	NEW PALTZ POLICE DEPARTMENT Policy and Procedures	
	<i>Subject</i> 14.1 Rules of Conduct	
	ISSUE: June 8, 2011	EFFECTIVE: June 8, 2011
	REVISED: January 20, 2022	RESCINDED:
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PURPOSE

It is the purpose of this policy to provide additional specificity to the standards of conduct embodied in the law enforcement employee's code of ethics and this agency's statement of values so that employees of the New Paltz Police Department, both sworn and non-sworn personnel, will better understand prohibitions and limitations pertaining to their conduct and activities while on and off duty.

The rules of conduct set forth in this policy are not intended to serve as an exhaustive treatment of requirements, limitations, or prohibitions on employee conduct and activities established by this agency. Rather, they are intended to (1) alert employees to some of the more sensitive and often problematic matters involved in police conduct and ethics; (2) specify, where possible, actions and inactions that are contrary to and that conflict with the duties and responsibilities of law enforcement employees, and (3) guide employees in conducting themselves and their affairs in a manner that reflects standards of deportment and professionalism as required of law enforcement employees.


Additional guidance on matters of conduct is provided regarding specific policies, procedures, and directives disseminated by the New Paltz Police Department and from employee's immediate supervisors and commanders.

POLICY


Actions of employees that are inconsistent, incompatible or in conflict with the values established by this agency negatively affect its reputation and that of its employees. Such actions and inactions detract from the agency's overall ability to protect the public, maintain police legitimacy, preserve peace, and order, and conduct other essential business. The continued employment or appointment of every member of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

1. PROCEDURES

2. **VIOLATION OF RULES:** Employees shall not commit any acts or omit any act which constitutes a violation of any of the rules, regulations, directives, or orders whether stated in this policy or elsewhere.
3. **CONDUCT UNBECOMING AN EMPLOYEE:** Employees shall not engage in any conduct or activities on or off-duty that reflect discredit on the employee or employee, tend to bring this agency into disrepute, or impair its efficient and effective operation.

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4. **IMMORAL CONDUCT:** Employees shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Employees shall not participate in any incident involving moral turpitude which impairs their ability to perform or causes the department to be brought into disrepute.
5. **CONFORMANCE TO LAWS:** Employees shall obey all laws of the United State and any state and local jurisdiction in which the employees are present.
6. **GIFTS, GRATUITIES, BRIBES, OR REWARDS:** Employees shall not solicit or accept from any person, business, or organization, any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service, or entertainment) for the benefit of the employees or the department, if it may reasonably be inferred that the person, business, or organization:
 - a. seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty, or
 - b. has an interest which may be substantially affected directly or indirectly by the performance or nonperformance of an official duty.
7. **ABUSE OF POSITION:** Employees shall not use their official position, official identification cards or badges:
 - a. for personal or financial gain
 - b. for obtaining privileges not otherwise available to them except in the performance of duty or,
 - c. for avoiding consequences of illegal act
 - d. Employees shall not lend to another person, their identification cards or badges or permit them to be photographed or reproduced without the approval of the chief of police.
 - e. Employees shall not purchase, convert to their own use, or have any claim to any found, impounded, abandoned, or recovered property, or any property held or released as evidence.
 - f. Employees are prohibited from using information gained through their position as a law enforcement employee to advance financial or other private interests of themselves or others.
 - g. Employees who institute or reasonably expect to benefit from any civil action that arises from acts performed under color of authority shall inform the Chief of Police.
8. **DISCRIMINATION, OPPRESSION OR FAVORITISM:** Members shall not discriminate against, oppress or provide favoritism to any person because of actual or perceived characteristics such as race, color, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status and any other classification or

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status protected by law, or intentionally deny or impede another in the exercise or enjoyments of any right, privilege, power, or immunity, knowing the conduct is unlawful.


9. **REPORTING FOR DUTY:** Employees shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties.
 - a. Employees are to be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties.
 - i. Judicial subpoenas shall constitute an order to report for duty under this section.

10. **SLEEPING ON DUTY:** Employees will not sleep or give the appearance of sleeping while on duty. Employees who feel they are unable to remain on duty due to fatigue or illness shall report the matter to the on-duty supervisor.
 - a. Employees shall not leave their duty post except when authorized by a supervisor.

11. **MEALS:** Officers shall be permitted to suspend patrol or other assigned activity, subject to immediate call at all times, for the purpose of having meals during their tours of duty, but only for such period of time reasonable for the consumption of said meal, and at a time and place authorized and communicated with a supervisor and New Paltz dispatch.


12. **UNSATISFACTORY PERFORMANCE:** Employees shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Employees shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the department.
 - a. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the rank or position; the failure to take appropriate action at the occasion of a crime, disorder, or other condition warranting police attention.
 - b. In addition to other indicia of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance; repeated poor performance evaluations, written record of repeated infractions of rules, regulations, directives, absence without leave, or pattern of tardiness.

13. **ALCOHOLIC BEVERAGES AND DRUGS IN POLICE INSTALLATIONS:** Employees shall not store or bring into any police facility or vehicle alcoholic beverages, controlled substances, narcotics, or hallucinogens except alcoholic beverage, controlled substances, narcotics, or hallucinogens which are held and /or transported as evidence. Employees shall not possess or use any controlled substances,

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narcotics, or hallucinogens except when prescribed in the treatment of employees by a physician or dentist. When controlled substances, narcotics, or hallucinogens are prescribed, employees shall notify their supervisor.

14. **USE OF ALCOHOL ON DUTY OR IN UNIFORM:** Employees shall not consume intoxicating beverages while in uniform or on duty except in the performance of duty and while acting under proper and specific orders from a superior employee. Employees shall not appear for duty or be on duty while under the influence of intoxicants to any degree whatsoever, or with an odor of intoxicants on their breath.
15. **USE OF ALCOHOL OFF DUTY:** Employees, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in impairment, intoxication, or obnoxious or offensive behavior which discredits them or the department, or renders the employees unfit to report for their next regular tour of duty.
16. **USE OF DRUGS OFF DUTY:** Employees shall not possess or use any controlled substances, narcotics, or hallucinogens except when prescribed in the treatment of employees by a physician or dentist. When controlled substances, narcotics, or hallucinogens are prescribed, employees shall notify their supervisor if it impacts their ability to perform their duties.
 - a. Marijuana remains an illicit, Schedule I substance under federal law, and federal law prohibits the possession of a firearm by any person who is an unlawful user of a controlled substance.
17. **USE OF TOBACCO:** While on duty, a police employee shall not use a tobacco product unless in a designated area and while not conducting police business. Additionally, employees are not permitted to use tobacco products in vehicles or buildings owned or maintained by this agency.
18. **INSUBORDINATION:** Employees shall promptly obey any lawful orders of a superior employee. This will include orders relayed from a superior employee by an employee of the same or lesser rank.
19. **CONFLICTING OR ILLEGAL ORDERS:** Employees who are given an otherwise proper order which conflicts with a previous order, rule, regulation, or directive shall respectfully inform the superior employee issuing the order of the conflict. If the superior employee issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior employee.

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- a. Employees shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued.
- b. Employees shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, employees shall request the issuing employee to clarify the order or to confer with higher authority.

20. **ENDORSEMENTS AND REFERRALS:** Employees shall 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, towing service, bondsman, mortician, etc.) In the case of ambulance or towing service, when such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, employees shall proceed in accordance with established departmental procedures.


21. **IDENTIFICATION:** Employees shall always carry their badges and identification, on or off duty. If it becomes necessary for the employee to take police action while off duty, the employee must be able to identify themselves.

- a. The only exceptions to this requirement apply to employees in covert operations where revelation of the employee's identity might be dangerous, and situations where the employees is at home or outside his or her jurisdiction or has no practical way to carry his or her identification.

22. **CITIZEN COMPLAINTS:** Employees shall direct all complaints made by citizens against any employee of the department to the on-duty supervisor. The on-duty supervisor or OIC may attempt to resolve the complaint but shall never attempt to dissuade any citizen from lodging a complaint against any employee of the department. The employee receiving the complaint shall follow established procedures for processing complaints.

23. **COURTESY:** Employees shall be courteous to the public in person or when on the telephone. Employees shall be tactful in the performance of their duties, control their tempers exercising the utmost patience and discretion and shall not engage in argumentative discussion even when in the face of extreme provocation. In the performance of their duties, employees shall not use coarse, violent, profane, or insolent language or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, lifestyle, or similar circumstances.

24. **REQUESTS FOR ASSISTANCE:** When any person requests assistance or advice, makes a complaint or report, either by telephone or in person, all pertinent information will be obtained in an official and

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courteous manner and will be properly and judiciously acted upon consistent with established department procedures.


25. ASSOCIATIONS: Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the department for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the employee. Arresting, investigating or custodial employees shall not commence social relations with the spouse, immediate family member or romantic companions of persons in the custody of this agency.

26. VISITING PROHIBITED ESTABLISHMENTS: Employees shall not knowingly visit, enter or frequent a house of prostitution, gambling house, or establishment wherein the laws of the United States, the State, or the local jurisdiction are regularly violated except in the performance of duty or while acting under proper and specific orders from a superior employee.

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

28. PUBLIC STATEMENTS AND APPEARANCES: Employees shall not publically criticize or ridicule the department, its policies, or other employees by speech, writing, or other expression, where such speech, writing, or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.
 - a. Employees shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge investigative information, or any other matters of the department while holding themselves out as representing the department in such matters without proper authority. Employees may lecture on “police” or other related subjects only with the prior approval of the chief.

29. POLITICAL ACTIVITY: Employees shall be guided by state and federal laws regarding their participation and involvement in political activities. Where law is silent on this issue, employees shall be guided by the following examples of prohibited political activities during working hours, while in uniform, or otherwise serving as a representative of this agency:
 - a. Engage in any political activity;

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- b. Place or affix any campaign literature anywhere.
- c. Solicit political funds from anyone.
- d. Solicit contributions, signatures, or other forms of support for political candidates, parties, or ballot measures.
- e. Use official authority to interfere with any election or interfere with the political actions of other employees or the general public;
- f. Favor or discriminate against any person seeking employment because of political opinions or affiliations;
- g. Participate in any type of political activity while in uniform.
- h. Wear and/or display any political literature, logos, badges or other insignia upon their uniform or patrol vehicle

30. **LABOR ACTIVITY:** Employees shall have the right to join labor organizations, but nothing shall compel the department to recognize or to engage in collective bargaining with any such labor organizations except as provided by law.


- a. Employees shall not engage in any strike. "Strike" includes the concerted failure to report for duty, willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a physicians statement, the stoppage of work, or in the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment for the purpose of inducing, influencing or coercing a change in conditions, compensation, rights, privileges or obligations of employment.

31. **PAYMENT OF DEBTS:** Employees shall not undertake any financial obligations which they know or should know they will be unable to meet and shall pay all such debts when due. An isolated instance of financial irresponsibility will not be grounds for discipline except in unusual severe cases. However, repeated instances of financial difficulty may be cause for disciplinary action.

- a. Filing, for a voluntary bankruptcy petition shall not, by itself, be cause for discipline, provided that a good faith effort to settle all accounts is being undertaken. Employees shall not co-sign a note for a superior employee.

32. **DISSEMINATION OF INFORMATION:** Employees shall treat the official business of the department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended in accordance with established departmental procedures.

- a. Employees may remove or copy official records or report from a police installation only in accordance with established departmental procedures.

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b. Employees shall not divulge the identity of persons giving confidential information except as authorized by the proper authority.

33. INTERVENTION: Employees shall not interfere with cases being handled by other employees of the department or by any other governmental agencies unless:

- a. Ordered to intervene by a superior employee, or
- b. The intervening employee believes beyond a reasonable doubt that a manifest injustice would result from failure to take immediate action.

34. Employees shall not undertake any investigation or other official action not part of their regular duties without first obtaining permission from their superior employee unless the exigencies of the situation require immediate police action. *(NOTE*** Assisting or furthering a fellow employee's investigation or obtaining additional information on a fellow employee's case is NOT considered interfering and shall be done during an employee's normal course of business.)*

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


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

37. ABUSE OF PROCESS: Employees shall not make false accusations of a criminal or traffic charge.

38. USE OF DEPARTMENT EQUIPMENT: Employees shall utilize equipment only for its intended purpose, in accordance with established departmental procedures, and shall not abuse or lose department equipment.


- a. All department equipment issued to employees shall be maintained in proper order.

39. OPERATING OFFICIAL VEHICLES: Employees shall operate official vehicles in a careful and prudent manner and shall obey all laws and all departmental orders pertaining to such operation. Loss,

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suspension, expiration or restriction of any driving license shall be reported to the department immediately.

40. **CARRYING FIREARMS:** Employees shall carry firearms in accordance with law and established departmental procedures.
41. **TRUTHFULNESS:** Upon the orders of the chief of police or their designee or a superior employee, employees shall truthfully answer all questions and be forthcoming with information specifically directed and narrowly related to the scope of employment and operations of the department which may be asked of them.
42. **EXPECTATIONS OF PRIVACY:** Employees shall not store personal information or belongings with an expectation of personal privacy in such places as lockers, desks, departmentally owned vehicles, file cabinets, computers, or similar areas that are under the control and management of this law enforcement agency.
- a. While this agency recognizes the need for employees to occasionally store personal items in such areas, employees should be aware that these and similar places may be inspected or otherwise entered—to meet operational needs, internal investigatory requirements, or for other reasons—at the direction of the Chief of Police or their designee.
 - b. No member of this agency shall maintain files or duplicate copies of official agency files in either manual or electronic formats at their place of residence or in other locations outside the confines of this agency without express permission of the Chief of Police.
43. **SWORN EMPLOYEES- HAIRSTYLE AND GROOMING STANDARDS:**
- a. All sworn members will keep their hair clean, neatly trimmed and combed. Dyed, tinted or bleached hair must be within a naturally occurring color range and must be professional in appearance. For purposes of this order, “naturally occurring color range” does not include unique hair colors such as pink, blue or purple. Hair must be styled in such a manner so that it does not interfere with uniform headgear or any specialized equipment and will not interfere with employee safety and effectiveness.
 - b. Non-uniform, sworn members may be temporarily excused from these hair and grooming regulations while on undercover assignment. However, such members will again comply with these regulations once the special assignment is completed or whenever wearing the official uniform.
 - c. **Specific Male Standards-** Mustaches are allowed. Beards are not allowed. Mustaches must be kept neatly trimmed and will not exceed the upper border of the lip or extend more than 1/4 inch

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beyond the corners of the mouth. Sideburns may not extend below the opening of the ear and must end with a clean horizontal line, not flared out at the bottom. A man's hair will be cut so as not to touch his shirt collar or extend over the top of the ears. The Department will consider and may approve accommodations to this standard on a case by case basis. Such accommodations may be appropriate only in cases where the member demonstrates a religious or medical need for accommodation. In such instances, the member should bring the need for accommodation to the Department's attention through the chain of command.

- d. Specific Female Standards- Hair will either be cut or worn in a manner not to extend below the lower edge of the collar. Hair will be neatly trimmed, shaped and in a style that permits wearing of the uniform cap or hat or other department emergency equipment and that will not interfere with employee safety and effectiveness. The Department will consider and may approve accommodations to this standard on a case by case basis. Such accommodations may be appropriate only in cases where the member demonstrates a religious or medical need for accommodation. In such instances, the member should bring the need for accommodation to the Department's attention through the chain of command.

44. **NON-SWORN, MALE AND FEMALE HAIRSTYLE AND GROOMING STANDARDS:** All non-sworn members will keep their hair clean, neatly trimmed and combed. Hair must be styled in such a manner as to not interfere with the duties assigned within their respective division. Final determination will be at the discretion of the Chief of Police. Dyed, tinted or bleached hair must be within a naturally occurring color range, and be professional on appearance. For purposes of this order, "naturally occurring color range" does not include unique hair colors such as pink, blue or purple. Mustaches and beards are allowed. They must be kept neatly trimmed.

45. **JEWELRY:** All employees may wear jewelry that is clean, neat and of a style that presents a professional appearance, is not offensive to others and is consistent with the type of assignment and duty performed. Members, while in uniform, may wear one watch and a necklace that is not visible. No more than two rings may be worn. No ring will be worn so that it interferes with the use of equipment or hinders the use of the hand and fingers. Male officers are not permitted to wear earrings. Female officers may wear one stud per earlobe; however it is recommended that females do not wear earrings for safety reasons. No tongue studs or other visible body piercing, with stud or other body jewelry, will be worn.

46. **BODY ART:** Visible Body art on the face and neck is prohibited, except for reasonable cosmetic purposes. Members will not expose any offensive forms of body art while on duty. Offensive forms of body art include images which are sexually explicit, racially and/or sexually biased or could be viewed

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as discriminatory in nature. Sleeve tattoos which are tattoos that encompass the entire arm to the wrist and/or hand will not be permitted. All visible Body Art will be approved by the Chief of Police. For the purposes of this directive, body art is defined as procedures used to alter the body's appearance including, but not limited to, branding, scarification, and tattoos. Members that have Body Art that may not be exposed will wear long sleeve uniform shirts, uniform pants or covering sleeves approved by the Chief of Police.

47. **COURT ATTIRE:** For all court appearances, including Traffic Court, Federal Court, Grand Jury, preliminary hearings, depositions and any other appearance in a judicial setting, members will, without exception, appear in one of the attires listed below:
- a. Class B uniform.
 - b. Civilian Attire: Dress shirt, tie, suit or sport coat with slacks and coordinated shoes. Female members will wear professional business attire.