



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Shannon Dion
Director

Megan Peterson
Chief Deputy Director

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Richmond, Virginia 23219
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December 6, 2021

The Honorable John S. Edwards
Chair, Senate Judiciary Committee
Pocahontas Building
900 East Main Street
Richmond, Virginia 23219

The Honorable Charniele L. Herring
Chair, House Courts of Justice Committee
Pocahontas Building
900 East Main Street
Richmond, Virginia 23219

Dear Senator Edwards and Delegate Herring:

In accordance with 2020 Va. Acts chap. 37 (Spec. Sess. I), the Department of Criminal Justice Services (DCJS) was tasked with promulgating regulations to (i) establish a waiver process for law-enforcement agencies to continue to use military-style equipment acquired by such agencies prior to the prohibition on using or acquiring military-style equipment contained in the legislation and (ii) establish statewide standards of conduct for certified law-enforcement and jail officers, a serious violation of which (i.e., serious misconduct) may result in an officer's decertification. Chapter 37 also required that DCJS provide an update on the status of these regulatory projects.¹

Waiver Process for Military-Style Equipment

The newly created §§ 2.2-5515 and 15.2-1721.1 of the *Code of Virginia* prohibit localities and state agencies that employ law-enforcement officers from acquiring or purchasing certain military property. Property prohibited by these sections are (i) weaponized unmanned aerial vehicles; (ii) aircraft that are configured for combat or are combat-coded and have no established commercial flight application; (iii) grenades or similar explosives or grenade launchers from a surplus program operated by the federal government; (iv) armored multi-wheeled vehicles that are mine-resistant, ambush-protected, and configured for combat also known as MRAPs, from a surplus program operated by the federal government; (v) bayonets; (vi) firearms of .50 caliber

¹ A status report on the establishment of the statewide standards of conduct is also mandated by 2020 Va. Acts chap. 27 (Spec. Sess. I).

or higher; (vii) ammunition of .50 caliber or higher; or (viii) weaponized tracked armored vehicles. Clauses (vi) and (vii) were amended by budget language to prohibit rifles of .50 caliber or higher only.² Section 9.1-102(62) of the Code of Virginia requires DCJS to establish and administer a waiver process for agencies that already possess such prohibited equipment to allow for its continued use under limited circumstances.

The waiver process requires agencies to submit a form and supporting documentation to DCJS and the information is then presented to the Criminal Justice Services Board (the Board) for evaluation.³ To date, 19 waiver requests have been submitted and the Board has approved all 19. These requests have been for 16 MRAPs (or MRAP-like vehicles) and three .50 caliber rifles.⁴

A Notice of Intended Regulatory Action will be opened to begin the process of creating a regulation governing the waiver process.

Standards of Conduct for Certified Law-Enforcement and Jail Officers

The amended §§ 9.1-102(61) and 15.2-1707 of the *Code of Virginia* greatly expand the scope of circumstances in which certified law-enforcement officers and jail officers are eligible for decertification for certain misconduct. One significant change is the newly created requirement that DCJS and the Board develop and adopt statewide standards of conduct, and designations of serious misconduct, applicable to those officers. Officers who are terminated or resign for serious misconduct as defined by DCJS and the Board are subject to decertification.

To assist with the development of the statewide standards of conduct and designations of serious misconduct, DCJS was required to convene a working group, consisting of crime victims, people directly impacted by the criminal justice system, people representative of communities disproportionately represented among persons incarcerated in Virginia jails and prisons, civil rights advocates, mental health advocates, defense counsel, and people employed in the criminal justice system, including police officials, sheriffs, attorneys for the Commonwealth, the judiciary, and correctional and rehabilitative agencies.⁵

This working group has been actively meeting and discussing proposed language for the standards of conduct and designations of serious misconduct. The working group has met virtually three times since September 22, 2021, with a fourth virtual meeting scheduled for December 7, 2021.⁶ Working group meetings are open to the public.

The starting point for the working group's review was the International Association of Chiefs of Police (IACP) Standards of Conduct Model Policy.⁷ The working group is responding to member surveys regarding the model standards, reviewing the model standards point by point, and discussing potential changes or modifications to ensure the standards are directly applicable to Virginia officers and deputies. The working group is also

² 2021 Va. Acts chap. 552 (Spec. Sess. II), Item 403.

³ The form is located on the DCJS website at <https://www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/law-enforcement/forms/military-surplus-and-other-regulated-police-equipment-waiver.pdf> and is attached as Appendix A.

⁴ See Appendix B for approved waivers.

⁵ See Appendix C for working group members.

⁶ See Appendix D for meeting minutes.

⁷ See Appendix E for the initial draft policy.

Senator Edwards and Delegate Herring

December 6, 2021

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reviewing examples from state stakeholders, national experts, and other states related to standards of conduct and designations of serious misconduct. Group members have the opportunity to provide feedback between meetings to prompt further discussion.

The working group is on track to complete its review and develop its proposed standards of conduct and designations of serious misconduct by February 2022. DCJS expects the proposed standards and designations of serious misconduct to be ready to present to the Board for review and approval at its March 2022 meeting, which has yet to be scheduled. Once approved, DCJS will open a NOIRA to begin the regulatory process.

Staff at DCJS are available should you wish to discuss this report or the ongoing work on the regulations:

David Cotter, Director of Policy, Research, and Legislative Affairs

david.cotter@dcjs.virginia.gov or (804) 225-3471

Harvey Powers, Director of Law Enforcement

harvey.powers@dcjs.virginia.gov or (804) 786-8730

Sincerely,



Shannon Dion

APPENDICES

Appendix A: Waiver Request Form

Appendix B: List of Granted Waivers

Appendix C: Working Group Members

Appendix D: Minutes of Three Meetings

D1: September 22, 2021

D2: October 7, 2021

D3: October 28, 2021

Appendix E: IACP Model Policy



APPENDIX A

Virginia Department of Criminal Justice Services

Military Surplus and Other Regulated Police Equipment

Waiver Request to the Criminal Justice Services Board

DATE REQUESTED: _____

REQUESTED BY (AGENCY): _____

DIRECTOR OR CHIEF EXECUTIVE OFFICER OF AGENCY: _____

Items listed below are eligible for this request.

Ammunition may be submitted on one waiver request form and does not require itemization; for all other items please submit one waiver form per individual item.

- (i) **weaponized unmanned aerial vehicles;**
- (ii) **aircraft that are configured for combat or are combat-coded and have no established commercial flight application;**
- (iii) **grenades or similar explosives or grenade launchers from a surplus program operated by the federal government;**
- (iv) **armored multi-wheeled vehicles that are mine-resistant, ambush-protected, and configured for combat, also known as MRAPs, from a surplus program operated by the federal government;**
- (v) **bayonets;**
- (vi) **rifles of .50 caliber or higher;**
- (vii) **ammunition of .50 caliber or higher for use in such rifles;**
- (viii) **weaponized tracked armored vehicles.**

ITEM DESCRIPTION:

SERIAL NUMBER OR VIN NUMBER, IF APPLICABLE:

DESCRIBE IN DETAIL THE PUBLIC SAFETY PURPOSE OF THIS ITEM.

Please include your departmental general order and any specific examples of the use of the above equipment, and email this information and waiver form to harvey.powers@dcjs.virginia.gov for review by the Criminal Justice Services Board.

APPENDIX B

1. Bedford County Sheriff's Office **MRAP**
2. Caroline County Sheriff's Office **CASSPIR** (*similar to a MRAP*)
3. Culpeper County Sheriff's Office **MRAP**
4. Franklin City **MRAP**
5. Frederick County Sheriff's Office **MRAP**
6. Greene County Sheriff's Office **MRAP**
7. Hampton Police Department **.50 Caliber Rifle**
8. Harrisonburg Police Department **MRAP**
9. Mecklenburg County Sheriff's Office **MRAP**
10. Metropolitan Washington Airport Authority Police **.50 Caliber Rifle**
11. Page County Sheriff's Office **MRAP**
12. Russell County Sheriff's Office **MRAP**
13. Southampton County Sherriff's Office **MRAP**
14. Spotsylvania County Sheriff's Office **MRAP**
15. Virginia Beach Police Department **MRAP**
16. Virginia Beach Police Department **.50 Caliber Rifle**
17. Washington County Sheriff's Office **MRAP**
18. Westmoreland County Sheriff's Office **MRAP**
19. Winchester Police Department **MRAP**

APPENDIX C

Civilian Participants

Crime Victim

Pharis, Virginia	Disability Law Center of Virginia, Richmond
Brown, Brandy	Reopen the Case, Chesterfield

Directly Impacted

Gray, Lisa	Prince William County Juvenile Detention Center, Prince William County
Jones, Shiloh	HYPE Counseling Services, Richmond
Fitzpatrick, Jack	Criminal Justice Planner, James City County

Disproportionately Represented

LaSmith, Calvin	Victim/ Witness Assistance Program, Chesterfield County
Bond, Steven	Assistant City Manager, Hampton
Monastrotis, Fatima	AYUDA, Fairfax

Defense Attorney

Harris, Amari	Virginia Defenders, Richmond
Harrigan, Erin	Gentry Locke Attorneys, Richmond
Trent, Elizabeth Blair	Virginia Defenders, Halifax

Mental Health

Harris, Joan	Emergency Services Clinical Coordinator, City of Norfolk
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Civil rights

Jones Valderrama, Elizabeth	OAR, Alexandria
Barbour, Elizabeth	Legal Aid Society, Roanoke

Public Safety Participants

Commonwealth Attorney

Stolle, Collin	Commonwealth's Attorney, Virginia Beach
Porter, Bryan	Commonwealth's Attorney, Alexandria

Judiciary

Gilmore, Jennifer	Virginia Courts
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Police

Major Sterling, Caren	Virginia State Police
Chf. English, Eric	Henrico County
Chf. Goodman, Douglas	Ashland
Chf. Babb, William	Virginia Tech

2021 Statewide Standards of Conduct Work Group Members

Sheriff

Maj. Heatley, Harold	Tazewell County
Sheriff Arthur, Beth	Arlington County
Sheriff Lippa, Tony	Caroline County
Maj. Hughes, David	Newport News

Correctional

Hood, Hamlet	Department of Juvenile Justice, Richmond
Ponton, Henry	Department of Corrections



APPENDIX D1

Statewide Standards of Conduct for Law Enforcement and Jail Officers

Advisory Working Group

Via Zoom Meeting
Richmond, VA 23219

MINUTES

September 22, 2021

Members Present

Sheriff Beth Arthur
Chief William Babb
Ms. Elizabeth Barbour
Ms. Brandy Brown
Chief Eric English
Mr. Jack Fitzpatrick
Ms. Jennifer Gilmore
Chief Douglas Goodman
Ms. Lisa Gray
Ms. Erin Harrigan
Mr. Amari Harris
Mr. Joan Harris
Major Harold Heatley

Mr. Hamlet Hood
Major David Hughes
Mr. Elizabeth Jones Valderrama
Mr. Shiloh Jones
Mr. Calvin B. LaSmith, Sr.
Sheriff Tony Lippa
Ms. Fatima Monastrotis
Ms. Virginia Pharis
Mr. Henry Ponton
Mr. Bryan Porter
Major Caren Sterling
Ms. Elizabeth Blair Trent

Members Absent

Mr. Steven Bond
Mr. Colin Stolle

1. Call to Order

The meeting was called to order by Mr. Jon Banberger, Law Enforcement Decertification Coordinator, Virginia Department of Criminal Justice Services at 10:02 A.M. Mr. Banberger conducted a roll call.

2. DCJS LE Division Director's Comments

Mr. Harvey Powers, Division Director, DCJS Division of Law Enforcement, welcomed and thanked all of the members for their participation in the Standards of Conduct project. Mr. Powers explained the work group's expectations of advising DCJS on the development of the Statewide Standards of Conduct using the International Association of Chiefs of Police (IACP) model policy as a starting point. Mr Powers explained that the goal of the project is to present the completed Standards of Conduct to the Criminal Justice Service Board at its meeting on December 9, 2021.

3. Work Group Participant Introductions

Each member of the work group was given time to introduce themselves, where they were from, and what they hoped to achieve in participating in this work group. Mr. Banberger read an introduction for Mr. Steven Bond, who was not able to be present for the meeting. Ms. Maria

Garnett, DCJS Policy Advisor, introduced herself to the working group members and advised that she will be providing support and assistance as needed. Ms. Natalie Hinesley, City of Fairfax Police Department, noted her attendance at the request of Chief Erin Schaible to observe and provide feedback. All in attendance were thanked for their participation.

4. **Presentation of the Proposed Draft for the Statewide Standards of Conduct for Law Enforcement & Jail Officers**

Mr. Banberger advised the work group that during their introductions, a draft copy of the Proposed Statewide Standards of Conduct (SOC) was emailed to each work group member, and advised that the work group was tasked by the General Assembly to assist DCJS with insight and advisory input to develop the standards into a reasonable, fair, and responsible document that must be completed by the end of this year. Major Harold Heatley, Tazewell Sheriff's Office, inquired regarding sharing information from the meetings and was advised that the meetings were open to the public and sharing was permitted. Mr. Amari Harris followed up regarding sharing the Draft SOC and was advised that the initial draft could be shared and was also available via IACP as a model policy, but that items being evaluated may change before the finished product. Mr. Shiloh Jones asked if members of the group could communicate with each other and was advised that this may be permissible, but would need to be verified. Ms. Garnett advised the group that there may be FOIA concerns involved with intergroup communications and that DCJS staff would follow up with any necessary guidance related to FOIA.

5. **Development and Work Group Survey Process**

Mr. Banberger outlined the strategy for the work group to evaluate the draft SOC, entailing the use of several surveys to allow the group to weigh in on the content of the draft policy over the course of 3 meetings. Mr. Banberger explained that the 3rd meeting will need to be held in person, with a quorum of group members, for the purposes of voting on the final draft of the SOC to be sent to the Criminal Justice Services Board for approval at their December 2021 meeting.

6. **Additional Comments**

Mr. Powers provided additional insight into the survey evaluation process as it will be used.

7. **Next Meeting**

Calendar Surveys have been sent out to the working group to determine the next meeting date.

8. **Adjournment**

Mr. Banberger concluded the meeting and thanked all for attending at 11:05 A.M.



APPENDIX D2

State Mandated Standards of Conduct for Law Enforcement and Jail Officers

Advisory Working Group

Meeting # 2: Thursday, October 7, 2021

Time: 1:00 P.M.

Via ZOOM

MINUTES

Members Present

Sheriff Beth Arthur
Chief William Babb
Ms. Elizabeth Barbour
Mr. Steven Bond
Ms. Brandy Brown
Chief Eric English
Mr. Jack Fitzpatrick
Ms. Jennifer Gilmore
Chief Douglas Goodman
Major Harold Heatley
Ms. Joan Harris

Mr. Hamlet Hood
Major David Hughes
Mr. Shiloh Jones
Mr. Calvin B. LaSmith, Sr.
Sheriff Tony Lippa
Ms. Fatima Monastirotis
Ms. Virginia Pharis
Mr. Henry Ponton
Mr. Bryan Porter
Major Caren Sterling
Ms. Elizabeth Blair Trent

Members Absent

Ms. Elizabeth Jones Valderrama
Ms. Lisa Gray
Ms. Erin Harrigan
Mr. Amari Harris

1) Call To Order

The meeting was called to order by Mr. Jon Banberger, Law Enforcement Decertification Coordinator, Virginia Department of Criminal Justice Services at 10:02 A.M. Mr. Banberger reminded everyone of administrative notes such as a recording reminder and how to make comments.

2) Roll Call

Mr. Banberger conducted a roll call.

3) Director's Comments

Mr. Harvey Powers, Division Director, DCJS Division of Law Enforcement, welcomed and thanked all of the members for their participation in the Standards of Conduct project. Mr. Powers explained the low number in responses and the extra efforts DCJS will take to get

adequate responses. He also reminded everyone to be considerate of others so everyone who wishes to speak can within the time frame.

4) Old Business: Meeting # 1 review

Mr. Banberger reminded attendees to read the minutes and that Survey #2 had already been sent out. Mr. Banberger also asked everyone to complete surveys in a timely manner so DCJS can receive answers that accurately reflect the group. Mr. Banberger extended the submission time for Survey #1 until October 14, 2021

5) Survey # 1 Results

- a. Agreed upon content discussion
- b. Contested content discussion
- c. Additional consideration content discussion

Percentages widely reflected agreement amongst the group in regards to standards. Participants expressed agreement and disagreement with particular standards. Standards 8b and 9a were prepared to be major points of discussion and turned out to be so. Additional comments brought up included questions regarding enforcement and how language needs to be clear so as to eliminate any gray areas when interpreting. Additionally, a participant commented that officers should provide reasonable accommodations such as sign language.

6) Survey # 2 Content and Updates

Survey #2 will be sent out October 7th, 2021. It must be completed by Sunday, October 24th, 2021. Mr. Banberger will send out reminders.

7) Next Meeting: To be announced

The next meeting is planned for Thursday, October 28th at 9am. Three hours of time has been allotted, but it may run longer.

8) Adjourn

Mr. Banberger concluded the meeting and thanked all for attending at approximately 3:15pm.

APPENDIX D3



State Mandated Standards of Conduct for Law Enforcement and Jail Officers

Advisory Working Group

Meeting # 3: Thursday, October 28, 2021

Time: 9:00 A.M.

Via ZOOM

MINUTES

Members Present

Sheriff Beth Arthur
Chief William Babb
Ms. Elizabeth Barbour
Mr. Steven Bond
Ms. Brandy Brown
Chief Eric English
Mr. Jack Fitzpatrick
Chief Douglas Goodman
Ms. Erin Harrigan
Mr. Amari Harris
Ms. Joan Harris

Mr. Hamlet Hood
Major Harold Heatley
Major David Hughes
Mr. Calvin B. LaSmith, Sr.
Sheriff Tony Lippa
Ms. Fatima Monastrotis
Mr. Bryan Porter
Major Caren Sterling
Mr. Colin Stolle
Ms. Elizabeth Blair Trent
Ms. Elizabeth Jones Valderrama

Members Absent

Ms. Lisa Gray
Ms. Jennifer Gilmore
Ms. Virginia Pharis
Mr. Henry Ponton
Mr. Shiloh Jones

1) Call To Order

The meeting was called to order by Mr. Jon Banberger, Law Enforcement Decertification Coordinator, Virginia Department of Criminal Justice Services at 9:05 am. Mr. Banberger reminded everyone of administrative notes such as a recording reminder and how to make comments.

2) Roll Call

Mr. Banberger conducted a roll call.

3) Director's Comments

Mr. Harvey Powers, Division Director, DCJS Division of Law Enforcement, welcomed and thanked all of the members for their participation in the Standards of Conduct project. He also updated participants on survey #1 participation. Mr. Powers also advised participants of possible outcomes as it relates to next meetings. Maria Garnett, Policy Advisor, DCJS Division of Policy, Research, and Legislative Affairs, gave a brief presentation on how this work originated, where it fits in the big picture, and next steps in the process. Ms. Garnett's sparked several questions and concerns from participants.

4) Survey #2 Results

- a. Agreed upon content discussion
- b. Contested content discussion

Percentages widely reflected agreement amongst the group in regards to standards. Participants expressed agreement and disagreement with particular standards. Standards 10a, 2a, 3,4, and D3 were prepared to be major points of discussion and turned out to be so. Additional comments brought up included concern over consistency across the state and concern that too many caveats were needed. Participants also expressed the belief that these standards were too deep for state level.

5) Guest Presenter: Mr. Ben Wong, ACLU-VA

Mr. Wong presented on models standards of conduct policy. His presentation offered insight into what standards of conduct at the state level could look like for Virginia.

6) Public Comments

Major Harold Heatley expressed concern over the November 12th meeting and asked about the opportunity to attend via zoom and/or send a proxy. Ms. Maria Garnett shared with participants that any travel expenses are reimbursable. Mr. Harvey Powers reassured participants they would have information soon regarding about the next meeting. Mr. Steven Bond questioned if the work of the group would truly be done by November 12th.

7) Meeting #4: Next Steps

Participants were tasked with seeking out information from other agencies and resources on the definition of serious misconduct so that it can be well covered. Furthermore, they were asked to seek out information on how it can interact with due process. This task should be complete by the next meeting.

8) Next Meeting:

In Person Meeting, November 12, 2021, 9:00 am, Richmond Police Academy

9) Adjourn

Mr. Banberger concluded the meeting and thanked all for attending at approximately 12:40 pm.

DRAFT
APPENDIX E
VIRGINIA DEPARTMENT OF
CRIMINAL JUSTICE SERVICES

DRAFT
STATEWIDE STANDARDS OF CONDUCT



The IACP Law Enforcement Policy Center creates four types of documents: Model Policies, Considerations Documents, Concepts & Issues Papers, and Need to Know one-page summaries. Typically, for each topic, either a Model Policy or a Considerations Document is created, supplemented with a Concepts & Issues Paper. This file contains the following documents:

- **Model Policy**: Provides police agencies with concrete guidance and directives by describing in sequential format the manner in which actions, tasks, and operations are to be performed.

Model Policy

Updated: July 2019

Standards of Conduct

I. PURPOSE

It is the purpose of this policy to provide specificity to the standards of conduct embodied in the law enforcement officer's code of ethics¹ and this agency's statement of values and mission, so that officers² have a clear understanding of agency expectations pertaining to conduct and activities while on and off duty.³

II. POLICY

It is the policy of this law enforcement agency that officers shall conduct themselves both on and off duty in a manner that reflects high ethical standards consistent with the values and mission established by this agency and the expectations of the community it serves.

III. PROCEDURES

A. General

The following items shall be reviewed and/or developed.

1. A statement that explicitly states the agency's mission, goals, and values;
2. Code of ethics;
3. Oath of honor.

¹ See the IACP Ethics Toolkit available at <https://www.theiacp.org/projects/iacp-ethics-toolkit>.

² The term "officer" is used throughout this document. However, agencies should consider whether sworn, civilian, or reserve officers; volunteers; interns; cadets; explorers; or any individual engaged in agency-sponsored mentoring activities should be cognizant of and adhere to the directives set forth herein.

³ For additional guidance regarding officer conduct, please refer to the IACP Law Enforcement Policy Center documents on Harassment and Discrimination, Employee Drug Policy, Investigation of Employee Misconduct, Firearms, Family and Medical Leave, Grievance Procedures, Grooming and Appearance, Nepotism and Employee Fraternalization, Off-Duty Arrests, Secondary Employment, Retaliatory Conduct by Employees, and Social Media available at <https://www.theiacp.org/policycenter>.

B. Conduct

General conduct includes the following:

1. Officers shall follow this agency's mission and values statement, oath of honor, and code of ethics. If an officer experiences an ethical conflict with these items, they should consult a supervisor for further clarification.
2. Officers shall be truthful in all matters and shall not lie, falsify, conceal, purposely distort, diminish, embellish, or fail to fully disclose facts associated with any law enforcement business.⁴
3. Adherence to laws, regulations, and orders:
 - a. Officers shall abide by all laws, regulations, agency policies, rules, and procedures.
 - b. Officers shall obey all lawful orders.
 - c. Officers who are arrested or come under investigation for any offense in any jurisdiction shall immediately report this fact to their supervisor.
 - d. A court conviction for a crime that carries a possible sentence of incarceration shall be prima facie evidence of a violation of this policy.
4. Unbecoming conduct – Officers shall not conduct themselves in a manner, on or off duty, that:
 - a. Casts doubt on their integrity, honesty, moral judgment, or character;
 - b. Brings discredit to this agency; or
 - c. Impairs the agency's efficient and effective operation.
5. Neglect of duty:
 - a. All officers shall perform their duties faithfully and diligently and shall take responsibility for and exhibit attentiveness, care, and thoroughness in the conduct of assignments and responsibilities.
 - b. Officers shall conduct themselves in an expeditious manner to avoid any unreasonable delays to the public in the performance of law enforcement duties and activities.
6. Accountability and responsibility:
 - a. Officers are directly accountable for their actions, through the chain of command, to this agency's chief executive officer.
 - b. Officers shall report for duty, including court and off-duty assignments, at the time and place required.
 - c. Officers have a duty to intervene to prevent or stop wrongdoing by another officer when it is safe and reasonable to do so.
 - d. Officers have a duty to report any misconduct of which they become aware and shall notify a supervisor as soon as possible when another member of the agency is violating law or policy.
 - e. Officers shall cooperate fully in any internal administrative investigation conducted by this or any other authorized agency and shall not attempt to conceal, divert, or mitigate any culpability of theirs or others by falsehoods or omissions.
 - f. Officers shall utilize agency supplies, property, and equipment only for their official purpose and in accordance with established agency rules, policies, and procedures and shall not intentionally abuse, destroy, dispose of, or damage these items.

⁴This policy recognizes the fact that there are legitimate needs for deception and/or non-disclosure of information in furtherance of the law enforcement purpose.

7. Conduct toward fellow officers:
 - a. Officers shall conduct themselves in a manner that fosters cooperation among members of this agency, showing respect, courtesy, and professionalism in their dealings with one another.
 - b. Officers shall not use language or engage in acts that demean, harass, or intimidate other officers.⁵
8. Conduct toward the public – Officers shall interact with the public in a civil and professional manner that conveys a service orientation to foster public trust and cooperation and adheres to the concepts associated with procedural justice.
 - a. Officers shall treat individuals with courtesy, respect, and dignity.
 - b. Officers shall not employ an officious or overbearing attitude or use language that might belittle, ridicule, or intimidate individuals.
 - c. Officers shall perform their duties equitably in both the enforcement of laws and the delivery of law enforcement services within the community and shall strive to maintain public trust by conducting all law enforcement business in an unbiased, fair, and impartial manner.⁶
9. Abuse of law enforcement authority or position:
 - a. Officers may not accept goods, services, or discounts of value not available to the general public and shall report any unsolicited goods or services they receive and the circumstances of the receipt to a supervisor.⁷
 - b. Officers shall not use their authority or position:
 - for financial gain;
 - to obtain or grant privileges or favors;
 - to avoid the consequences of illegal acts for themselves or others; or
 - to barter, solicit, or accept any goods or services, such as gratuities, gifts, discounts, rewards, loans, or fees, whether for themselves or others.
 - c. Officers shall not purchase, convert to their own use, or have any claim to found, impounded, abandoned, or recovered property or any property held or released as evidence.
 - d. Officers shall not permit the use of any agency-issued identification card, badge, or official document by unauthorized persons.
 - e. Officers are prohibited from using law enforcement sensitive information gained through their position to advance financial or other private interests of theirs or others.
 - f. Officers shall not steal, forge, or tamper with any official law enforcement document. Documents shall not be altered or duplicated unless such actions are approved by a supervisor.
 - g. Officers shall not take or release photographs capturing sensitive information or images unless authorized to do so.
 - h. Officers shall not undertake any investigation or other official action that is not part of their regular duties without first obtaining permission from their supervisor, unless the exigency of the situation requires immediate law enforcement action.

⁵ Please refer to the IACP Policy Center documents on Harassment and Discrimination available at <https://www.theiacp.org/resources/policy-center-resource/harassment-and-discrimination> and Retaliatory Conduct by Officers available at <https://www.theiacp.org/resources/policy-center-resource/retaliatory-conduct>.

⁶ See the IACP Policy Center documents on Unbiased Policing available at <https://www.theiacp.org/resources/policy-center-resource/unbiased-policing>.

⁷ Agencies should determine whether de minimis items, defined as those that are “so minor as to merit disregard,” are included in these prohibitions.

- i. Officers involved with any civil action that arises from acts performed under color of authority shall inform their supervisor.
10. Prohibited associations and establishments:
- a. Officers shall not knowingly commence or maintain a relationship with any person who is under criminal investigation, indictment, arrest, or incarceration by this or another law enforcement or criminal justice agency or who has an open and notorious criminal reputation in the community (for example, persons whom they know, should know, or have reason to believe are involved in criminal activity), except as necessary to the performance of official duties or where unavoidable or impractical because of pre-existing familial or marital relationships. In such cases where regular household, physical, or telephone contact is unavoidable, the officer shall inform their supervisor of the relationship.
 - b. Officers shall not knowingly engage in social or romantic relationships with confidential informants, victims, or witnesses involved with active investigations.
 - c. Officers shall not participate or interfere in investigations involving family members or persons with whom they have a close personal or business relationship.
 - d. Except in the performance of official duties, officers shall not enter any establishment in which the law is knowingly violated.
 - e. Officers shall not knowingly join or participate in any organization that advocates, incites, or supports criminal acts or criminal conspiracies or that promotes hatred or discrimination toward racial, religious, ethnic, or other groups or classes of individuals protected by law.

C. Public Statements, Appearances, and Endorsements

1. Officers shall follow this agency's policy on social media.⁸
2. Officers shall not, when officially acting as a representative of this agency:⁹
 - a. make any public statement that could be reasonably interpreted as having an adverse effect upon agency morale, discipline, operations, or public perception;
 - b. divulge or willfully permit to have divulged any information gained by reason of their position, for anything other than its official, authorized purpose; or
 - c. unless expressly authorized, make any statements, speeches, or public appearances that could reasonably be considered to represent the views of this agency.
3. Officers shall not solicit or accept contributions for this agency or, as a law enforcement officer of this agency, for any other agency, organization, event, or cause without the express consent of the agency chief executive or their designee.
4. Officers may not, as an agent of this agency, endorse, recommend, or facilitate the sale of commercial products or services without the approval of the agency's chief executive officer or their designee. This includes but is not limited to the use of tow services, vehicle repair shops, attorneys, bail bondsmen, or other technical or professional services. It does not pertain to referrals to appropriate governmental, community, or social services.

⁸ See the IACP Policy Center documents on Social Media available at <https://www.theiacp.org/resources/policy-center-resource/social-media>.

⁹ For issues concerning limitations on speech while off-duty, please refer to the accompanying Concepts & Issues Paper.

D. Political Activity

Officers shall follow applicable laws regarding their participation and involvement in political activities. Where legal mandates are silent on this issue, officers shall be guided by the following examples of prohibited political activities while on duty, in uniform, or otherwise serving as a representative of this agency. Officers shall not:

1. Place, affix, or display any campaign literature or other paraphernalia in or on government-owned or controlled property, to include offices and vehicles;
2. Solicit political funds from any member of this agency or another governmental agency of this jurisdiction;
3. Solicit contributions, signatures, or other forms of support for political candidates, parties, or ballot measures;
4. Use official authority to interfere with any election or with the political actions of other officers or the general public; or
5. Favor or discriminate against any person seeking employment because of political opinions or affiliations.

Every effort has been made by the IACP Law Enforcement Policy Center staff and advisory board to ensure that this document incorporates the most current information and contemporary professional judgment on this issue. However, law enforcement administrators should be cautioned that no model policy can meet all the needs of any given law enforcement agency. In addition, the formulation of specific agency policies must take into account local political and community perspectives and customs, prerogatives, and demands; often divergent law enforcement strategies and philosophies; and the impact of varied agency resource capabilities, among other factors. Readers outside of the United States should note that, while this document promotes procedures reflective of a democratic society, its legal basis follows United States Supreme Court rulings and other federal laws and statutes. Law enforcement administrators should be cautioned that each law enforcement agency operates in a unique environment of court rulings, state laws, local ordinances, regulations, judicial and administrative decisions, and collective bargaining agreements that must be considered and should therefore consult their legal advisor before implementing any policy.

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