GROOMING

- (A) NO MALE EMPLOYEE SHALL REPORT FOR DUTY WITHOUT HIS HAIR NEATLY TRIMMED.
- (B) SIDEBURNS SHALL NOT EXTEND BELOW THE MIDDLE OF THE EAR.
- (C) NO MEMBER, MALE OR FEMALE, SHALL REPORT FOR DUTY WITH HAIR STYLES OF EXTREME CUT OR ARRANGEMENT.

24.030 HYGIENE

- (A) PERSONAL CLEANLINESS AND HABITS (I.E. FINGERNAILS, DENTAL CARE, ETC.) SHALL BE CONSIDERED MANDATORY UPON ALL EMPLOYEES ON THIS DEPARTMENT.

25.000 PERSONAL CONDUCT

25.010 GENERAL BEHAVIOR

- (A) NO EMPLOYEE SHALL CONDUCT HIMSELF OR HERSELF IN A MANNER UNBECOMING A GENTLEMAN OR A LADY WHILE EITHER ON OR OFF DUTY.
- (B) EACH EMPLOYEE SHALL SO REGULATE HIS OR HER PERSONAL AFFAIRS SO THAT NO ACT OR CONDUCT ON HIS OR HER PART COULD RESULT IN JUSTIFIABLE UNFAVORABLE CRITICISM; NO EMPLOYEE SHALL BECOME INVOLVED PERSONALLY IN DISTURBANCES OR POLICE INCIDENTS TO THEIR DISCREDIT.

25.020 ACQUAINTANCES

- (A) EMPLOYEES SHALL REFRAIN FROM CLOSE PERSONAL ASSOCIATION WITH PERSONS OF QUESTIONABLE CHARACTER.

25.030 HABITUAL VIOLATORS

- (A) NO EMPLOYEE SHALL HABITUALLY VIOLATE ANY RULE OR RULES, ORDERS OR ORDERS, CITY ORDINANCE OR ORDINANCES, STATE OR FEDERAL STATUTE OR STATUTES, WRITTEN OPERATION PROCEDURE OR PROCEDURES, OR ANY SECTION OR SECTIONS OF THIS CODE OF CONDUCT.

25.040 MORAL CONDUCT

- (A) NO EMPLOYEE SHALL COHABIT WITH THE MEMBER OF THE OPPOSITE SEX WITHOUT THE PARTIES FIRST HAVING OBTAINED A MARRIAGE LICENSE AND HAVING A CEREMONY OF MARRIAGE PERFORMED BY A PERSON AUTHORIZED BY LAW TO PERFORM SUCH CEREMONIES.
- (B) NO EMPLOYEE SHALL COHABIT WITH ANY TYPE OF SEX PERVERT OF EITHER SEX.

25.050 RAMBUNCTIOUSNESS

- (A) NO EMPLOYEE SHALL ENGAGE IN "HORSEPLAY" OR THE PLAYING OF PRANKS AT ANY TIME WHILE ON DUTY AND IN THE PUBLIC EYE.
- (B) NO EMPLOYEE SHALL THROUGH BOISTEROUS BEHAVIOR CAUSE INJURY EITHER TO HIMSELF OR HERSELF OR TO ANY OTHER PERSON OR PERSONS.
- (C) NO EMPLOYEE SHALL USE LOUD, INDECENT, PROFANE, OR HARSH LANGUAGE IN A PUBLIC PLACE OR IN ANY OTHER PLACE.

26.000 PERSONAL FINANCES

26.010 PAYMENT OF DEBTS

- (A) EVERY EMPLOYEE SHALL BE PROMPT IN MEETING ALL DEBTS AND LEGAL OBLIGATIONS. THEY SHALL CONDUCT THEIR PERSONAL BUSINESS IN SUCH A MANNER THAT THEY WILL BE ABLE TO LIVE WITHIN THEIR INCOME AND PROPERLY SUPPORT THEIR FAMILIES.
- (B) SHOULD CIRCUMSTANCES ARISE WHEREIN AN EMPLOYEE'S INDEBTNESS HAS GROWN OUT OF PROPORTION TO HIS INCOME OR HER INCOME, HE OR SHE SHOULD IMMEDIATELY INFORM HIS OR HER IMMEDIATE SUPERVISOR TO SEEK ADVICE, COUNSEL, AND ASSISTANCE.
- (C) IN THE EVENT THAT A COURT HEARING IS HELD AND THE COURT DECIDES IN FAVOR OF THE CREDITOR THUS COMPELLING PAYMENT BY THE DEPARTMENT EMPLOYEE, SAID EMPLOYEE SHALL MAKE ARRANGEMENTS TO DISCHARGE THE DEBT WITHOUT INVOLVING THE LOWELL POLICE DEPARTMENT.

(D) ANY EMPLOYEE AGAINST WHOM A GARNISHMENT ORDER HAD BEEN ISSUED OR AGAINST WHOM A WAGE ATTACHMENT HAD BEEN ORDERED SHALL BE SUBJECT TO IMMEDIATE DISMISSAL.

26.020 INTERDEPARTMENTAL LENDING

(A) HABITUAL BORROWING OF MONEY BY EMPLOYEES FROM EACH OTHER WILL NOT BE PERMITTED.

(B) NO SUPERVISOR OR COMMANDER SHALL PLACE HIMSELF UNDER FINANCIAL OBLIGATION TO A SUBORDINATE.

(C) NO SUPERVISOR OR COMMANDER SHALL SOLICIT ANY EMPLOYEE OF A LOWER RANK AS A CO-MAKER OR ENDORSER OF ANY NOTE OF OBLIGATION.

26.030 OUTSIDE TRANSACTIONS

(A) EMPLOYEES SHALL NOT BORROW OR ACCEPT ANY MONEY FROM ANY PERSON OR PERSONS, KNOWN OR SUSPECTED BY THEM TO BE VIOLATORS OF THE LAW.

27.000 PHYSICAL CONDITION

27.010 REQUIREMENTS

(A) ALL MEMBERS OF THIS DEPARTMENT SHALL MAINTAIN THEMSELVES IN GOOD PHYSICAL CONDITION, AMPLY SUFFICIENT TO THE DISCHARGE OF THEIR RESPONSIBILITIES AT ALL TIME.

(B) ANY EMPLOYEE FOUND TO HAVE PHYSICAL DEFECTS OR DEFICIENCIES THAT CAN BE CORRECTED BY MEDICATION OR APPROPRIATE DIET SHALL SEEK TO CORRECT THE CONDITION.

28.000 POLITICAL ACTIVITY

28.010 EXTERNAL POLITICS

(A) NO EMPLOYEE SHALL DIRECTLY OR INDIRECTLY SOLICIT OR RECIEVE, OR IN ANY MANNER BE CONCERNED WITH SOLICITING OR RECEIVING ANY ASSESSMENT, SUBSCRIPTION, OR CONTRIBUTION FOR ANY POLITICAL PARTY OR FOR ANY POLITICAL PURPOSE WHATEVER.

(B) EMPLOYEES SHALL NOT TAKE PART IN A POLITICAL MANAGEMENT OR AFFAIRS, OR IN A POLITICAL CAMPAIGN, FURTHER THAN TO CAST HIS OR HER VOTE OR TO PRIVATELY EXPRESS HIS OR HER OPINION.

28.020 INTERNAL POLITICS

(A) ANY ATTEMPT BY ANY EMPLOYEE TO BRING INFLUENCE TO BEAR UPON THE CHIEF OF POLICE FOR THE PURPOSE OF SECURING PROMOTION, TRANSFER, OR FOR PERSONAL INTERESTS, OR TO AVOID THE ~~THE~~ PENALTIES FOR IMPROPER ACTIONS OR CONDUCT SHALL BE CONSIDERED EQUIVALENT TO INSUBORDINATION AND TREATED ACCORDINGLY.

(B) NO EMPLOYEE SHALL KNOWINGLY ALLOW ANY OUTSIDE INFLUENCE IN THE FORM OF REQUEST, LETTERS, OR PETITIONS TO BE SENT TO HIS OR HER SUPERVISORY OFFICERS OR TO THE CHIEF OF POLICE.

29.000 RELEASE OF INFORMATION

29.010 CONFIDENTIAL INFORMATION

(A) ALL DEPARTMENT BUSINESS SHALL BE TREATED AS STRICTLY CONFIDENTIAL IN NATURE.

(B) NO EMPLOYEE SHALL MAKE KNOWN ANY INFORMATION CONCERNING THE PROGRESS OF AN INVESTIGATION, A REPORTED LAW VIOLATION, OR CONDITION AGAINST WHICH ACTION IS TO BE TAKEN AT A FUTURE TIME, OR ANY PROPOSED POLICE ACTION OF ANY TYPE UNLESS SPECIFICALLY AUTHORIZED TO DO SO BY A SUPERVISORY OFFICER.

(C) AUTHORIZED RELEASES OF INFORMATION SHALL BE ON A STRICTLY NEEDED TO KNOW BASIS.

(D) IT IS EXPRESSLY FORBIDDEN FOR ANY EMPLOYEE TO GIVE ANY LAWYER, BONDSMAN, THE AGENT OF EITHER, OR ANY OTHER PERSON UNAUTHORIZED INFORMATION REGARDING PRISONERS IN CONFINEMENT, PROPERTY IN CUSTODY, OR RECORDS

OF THE POLICE DEPARTMENT.

- (E) CONFIDENTIAL SOURCES OF INFORMATION SHALL NOT BE REVEALED TO ANY UNAUTHORIZED PERSON OR PERSONS.

29.020 PRESS RELATIONS

- (A) NO EMPLOYEE SHALL MAKE UNAUTHORIZED PUBLIC STATEMENTS IN HIS OFFICIAL CAPACITY.
- (B) IN HANDLING NEWS RELEASES, EMPLOYEES SHALL OBSERVE THE GUIDELINES PRESENTED IN SECTION 29.010.

29.030 PUBLIC STATEMENTS

- (A) NO EMPLOYEE SHALL MAKE UNAUTHORIZED PUBLIC STATEMENTS IN HIS OFFICIAL CAPACITY.
- (B) MATERIAL TO BE UTILIZED IN PUBLIC SPEAKING ASSIGNMENTS ARTICLES FOR PUBLICATION, OR IN ANY OTHER FORM OF PUBLIC PRESENTATION, IF RELATED IN ANY WAY TO THIS DEPARTMENT MUST FIRST BE AUTHORIZED BY THE CHIEF OF POLICE.

29.040 RUMOR CONTROL

- (A) NO EMPLOYEE SHALL IDLY GOSSIP ABOUT DEPARTMENTAL BUSINESS OR ABOUT ANY OFFICER OR CIVILIAN EMPLOYEE OF THE DEPARTMENT.
- (B) NO EMPLOYEE OF THE LOWELL POLICE DEPARTMENT SHALL NOT PUBLICLY CRITICIZE OR RIDICULE ANY MEMBER OR OFFICIAL ACTION OF THE DEPARTMENT.
- (C) ANY INFORMATION COMING TO THE ATTENTION OF AN OFFICER WHICH MAY BE OR MAY BECOME OFFICIAL DEPARTMENT BUSINESS, OR WHICH MAY IN ANYWAY REFLECT OR BRING DISCREDIT UPON THE DEPARTMENT OR ANY OF ITS MEMBERS, OR WHICH MAY IN ANYWAY AFFECT THE REPUTATION OF THE DEPARTMENT OR ANY OF ITS MEMBERS SHALL BE BROUGHT TO THE ATTENTION OF HIS SUPERVISOR IMMEDIATELY.

- (D) THE TRANSMISSION OF ANY SUCH INFORMATION AS OUTLINED IN SUBSECTION (C) TO A SUPERVISORY OFFICER SHALL BE DEEMED TO FULFILL THE REQUIREMENTS OF THIS RULE AND SHALL MAKE IT INCUMBENT UPON SAID SUPERVISORY OFFICER TO TRANSMIT SUCH INFORMATION THROUGH THE CHAIN OF COMMAND.

30.000 SPECIAL COMPENSATIONS

30.010 BRIBERY

- (A) NO EMPLOYEE OF THIS DEPARTMENT SHALL ACCEPT, AGREE TO ACCEPT, OR SOLICIT ANY GIFT, EMOLUMENT, MONEY, OR THING OF VALUE, TESTIMONIAL, APPOINTMENT OF PERSONAL ADVANTAGE, OR THE PROMISE OR SOLICITATION OF EITHER, BESTOWED OR PROMISED FOR THE PURPOSE OF OBTAINING, SPECIAL PRIVILEGES OR PERSONAL GAIN BY THE DONOR OR THE OTHER PERSON.

30.020 COURT CASES

- (A) NO EMPLOYEE SHALL ACCEPT MONETARY COMPENSATION OR GIFT AS A WITNESS IN ANY CASE ARISING UNDER THE CRIMINAL LAWS OF THE STATE OF ARKANSAS OR UNDER THE ORDINANCES OR REGULATIONS OF THE CITY OF LOWELL. THE ABOVE DOES NOT EXCLUDE SUCH FEES AS FORTH SET BY STATE STATUTES.

30.030 LINE OF DUTY

- (A) NO EMPLOYEE SHALL ACCEPT ANY COMPENSATION FOR ANY TYPE FOR ANY SERVICE RENDERED IN THE PERFORMANCE OF HIS OR HER DUTY OTHER THAN THE SALARY PAID HIM OR HER BY THE CITY.

30.040 REWARDS

- (A) ANY REWARD PAID TO OR SENT TO ANY EMPLOYEE OF THE DEPARTMENT SHALL BE TURNED IN BY THE EMPLOYEE RECEIVING SAME TO THE OFFICE OF THE CHIEF OF POLICE.
- (B) DISPOSITION OF REWARD MONIES BY THE CHIEF OF POLICE SHALL CONFORM TO THE STATE STATUTE AND SAID MONIES SHALL BE UTILIZED IN SUCH MANNER THAT DEPARTMENT EMPLOYEES WILL DERIVE BENEFIT.

30.050 SOLICITATION FOR GIFTS

- (A) NO EMPLOYEE SHALL SOLICIT ANY FUNDS FOR THE PURPOSE OF BUYING A GIFT FOR ANY EMPLOYEE OF THE DEPARTMENT, EXCEPT THAT EMPLOYEES MAY SOLICIT NOMINAL AMOUNTY FROM MEMBERS OF THE DEPARTMENTS FOR GIFTS FOR RETIRING EMPLOYEES.
- (B) NO EMPLOYEE SHALL ACCEPT ANY MONEY, GIFTS OR GIFT FROM ANY TYPE OF SOLICITATION, EXCEPT WHEN RETIRING FROM THE DEPARTMENT OR WHEN APPROVED BY THE CHIEF OF POLICE.

31.000 SUPERVISOR-SUBORDINATE RELATIONS

31.010 BEARING

- (A) SUPERVISORS AND COMMANDERS SHALL RETAIN A PROPER RESERVE AND RESPECT IN ALL OFFICIAL RELATIONS WITH SUBORDINATES, REFRAINING FROM VIOLENT, ABUSIVE, OR IMMEDIATE LANGUAGE IN THE GIVING OF ORDERS OR DIRECTIVES OR WHEN ENGAGED IN GENERAL CONVERSATION WITH SUBORDINATES.
- (B) SUPERVISORS AND COMMANDERS SHALL BE EXPECTED TO SET AN EXAMPLE FOR THEIR SUBORDINATES IN THE MATTER OF REGARD AND RESPECT OF THE RULES, REGULATIONS, POLICIES, AND PROCEDURES OF THIS DEPARTMENT AND IN ALL MATTERS PERTAINING TO PROPER DISCIPLINE.
- (C) SUPERVISORS AND COMMANDERS SHALL BE ADDRESSED BY SUBORDINATES BY RANK AND LAST NAME DURING THE EXECUTION OF OFFICIAL BUSINESS.

31.020 PERFORMANCE

- (A) SUPERVISORS AND COMMANDERS SHALL ACTIVELY SUPERVISE THE WORK OF THEIR SUBORDINATES AND INSURE THAT SAID WORK IS PROPERLY DONE.
- (B) NO SUPERVISOR OR COMMANDER SHALL OFFER OR GIVE ANY REWARD OR SPECIAL PRIVILEGE TO ANY EMPLOYEE OF THE DEPARTMENT FOR JOB PERFORMANCE.
- (C) NO SUPERVISOR OR COMMANDER SHALL IMPOSE ANY DISCIPLINARY ACTION AGAINST ANY OFFICER OR CIVILIAN EMPLOYEE OTHER THAN AS DESCRIBED IN SECTION 1.030 OF THIS CODE OF CONDUCT.

32.000 TOBACCO

32.010 PUBLIC CONTACTS

- (A) NO EMPLOYEE SHALL SMOKE WHILE MAKING PERSONAL CONTACTS WITH CITIZENS IN THE COURSE OF THEIR DUTIES IN HOMES, OFFICES, PLACES OR BUSINESS, PUBLIC PLACES, OR ON THE PUBLIC STREETS.
- (B) ALL EMPLOYEES ARE PROHIBITED FROM SMOKING WHILE WORKING TRAFFIC, WHILE MAKING ACCIDENT INVESTIGATIONS, OR ANY ON THE SCENE CRIMINAL INVESTIGATIONS.
- (C) ANY EMPLOYEE ASSIGNED TO A VEHICLE SHALL LAY ASIDE ANY CIGAR, PIPE, OR CIGARETTE, WHETHER LIT OR UNLIT, PRIOR TO LEAVING THE VEHICLE TO ANSWER A CALL OR TO MAKE CONTACT WITH A CITIZEN.

32.020 SNUFF-CHEWING TOBACCO

- (A) NO EMPLOYEE SHALL CHEW CHEWING TOBACCO OR USE SNUFF WHILE ON DUTY OR WHILE IN UNIFORM.

33.000 UNIFORMS

33.010 MANDATE TO WEAR UNIFORM

- (A) WHEN ON DUTY EVERY EMPLOYEE SHALL WEAR SUCH UNIFORM AND INSIGNIA OF RANK AND SHALL CARRY SUCH EQUIPMENT AS THE CHIEF OF POLICE MAY PRESCRIBE.
- (B) NO OFFICER ASSIGNED TO WEAR THE UNIFORM SHALL EVER APPEAR FOR DUTY IN CIVILIAN CLOTHING WITHOUT THE PERMISSION OF HIS OR HER COMMANDING OFFICER.

33.020 OFF DUTY

- (A) NO EMPLOYEE SHALL WEAR THE UNIFORM OR ANY PART OF IT WHEN OFFICIALLY OFF DUTY, EXCEPT IN TRANSIT TO AND FROM AN ON DUTY ASSIGNMENT AND HIS OR HER PLACE OF RESIDENCE, OR WITH THE EXPRESS PERMISSION OF HIS OR HER SUPERVISOR OR COMMANDING OFFICER.

33.030 APPEARANCE-CONDITION

- (A) ALL EMPLOYEES ARE REQUIRED TO KEEP THEIR UNIFORM AND EQUIPMENT IN GOOD CONDITION.
- (B) NO EMPLOYEE SHALL WEAR ON THE UNIFORM ANY ITEM NOT SPECIFICALLY AUTHORIZED BY THE CHIEF OF POLICE.
- (C) AN EMPLOYEE SHALL BE CONSIDERED OUT OF UNIFORM WHEN NOT WEARING THE PRESCRIBED UNIFORM. BUTTONS MUST BE KEPT SECURELY BUTTONED, SLEEVES MUST BE ROLLED DOWN.
- (D) WHEN TWO OR MORE EMPLOYEES APPEAR TOGETHER FOR ANY PURPOSE REQUIRING THE WEARING OF THE POLICE UNIFORM, THEY SHALL BE DRESSED THE SAME.

33.040 SUSPENSION

- (A) NO EMPLOYEE OF THE DEPARTMENT SHALL WEAR THE UNIFORM WHILE UNDER SUSPENSION.

34.000 WEAPONS

34.010 ON DUTY

- (A) ALL OFFICERS ON THE LOWELL POLICE DEPARTMENT SHALL WHEN ON DUTY, BEAR A REVOLVER OF A 38 OR 357 CALIBER AND NO LARGER, OF RELIABLE MAKE AND CONDITION, AND OF A TYPE APPROVED BY THE CHIEF OF POLICE.

34.020 OFF DUTY

- (A) OFF DUTY BEARING OF ARMS IS LEFT TO THE PERSONAL DISCRETION OF EACH OFFICER, BUT IN ANY EVENT SUCH BEARING OF ARMS MUST CONFORM TO LOCAL LAWS AND REGULATIONS PRESCRIBED.
- (B) IN THE EVENT A WEAPON IS CARRIED DURING OFF DUTY HOURS, SECTION 30.010 SHALL BE CONSIDERED APPLICABLE REGARDING SAID WEAPON.

34.030 PLAINCLOTHES

- (A) NO OFFICER, WHEN DRESSED IN CIVILIAN CLOTHES, WHETHER ON OR OFF DUTY, SHALL BEAR A PISTOL OR REVOLVER IN SUCH A MANNER THAT IT WILL ATTRACT ATTENTION, OR BE OPEN TO THE VIEW OF THE PUBLIC; BUT RATHER IT MUST BE WORN CONCEALED IN SUCH A MANNER THAT IT WILL BE INCONSPICUOUS.

34.040 SUSPENSION

- (A) NO MEMBER OF THIS DEPARTMENT SHALL BE ARMED WHILE UNDER SUSPENSION UNLESS POSSESSION OF A WEAPON CONFORMS TO STATE STATUTE REGARDING THE CARRYING OF WEAPONS BY THE GENERAL PUBLIC.

34.050 USE OF FIREARMS

- (A) MEMBERS OF THIS DEPARTMENT SHALL NOT USE FIREARMS UNLESS SUCH USE IS NECESSARY TO PROTECT THEMSELVES OR OTHER PERSONS FROM DEATH OR SERIOUS BODILY INJURY, OR UNLESS IT IS NECESSARY TO USE DEADLY FORCE TO ARREST A PERSON WHO HAS COMMITTED A FELONY DANGEROUS TO HUMAN LIFE.
- (B) NO OFFICER SHALL USE HIS OR HER REVOLVER AS A BLACKJACK OR FOR ANY OTHER PURPOSE THAN THAT FOR WHICH IT WAS CONSTRUCTED.

34.060 OTHER WEAPONS

- (A) OFFICERS OF THIS DEPARTMENT SHALL CARRY ONLY SUCH OTHER WEAPONS AS HAVE BEEN APPROVED BY THE CHIEF OF POLICE.