

SPRINGFIELD POLICE DEPARTMENT

ADDENDUM

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SUBJECT: RULES OF CONDUCT RULES AND REGULATIONS	DISTRIBUTION A,B	REVISION DATES 06/25/99, 07/07/01, 04/12/02, 09/27/02, 11/08/02, 10/30/08, 10/29/10, 02/25/16, 01/17/18, 12/20/19, 01/10/20	EFFECTIVE DATE
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I. PURPOSE

The purpose of this Addendum is to outline the rules and regulations of the Springfield Police Department.

II. INDEX

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III. RULES AND REGULATIONS

Rule 1: Applicability of Rules, General orders, Policies, Orders and Definitions

These rules and regulations, properly promulgated general orders, directives, and policies as well as verbal orders are binding upon all members of the Department including part-time or temporary employees, auxiliaries, reserves and those participating in internship training programs, independent contractors, and all others specifically included by City ordinance.

Rule 2: Residence, Telephone requirement and Use of Department Address for Personal Mailing

A. Residence:

1. Non-sworn employees of the Department may choose to have their residence anywhere they desire,
 2. Sworn officers of the Department must follow these guidelines:
 - a. Officers who are members of the following must live within the boundaries of Sangamon County:
 - 1) Emergency Response Team (ERT);
 - 2) Hostage Negotiations Team (HNT);
 - 3) Canine (K-9) Unit;
 - 4) Criminal Investigations Division;
 - 5) Accident Reconstruction Team.
 - b. Officers who are not members of the division, unit, or teams listed in Rule 2: A.2.a, may choose to have their residence anywhere they desire.
 3. Employees whose residences are outside the corporate limits of the City of Springfield will not be eligible to participate in the Take Home Vehicle Program.
- B. All employees will notify, in writing, the Chief of Police through his respective Division Commanding Officer of any change in residence within twenty four (24) hours through established procedures.
- C. All employees are required to have a working telephone and will notify, in writing, the Chief of Police through his respective Division Commanding Officer of any change in telephone number(s) within twenty four (24) hours through established procedures.
- D. No employee, sworn or civilian, will use the Springfield Police Department's address as part of personal mailings. Employees are not authorized to send or receive personal mail, letters or packages at the Springfield Police Department and will not use its mailing address for any correspondence other than official Department business.

Rule 3: Jurisdiction

An officer will at no time exercise police powers outside the City of Springfield except in exigent circumstances or when answering a request for assistance from another agency.

Rule 4: Conformance to Laws

- A. All members will obey the Constitution and laws of the United States and of the State of Illinois, ordinances of the City of Springfield, and laws of any state and local jurisdiction in which they are present.
- B. A member shall be terminated for commission of a criminal offense, the punishment of which carries a penalty of imprisonment for a period of 365 days, or more or any of the following enumerated offenses as defined in the Illinois Criminal Code of 1961:

720 ILCS 5/11-6, **Indecent solicitation of a child**; 720 ILCS 5/11-9.1, **Sexual exploitation of a child**; 720 ILCS 5/11-14, **Prostitution**; 720 ILCS 5/11-17, **Keeping a Place of Prostitution**; 720 ILCS 5/11-19, **Pimping**; 720 ILCS 5/12-2, **Aggravated assault**; 720 ILCS 5/12-15, **Criminal sexual abuse**; 720 ILCS 5/16-1, **Theft**; 720 ILCS 5/17-1, **Deceptive practices**; 720 ILCS 5/17-2, **False personation; use of title; solicitation; certain entities**; 720 ILCS 5/28-3, **Keeping a gambling place**; 720 ILCS 5/29-1, **Offering a bribe**; 720 ILCS 5/31-1, **Resisting or obstructing a peace officer or correctional institution employee**; 720 ILCS 5/31-6, **Escape; failure to report to a penal institution or to report for periodic imprisonment**; 720 ILCS 5/31-7, **Aiding escape**; 720 ILCS 5/32-4a, **Harassment of representatives for the child, jurors, witnesses and family members of representatives for the child, jurors, and witnesses**; or 720 ILCS 5/32-7, **Simulating legal process**.

- C. Acquittal or dismissal in a criminal prosecution will not preclude the Department from independently investigating and seeking disciplinary action, including termination, against a member for a violation of this rule and regulation.
- D. A conviction for a violation of any law by a member in a criminal court with jurisdiction to try the offense will be prima facie evidence of a violation of law.

Rule 5: Knowledge and Violation of Rules and Orders

- A. Members will read, understand and comply with all properly promulgated rules and regulations, civil service rules, Chapter 36 of the City Code, general orders, special orders, directives, policies, and procedures of the Department as well as direct, indirect, written or verbal orders from a superior officer or supervisor. This includes any order relayed from a superior officer or supervisor by an employee of the same or lesser rank.
- B. All rules and regulations, general and special orders, policies, procedures and orders are applicable upon issuance by the Department unless a different date is specified. Actual knowledge is conclusively presumed by proof of issuance of an order to an individual.
- C. Members will not commit any acts or omit any required acts which constitute a violation of any of the rules and regulations, directives, orders, policies, or procedures of the Department, whether stated in these rules and regulations or elsewhere.

Rule 6: Orders

- A. A superior officer or supervisor will issue clear, concise, and definite orders to his subordinates.
- B. A superior officer or supervisor will be held responsible if he issues improper orders, vague orders, unlawful orders or orders in violation of Department rules and regulations.
- C. A superior officer or supervisor is responsible for the proper execution of orders by subordinates. The fact that an order has been given is not an acceptable excuse when the order is not carried out by a subordinate. The supervisor or superior officer will take reasonable measures to ensure that the task is accomplished.
- D. Members who are given an otherwise proper order which is in conflict with a previous order, rule and regulation, or directive will respectfully inform the supervisor or superior officer issuing the order of the apparent inconsistency and ask for clarification. If such superior officer or supervisor does not alter or retract the conflicting order, the order will stand. Under these circumstances, the responsibility for the conflict will be upon the supervisor or superior officer. Members will obey the conflicting order and will not be held responsible for disobedience of the order, rule and regulation, or directive previously issued.
- E. Members will 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, members will request the issuing authority to clarify the order or request to confer with higher authority.
- F. In any case where a member is asked or ordered to perform an illegal act or to forbear from performing an act required by law, the incident will be reported by the member to the Chief of Police in accordance with established internal investigation procedures.

Rule 7: Devolution of Command

During the temporary absence of a superior officer or supervisor during an incident where one would be required and no other provision is made by competent authority, the command automatically devolves upon the subordinate present who is next in rank to the absent supervisor or superior officer, or, if more than one person is present in such rank, then to the senior person in such rank.

Rule 8: Duty of Superior officers and Supervisors

- A. A superior officer or supervisor will sustain subordinate personnel when they are acting properly and within their rights.
- B. A superior officer or supervisor will not ridicule rules and regulations or orders, nor will he permit subordinates to do so.

Rule 9: Failure to Supervise

- A. Members designated as supervisors by their rank, job description or position are required to supervise all personnel under their command in such a manner as to detect, avoid or correct errors, or incidents of unsatisfactory performance or neglect of duty by subordinates. Supervisors will also be responsible for ensuring discipline, enforcement of rules and regulations, general orders, and other Department or division level directives.
- B. In the case of subordinates who perform in an unsatisfactory manner, supervisors may discharge their obligation to supervise by on-the-spot corrections for minor incidents, or formal written counseling. For repeated or more serious matters, reports will be forwarded to supervisors for corrective action. Supervisors who become aware of unsatisfactory performance by a member whom they do not directly supervise will report the incident to the appropriate supervisor unless immediate action is deemed necessary.
- C. Failure to Supervise includes the failure to take appropriate or corrective action upon being made aware of a violation of policy and procedure.

Rule 10: Duty Status

- A. A sworn officer is vested with the powers of a peace officer by law, at all times, whether on or off duty, except during periods of disciplinary suspension, limited duty assignments, disability pension status, and leaves of absence. An officer is subject to recall for routine or emergency duty at all times and is subject to orders of supervisors or superior officers.
- B. When an officer is not on duty, the decision to undertake such off duty action rests in the discretion of the officer and his evaluation of the facts and circumstances surrounding the incident, including danger to the officer, his family, the public, accessibility to communications and support, as well as clarity of the situation. When it is ill-advised for an off duty officer to become involved in an incident requiring police attention, the officer will contact the Police Department and report it through established procedures.
- C. Members will report for duty at the time and place required or report their inability to do so by notifying the Department in accordance with established procedures. Members will not leave their assigned duty areas except when authorized by proper authority. Members will be physically and mentally fit to perform their duties. Members will remain awake while on duty. Judicial subpoenas for sworn officers will constitute an order to report for duty under this rule in accordance with established procedures.
- D. Members will not attend to personal, non-official business or matters during their tour of duty without authorization from a supervisor or superior officer. No supervisor or superior officer will permit his subordinates to attend to personal business or matters if such matters will, or are likely to, interrupt the operations of the work force for periods longer than fifteen (15) minutes.
- E. Members will not feign illness or injury, falsely report themselves or family members ill or injured, or otherwise deceive or attempt to deceive any supervisor or superior officer of this Department or any individual authorized to conduct an inquiry as to the condition of their health.

- F. When a member is on an approved leave of absence without pay for five (5) or more days, or on a suspension of more than one (1) day, the following item(s) will be turned in to the member's supervisor:

1. Springfield Police Identification Card(s); and
2. Springfield Police Badges, if applicable; and
3. Department issue weapon(s) with ammunition, if applicable; and
4. Personally assigned vehicle, if applicable.

The member's supervisor will ensure that the above items are turned over to the appropriate sections/individuals within the Springfield Police Department.

Upon the members return to duty, they will report to their supervisor for instructions regarding the return of the above mentioned items.

Rule 11: Neglect of Duty

- A. All members are required and expected to give suitable attention to the performance of duty. Examples of such failure for sworn officers include, but are not necessarily limited to:
1. Failure to take appropriate action on the occasion of a criminal offense, disorder, or other act or condition deserving police attention.
 2. Failure to intervene in circumstances where unreasonable force is being used.
 3. Failure to report violations of rules, policies or procedures to a supervisor.
 4. Absence without leave or failure to report to duty at the time and place designated.
 5. Failure to perform assigned duties or comply with any rule and regulation or order.
- B. Examples of such failure for non-sworn members include, but are not necessarily limited to:
1. Absence without leave or failure to report to duty at the time and place designated.
 2. Failure to perform assigned duties or comply with any rule and regulation or order.
 3. Failure to report violations of rules, policies, and procedures to a supervisor.
- C. Failure to work diligently or with a bearing not consistent with the professional image of the Department is prohibited. This includes, but is not necessarily limited to:
1. Failure to respond immediately to a request for service.
 2. Failure to return promptly to service after completing a call for service.
 3. Failure to complete reports required, or completing reports in such a manner that they are materially and substantially incorrect, misleading or unfit for the purpose which the report is intended.
 4. Failure to care for and accurately account for Department equipment entrusted into their care.

Rule 12: Insubordination

- A. Members will promptly obey any lawful order, verbal or written, of a supervisor or superior officer. This will include orders relayed from a superior officer or supervisor by a member of the same or lesser rank or position. The term "lawful order" will be construed as any order in keeping with the performance of any duty prescribed by law or these rules and regulations, general and special orders, or established policy and procedure, or one consistent with the preservation of good order, efficiency, and proper discipline which is not in conflict with these rules and regulations.
- B. Insubordination will include, but not be necessarily limited to; any willful failure to obey or deliberate refusal to obey a lawful order given by a supervisor or superior officer, lying to supervisor or superior officer, or any disrespectful, mutinous, insolent or abusive language or action towards a supervisor or superior officer whether in or out of their presence.
- C. The offense of insubordination is complete when the member fails to immediately perform the required action, performs an act prohibited, or expressly refuses to perform an action resulting in reassignment of the function to another member.

Rule 13: Unsatisfactory Performance

Members will maintain sufficient competency to properly perform their duties and assume the responsibility of their positions and will perform their duties in a manner which maintains the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance includes, but is not necessarily limited to: a lack of knowledge of the application of laws to be enforced; an unwillingness to or inability to perform assigned tasks; the failure to conform to work standards established for the member's rank, grade, or position; or absence without leave. In addition to other indicia of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations, or a written record of repeated infractions of rules and regulations, directives or Department personnel policies.

Rule 14: Arrests and Due Process

- A. Arrests will be effected in accordance with the standards and procedures provided by law as amplified by Department policy. Sworn officers will take particular care to follow provisions applicable to the arrest of persons considered to be juveniles under law. Officers will treat all persons who are in their custody in accordance with law and established Department procedure.
- B. Officers will not make accusations of a criminal offense, ordinance violation, traffic charge or departmental disciplinary offense which is known to them to be false.
- C. Officers will not make arrests in cases arising out of personal disputes or quarrels involving friends, family or neighbors unless such action is warranted by immediate threat of serious bodily harm or property damage. In any such case, the involved officer will turn the matter over to the appropriate Department personnel as soon as practicable.
- D. Officers will not become involved in or part of any promise, agreement or arrangement between a person charged with an offense. Neither will he take part in any effort on behalf of a defendant to obtain a continuance of a trial, the dismissal of a case, or leniency for the defendant in any court, except with the knowledge and consent of the Chief of Police.
- E. Officers are prohibited from posting or furnishing bonds for any person(s).

Rule 15: Use of Force

- A. When feasible and safe to do so, officers shall attempt to de-escalate all incidents. Officers will not use more force in any situation than is reasonably necessary under the circumstances. Officers will use force in accordance with established Department policy and procedure.
- B. All members have the affirmative duty to intervene to prevent or stop any unreasonable force being used by another officer whenever it is safe and reasonable to do so.
- C. In any case where force is used to subdue or control a subject, all officers using such force will submit complete written reports by the end of the duty shift. If the officer is injured, such reports will be submitted at the earliest possible time, or if the incident occurs off duty, the report will be submitted within eight (8) hours.

Rule 16: Use and Display of Weapons

- A. Officers will refrain from drawing or exhibiting a firearm or other weapon except on demand of an inspecting officer or when there is a reasonable belief that the situation may escalate to the point where deadly force may be justified. Weapons will be secured or holstered when the officer determines it is no longer appropriate to exhibit the weapon. The display of a firearm or taser towards any individual is considered a use of force and shall be documented in a police report.
- B. Sworn officers will equip themselves only with the weapons and ammunition specifically authorized and/or issued by the Department. In addition, they will not substitute any weapon for the authorized service firearm without the approval of the Chief of Police. Sworn officers will only use or permit the use of firearms or batons issued by the Department or other weapons specifically authorized by Department policy.

- C. In any situation where a sworn officer uses a firearm, accidentally or intentionally, except on the firearms range, by firing or striking a person with it, the officer will immediately notify the on-duty Watch Commander, unless incapacitated. The on-duty Watch Commander will direct the Officer as to how to proceed and to complete the appropriate documentation regarding the incident. The Officer shall submit the documentation to the Chief of Police through his respective Division Commanding Officer.
 - 1. If the incident occurs while on-duty, the Officer will submit the documentation no later than the end of the duty shift (unless other applicable General Orders apply).
 - 2. If the incident occurs while off-duty, the documentation will be submitted within twenty-four (24) hours unless otherwise approved the commanding officer of the division.
 - 3. If the Officer is injured, the Officer will submit the documentation at the earliest time possible.
- D. Officers will not carry any handgun other than their departmentally approved weapon when off duty. When a weapon is carried, it will be used and handled in accordance with established Department policy and procedure. Probationary officers will not carry a weapon off duty until the successful completion of Phase I training, except in accordance with established Department policy.
- E. It is the sworn officer's responsibility to insure that all issued weapons are maintained securely.

Rule 17: Investigative Functions

- A. Officers will thoroughly search for, collect, preserve, and identify evidence of persons, property and locations in any arrest or investigation. Investigative responsibility is limited by the scope of one's duties and where such actions are practical under the circumstances of the case. In no instance will an officer allow the destruction or loss of evidence before the applicable departmental section personnel is able to process the scene or assume responsibility for the scene.
- B. An officer called to or happening on the scene of a suspected crime will take immediate steps to care for the injured, investigate the circumstances, obtain the names and addresses of the victim(s) and witnesses, protect the crime scene from entry by unauthorized persons, prevent the destruction, mutilation, concealment or contamination of physical evidence, and arrest any person(s) reasonably suspected of guilt.
- C. An officer coming upon the scene of a death or imminent death, not reasonably evident to have occurred from natural causes, will assume that such death or incident is associated with a criminal or grossly negligent act and will proceed in accordance with established procedures.
- D. Property or evidence which has been discovered, gathered or received in connection with departmental responsibilities will be processed in accordance with established procedures. Members, sworn and non-sworn, will not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold property or evidence in connection with an investigation or other police action except in accordance with established departmental procedures.
- E. Officers will thoroughly and effectively search all persons at the time they assume custody of such persons to discover weapons, and/or contraband. Failure to thoroughly search, to the extent that a deadly weapon, including a firearm or knife, is allowed to remain in the custody of a subject is an offense justifying termination.
- F. In the event an officer is unable to perform a thorough and effective search of a subject due to circumstances beyond his control, such a search must be arranged for by the officer and the officer receiving the subject will be told of the need for a thorough search.
- G. Persons should be searched by an officer of the same sex, when available. However, if this is not possible, the officer will perform a non-intrusive pat-down of the person, search the handbag, if any, and outer garments of the person(s).
- H. Officers will not interfere with cases being handled by other officers of the Department or by any other governmental agency unless:
 - 1. Ordered to intervene by a superior officer, or
 - 2. The intervening officer believes beyond a reasonable doubt that a manifest injustice or violation of the law would result from failure to take immediate action. When intervention occurs, a report of such intervention will be made to a superior officer or supervisor as soon as possible, but within eight (8) hours of such intervention,
 - 3. Such intervention is within an officer's role as a supervisor or superior officer.

- I. Officers will not undertake any investigation or other official action not part of their regular duties without obtaining permission from their supervisor or superior officer unless the exigencies of the situation require immediate police action. In such case, the officer will report the details of the investigation to his superior officer or supervisor as soon as possible, but within eight (8) hours of such an investigation.
- J. Officers will submit all applicable reports on time and in accordance with established departmental procedures. Reports submitted by officers will be truthful and complete, and no officer will knowingly enter or cause to be entered any inaccurate, false, or improper information. The term "reports" will include, but not necessarily be limited to, traffic citations, and parking tickets.

Rule 18: Courtesy and Image

- A. Members will be courteous to the public at all times and will not express any prejudice concerning race, religion, politics, age, national origin, lifestyle, gender or disabilities. Members will be tactful in the performance of their duties, controlling their tempers and exercising the utmost patience and discretion and will not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, members will not use coarse, violent, profane or insolent language or gestures.
- B. When any person requests assistance or advice, or makes complaints or reports, either by telephone or in person, pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established departmental procedures.
- C. Officers will not solicit nor 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 officers or the Department, if it may be reasonably 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, or
 - 2. Has an interest which may be substantially affected, directly or indirectly, by the performance or nonperformance of an official duty.
- D. Officers will report any offers of such gifts from any person, business or organization or acceptances of such gifts by other officers through established internal investigation procedures.
- E. Any solicitation of anyone to intercede with the Chief of Police, City Council or its members, a legislative body, Civil Service Commission, or any other elected/ appointed official in relation to promotions, departmental assignments, disposition of pending charges or findings of a disciplinary proceeding is prohibited. Nothing in this rule shall be construed to be applicable to licensed attorneys at law when representing a member of the Department or to a member exercising any right or procedure provided for by these rules, departmental orders, and established directives.
- F. Officers will carry their identification cards (and badge when carrying a weapon) on their person at all times, except when impractical or dangerous to their safety or to an investigation. They will furnish their name and identification number 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 police duties or is authorized by proper authority. Officers will make every effort to ensure the security and safekeeping of badges and identification cards at all times.

Rule 19: Personal Appearance

- A. Members will comply with established departmental dress and grooming standards.
- B. Sworn officers will not smoke or use tobacco products when they are:
 - 1. In a formation;
 - 2. Engaged in traffic direction;
 - 3. In direct contact with the public;
 - 4. In the Municipal Center East Building; or
 - 5. They have to leave their post or assigned area for the sole purpose of doing so.
 - 6. In a Department Vehicle

Rule 20: Abuse of Position

- A. Members will not recommend or suggest 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, tow service, etc). In the case of ambulance or towing services, when such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, members will act in accordance with established departmental procedures.
- B. Members will not use their official positions, official identification cards or badges for:
 - 1. Personal or financial gain for themselves or others;
 - 2. Obtaining privileges not otherwise available to them except in the performance of duty, or
 - 3. Avoiding the consequences of illegal acts.

Members will not lend to another person their badges or identification cards or permit them to be photographed or reproduced without the authorization of the Chief of Police.

- C. Members will not authorize the use of their names, photographs, or official titles which identify them as members of the Department in connection with testimonials or advertisements of any commodity or commercial enterprise without the prior written authorization from the Chief of Police.

Rule 21: Unbecoming Conduct and Associations

- A. Members will conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming will include, but not necessarily be limited to, that which brings the Department into disrepute or reflects discredit upon the individual as a member of the Department, or that which impairs the operation or efficiency of the Department.
- B. Members will avoid 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 involvement in criminal behavior, except as is necessary in the performance of official duties or where unavoidable because of personal family relationships.
- C. Members will not knowingly visit, enter or frequent a house of prostitution, illegal gambling house, or establishment wherein the laws of the United States, the State of Illinois, or the City of Springfield are violated except in the performance of duty or while acting under proper and specific orders from a superior officer or supervisor.
- D. Members will 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 superior officer or supervisor.
- E. Members will 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. Members will not participate in any incident which impairs their ability to perform or causes the Department to be brought into disrepute and ridicule.
- F. Members will resolve all personal disputes in a peaceful and lawful manner by resorting only to legal processes, civil or criminal.

Rule 22: Public Statements and Appearances

- A. Members will not publicly criticize or ridicule the Department, its policies or other officers by speech, writing or other expression, where such speech, writing or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.
- B. Members will not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or periodical, release or divulge information, or any other matters of the Department while holding themselves out as representing the Department in such matters without authorization of the Chief of Police or his designee.

Rule 23: Dissemination of Information

- A. Members will treat the official business, evidence, documents, videos and photographs of the Department as confidential. Information regarding official business will be disseminated only to those for whom it is intended.
- B. Members may remove or copy official records or reports from police facilities for purposes of official business only and in accordance with established procedures. Any release of information to non-law enforcement related entities must be authorized by a member of the senior command staff prior to such release. Members will not divulge the identity of persons giving confidential information except as authorized by proper authority or release items of evidence, documents, photographs, videos etc. to members of the news media or others outside the criminal justice system without the express authorization of the Chief of Police or his designee.
- C. Unauthorized copying, viewing, showing and sharing information obtained from evidence, documents, videos and photographs of the Department other than for official Department business is strictly prohibited.
- D. Discussion of operations and official business of the Department which is of a confidential nature without the permission of a superior officer or supervisor is prohibited.
- E. Stealing, altering, forging, or tampering in an unauthorized manner with any kind of police record, document, computer, report or citation is prohibited. To this end, the removal or copying of any record, card, report, letter, document, computer program or other official file from the Department, except by process of law is prohibited. Additionally, the obtaining/duplication or attempted obtaining/duplication of any information from Department files, sources, or reports other than that to which one is properly entitled to in accordance with one's duties/assignment is prohibited.

Rule 24: Payment of Debts

- A. Members will not undertake any financial obligations which they know or should know they will be unable to meet, and will pay all just debts when due. An isolated instance of financial responsibility will not be grounds for discipline except in unusually severe cases. However, repeated instances of financial difficulty may be cause for disciplinary action. Members will not co-sign a note for any superior officer or supervisor nor will a supervisor or superior officer co-sign a note for a subordinate.
- B. In addition to any financial disclosure required by law for City employees, members will, upon the order of the Chief of Police or his designee, submit financial disclosure statements in accordance with established procedures in connection with a complaint in which this information is material to the investigation. Such order will specifically list the information requested and the reason it is needed. An order for such disclosure may be issued only in connection with an investigation of misconduct to which the information is expected to be material.

Rule 25: Vehicles and Equipment

- A. Members will operate Department vehicles in a careful and prudent manner and will obey all laws and departmental procedures pertaining to such operation. Revocation or suspension of a driving license will be reported to the member's immediate supervisor or superior officer immediately. Demonstrated inability or unwillingness to operate vehicles in a careful manner will constitute grounds for discipline including termination.
- B. Members will utilize Department equipment only for its intended purpose in accordance with established procedures and will not abuse or damage such equipment. Members will use reasonable care to avoid loss of Department equipment and all equipment will be maintained in proper order.
- C. Officers, when responding to an emergency call for service in a Department vehicle, will operate such vehicle in accordance with state statutes and established Department directives.
- D. Members will obey all motor vehicle laws and ordinances relating to motor vehicles at all times when operating Department vehicles.
- E. Members will notify their supervisor in writing, within 48 hours unless extenuating circumstances exist, of any moving traffic violation received whether received on duty or off duty. The supervisor will forward this report through the chain of command to the Chief of Police. A follow up report will be submitted to the Chief of Police when the disposition of the citation is made by the court.
- F. Members will immediately report, in writing, any damage, loss, or theft to Department vehicles and equipment and submit report(s) which contain all known facts surrounding the cause or nature of the damage. Reports to superior officers or supervisors of damage at the time the property is issued discharges the responsibility of the member accepting the property.
- G. Members will return all equipment owned by the Department when they retire, resign or otherwise leave the Department in accordance with established procedures.

Rule 26: Duty to Report

- A. All members have an affirmative duty to prevent or stop any misconduct by another member when it is safe and reasonable to do.
- B. All members have an affirmative duty to report any misconduct of which they become aware and shall notify a supervisor as soon as possible when another member of the department is violating law or policy. Failure to do so is as serious as performing actions prohibited in these rules. It is the responsibility of members to protect the public to the furthest extent possible and report violations even if they could not be prevented.
- C. Misconduct includes, but is not limited to a violation of a law, rule, regulation, policy or procedure, general or special order. All such violations will be reported in accordance with established policy, in writing by the individual(s) having knowledge through his respective Commanding Officer within twenty-four (24) hours.
- D. If any member of the Department has a lawsuit filed against him by reason of an act allegedly performed in the line of duty, he will immediately deliver a copy of the complaint to the Chief of Police through his respective Commanding Officer together with a complete and accurate written report pertaining to the incident in question.

Rule 27: Internal Investigations

- A. Members will, upon the order of the Chief of Police or his designee, 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 in the course of an internal investigation.
- B. Obstruction in any manner or an attempt to obstruct any authorized Departmental internal investigation is a serious disciplinary offense which will result in termination.
- C. All members will provide, on demand, a signed release for any medical, hospital, or psychiatric records or statements which directly and narrowly are related to the scope of employment and operations of the Department.
- D. Failure to truthfully answer questions or provide requested material shall result in dismissal from employment. Such information gained is compelled and may not be used in any criminal prosecution of the member answering.
- E. All members will notify the Chief of Police, in writing as soon as he becomes aware that he is the subject of any criminal investigation by any other law enforcement agency.
- F. Supervisors will courteously and promptly record in writing any complaint made by a citizen against the Department or any member. Supervisors may attempt to resolve the complaint, but they will never attempt to dissuade any citizen from lodging a complaint against the Department or any member. Members below the rank of supervisor will pass on the complaint information to a supervisor or superior officer in accordance with established internal investigation procedures.

Rule 28: Court and Judicial Appearances

- A. Officers will appear on time and prepared for all scheduled court appearances unless expressly excused by the Chief of Police, the prosecuting attorney, the court, or the attorney scheduling the appearance.
- B. In any criminal or traffic prosecution where an officer is requested to appear as a defense witness, the Chief of Police will be notified, in writing, through the officer's respective Commanding Officer. Such written notification will include the endorsed witness fee check, if applicable. The officer will not be excused from duty without informing the Chief of Police and without a written copy of the service of a subpoena and witness fee check. The officer is free to appear as a defense witness in any prosecution when advance proof of subpoena service and notice is given. Such notice will contain the general subject matter of the expected testimony.
- C. No officer will appear on duty as a witness in a civil case without the service of a subpoena, a copy of which will be given to the Chief of Police through the officer's respective Commanding Officer. Notification to the Chief of Police will include the endorsed witness fee check, if applicable. Officers appearing, at any time, in civil cases which involve their performance of police duties will notify, in advance and in writing, the Chief of Police through the officer's respective Division Commanding Officer, of such appearance and the general subject matter of the expected testimony.

Rule 29: Alcohol and Drug Possession and Use

- A. Officers will not consume intoxicating beverages while on duty except in the performance of duty, and in those instances, never to the extent that the officer's ability to perform an official assignment or function is impaired.
- B. Members will 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. Members reasonably suspected of violating this rule will be subject to disciplinary actions including discharge.

- C. Officers, while off duty, will 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 officer(s) unfit to report for their next regular tour of duty.
- D. Members will not possess or use cannabis or any controlled substances except when prescribed by law and Department policy or by a physician or dentist. When controlled substances are prescribed or other medication is being used, members will notify their supervisor or superior officer if the use will affect their job performance.
- E. Members will not store or bring into any police facility or vehicle alcoholic beverages, controlled substances, cannabis derivatives; except alcoholic beverages, controlled substances or cannabis derivatives which are held as evidence, used for training or other official capacity. Members who are authorized the use of police vehicles while off duty for their personal use may transport alcoholic beverages in their sealed, original containers only if they are kept in the trunk of the vehicle.

Rule 30: Secondary Employment

- A. Officers may engage in secondary employment in accordance with the collective bargaining agreement and the following limitations:
 - 1. Such employment will not interfere with the officer's employment with the Department.
 - 2. Such employment or business does not involve the sale of alcoholic beverages, investigative work for insurance agencies, private security agencies, collection agencies or attorneys. An officer may be employed as a private security guard subject to the restrictions of this rule.
 - 3. Such employment does not render the officer unavailable during an emergency.
 - 4. Such employment does not physically or mentally exhaust the officer to the point that his performance may be affected.
 - 5. Such employment does not require that any special consideration be given to scheduling of the officer's regular duty hours.
 - 6. Such employment does not bring the Department into disrepute or impairs the operation and efficiency of the Department or the officer.
 - 7. Such employment does not represent a conflict of interest or in any way compromises the officer's performance of service to the Department.
- B. Non-sworn members may engage in secondary (off duty) employment in accordance with the appropriate collective bargaining agreement, and the following limitations, where applicable.
 - 1. Written notification to the member's Division Commanding Officer through the chain of command stating the hours of work and the availability for emergency recall.
 - 2. Such employment will not interfere with the member's employment with the Department.
 - 3. Such employment does not physically or mentally exhaust the member to the point that his performance may be affected.
 - 4. Such employment does not require any special consideration be given to scheduling of the member's regular duty hours.
 - 5. Such employment does not represent a conflict of interest or in any way compromise the member's performance or service to the Department.
- C. A "conflict of interest" for purposes of this rule arises when a member's private interest, whether of a financial nature or otherwise, conflicts or interferes with the member's efficient conduct of duties and responsibilities with the Department.
- D. All external employment activity will be carried out in compliance with established rules and regulations, general and special orders, and direct orders of the Department.
- E. All sworn officer off-duty employment requests must be approved by the Chief of Police or his designee prior to engaging in the employment.
- F. Refer to General Order ADM-56/Secondary Employment for additional procedures governing this process.

Rule 31: Political Activity

The Department will not prohibit a member from or discriminate against him for engaging in political activities, campaigning while off duty, or expressing political beliefs, provided that the member, as applicable, does not:

- A. Wear a uniform or any part thereof which could identify the individual as an officer or Department employee or use property of the Department.
- B. Display or otherwise lead others to believe he is carrying a firearm or Department badge.
- C. Hold himself out as a police officer

Rule 32: Notices and Bulletin Boards

- A. Notices dealing with labor activities or organizations may be posted only on bulletin boards designated by the Chief of Police. Groups or persons desiring to post or circulate non official notices in Department facilities must have the authorization of the Chief of Police or his designee.
- B. Destroying or defacing any Department property or any official written notice relating to police business is prohibited. The posting or circulating of any notice(s) of a non-official or derogatory character relating to any person, group or police activity is prohibited.

Rule 33: Lying and Untruthfulness

- A. No Department member shall knowingly make an untrue statement about a fact, either orally or in writing, in connection with an investigation, assignment or inquiry.
- B. No member shall knowingly sign any false official statement or report, commit perjury, or give false testimony before any court, grand jury, board, commission, judicial or administrative hearing, or Department hearing, whether or not under oath.
- C. Members are required to report completely, honestly and accurately all facts and information pertaining to any investigation, whether criminal or administrative, or other matter of concern to the Department.
- D. This rule does not apply to an officer's questioning or interrogation of a person involved in a criminal investigation or where the officer is engaged in an approved undercover role where such misrepresentation is not inconsistent with law or accepted professional practice.
- E. Lying and untruthfulness in the context, and as described in this section is a serious disciplinary offense which will result in termination.

Rule 34: Money Handling

In an attempt to prevent accusations of theft when handling a person's money, regardless of their custody status, the following steps are to be taken, and whenever possible, these actions should be done in the presence of another officer or a supervisor:

- A. The subject will be asked how much money is present;
- B. The money will then be counted in front of the subject;
- C. If the money is returned to the subject they will be asked to count it to confirm the amount being returned to them.
- D. If the money is seized, the officer will process it in accordance with the Department's Evidence Control Policies and Procedures Manual, Currency and Coins.

Rule 35: Interference with Video/Audio Recording

50 ILCS 706/10 – 20 (a) 11 states that no Officer may hinder or prohibit any person, not a law enforcement officer, from recording a law enforcement officer in the performance of his or her duties in a public place, or when the officer has no reasonable expectation of privacy.

Officers may take reasonable action to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations and protect the public safety and order.

Any officer who violates this law faces criminal penalties, as well as departmental discipline up to and including termination.

Rule 36: Failure or Incomplete Activation of Body Worn Camera

Members who have been issued a Body Worn Camera (BWC) will, while on duty, wear and operate the BWC in accordance with State Law and Department Rules and Orders covering their use. Members will upload, tag, and categorize BWC videos and other digital evidence into Evidence.com prior to the end of their shift. Members will not unreasonably endanger themselves or another person to conform to the provisions of this or other directives covering the activation of BWCs. In such cases or where exigent circumstances exist, the BWC will be activated as soon as practical. The reason(s) for the delay will be noted within a police report.

KENNETH D. WINSLOW, CHIEF OF POLICE

Reviewed for Legal Sufficiency: _____
Assistant Corporation Counsel