

LITTLETON POLICE DEPARTMENT

2 Kittridge Lane
Littleton, New Hampshire 03561
(603) 444-7711

PROCEDURE #:

SUBJECT: CODE OF CONDUCT *pss*

CALEA STANDARDS:

NOTE: This written directive is for the internal governance of the Littleton Police Department, and as provided by RSA 516:36, is not intended and should not be interpreted to establish a higher standard of care in any civil or criminal action than would otherwise be applicable under existing law.

PURPOSE

The purpose of this document is to give practical meaning to our stated Department Mission and Values by setting forth for all members, and employees of the Littleton Police Department, articulated Rules and Regulations and Codes of Conduct which encompass and describe expectations of behavior and conduct, both on duty and off duty.

POLICY

All members of the Littleton Police Department shall become familiar with these standards and shall abide by them. Violation constitutes grounds for disciplinary action.

DISCUSSION

Rules of conduct are as essential to a well functioning, correctly disciplined organization, as proper laws are to society. Police officers and public employees are granted a public trust, which requires that they consistently demonstrate the highest degree of integrity. A law enforcement agency must maintain high-level personal and official conduct, if it is to command the respect and confidence of the public it serves. The Littleton Police Department has created and adopted a Mission and Values Statement. These values are not just empty words, but an important code of ethics and standards, upon which we base our performance, conduct, rules and regulations. The essence of a profession is that it requires, in addition to prescribing a desired level of performance, established minimum standards of ethical conduct, with prescribed rules for internal discipline, to ensure compliance. We owe this to the public we serve and to ourselves. Nothing in these rules is intended to limit, or supersede any provision of law relating to the duties and obligations of peace officers, or the consequences of a violation thereof. Whereas these rules specify certain conduct as unprofessional, this is not to be interpreted as approval of conduct not specifically mentioned. Nothing in this code is intended to limit the

authority of this agency to adopt and enforce rules and regulations that are more stringent or comprehensive than those that are contained in this document.

Members of the department confronted with situations that are not specifically covered by these rules and/or other department policies, must utilize discretion, and make their decisions based upon training, experience and, perhaps most importantly, the mission and values of our department.

DEFINITIONS

“Officer” in these rules refers to all employees, except where arrest powers are specifically implied.

PROCEDURE

1. PRESERVE AND ADVANCE DEMOCRATIC VALUES

We shall uphold this country’s democratic values as embodied in the Constitution and dedicate ourselves to the preservation of life, individual freedoms and justice for everyone.

- 1.1 Police officer shall recognize that the primary responsibility of their profession, and of the individual officer, is the protection of the people within the jurisdiction of the United States, through upholding their laws, the most important of which are the Constitution of the United States and the New Hampshire Constitution and the laws derived therefrom.
- 1.2 Police officers shall be aware of the extent and the limitation of their authority in the enforcement of the law.
- 1.3 Police officers shall endeavor to uphold the spirit of the law, as opposed to enforcing merely the letter of the law.
- 1.4 Police officers shall follow legal practices in such areas as interrogation, arrest or detention, searches, seizures, use of informants, and collection and preservation of evidence.
- 1.5 Police officers shall not restrict the freedom of individuals, whether by detention or arrest, except to the extent necessary to legally or reasonably apply the law.

- 1.6 Officers, whether on or off duty, shall obey all laws of the United States and of any state or local jurisdiction in which the officer is present, except in the performance of duty under proper authority.
- 1.7 Officers are prohibited from using their official capacity to influence, interfere with or affect the results of any political campaign or election. Officers are prohibited from conducting any political activity, while representing themselves as members of the department.
- 1.8 Officers are prohibited from holding any Town of Littleton elective office.
- 1.9 Officers shall not knowingly make false accusations of any criminal, ordinance, traffic or other law violation.

2. IMPROVE THE QUALITY OF COMMUNITY LIFE

We must understand the importance of community values and expectation, be responsive to the concerns of all citizens, and encourage our officers to expand their role in helping the community develop into a better place to live.

- 2.1 Police officers shall, within the boundaries of the town, and while on duty, preserve the public peace, protect life and property, and enforce laws for which the department is responsible.
- 2.2 Officer shall recognize that their allegiance is first to the people, then to their profession and the government agency that employs them.
- 2.3 Officer shall recognize that every person in our society is entitled to professional, effective, and efficient law enforcement services.
- 2.4 Officers must recognize the basic goals of the community, and the department, and work with each other and all citizens, to make Littleton a better place to live.

3. COMPASSION

The role of the police is to resolve conflict through impartial enforcement of law, not through imposition of judgment or punishment. All persons shall be treated equitable and with compassion.

- 3.1 Officers shall respect and uphold the dignity, human rights, and constitutional rights of all persons.
- 3.2 Officers shall follow the principles of integrity, fairness, and impartiality in connection with their duties.

- 3.3 Officer shall be courteous and respectful in their official dealings with the public, fellow officers, superiors, and subordinates.
- 3.4 Officers shall recognize the rights of individuals to be free from capricious or arbitrary acts, which deny or abridge their fundamental rights as guaranteed by law.
- 3.5 Officers shall courteously and promptly record any complaint made by a citizen against any officer of the department. Officers may attempt to resolve the complaint, but shall never attempt to dissuade any citizen from lodging a complaint. Officers shall follow established department policy for processing complaints.
- 3.6 Officers shall be courteous to the public. Officers shall be tactful in the performance of their duties, shall control their tempers and exercise patience and discretion. Officers shall not express any prejudice concerning race, color, religion, sex, politics, national origin, lifestyle or similar characteristics. Officers shall perform their duties quietly; avoiding harsh, violent, profane or insolent language.
- 3.7 Officers shall not mistreat persons who are in their custody or care. Officers shall handle such persons in accordance with law and department procedures.
- 3.8 Officers shall not use more force than is reasonably necessary. Officers shall use force in accordance with law and department procedures.

4. PROFESSIONALISM

We must recognize that our success is dependent on the trust and confidence of the citizens of the community which we serve, therefore, we shall always engage in behavior which is beyond reproach, and reflects the integrity of police professionals.

- 4.1 Officers, as professionals, shall maintain an awareness of those factors affecting their responsibilities.
- 4.2 Officers shall not allow their personal convictions, beliefs, prejudices or biases to interfere unreasonably with their official acts or decisions.
- 4.3 Officers shall not consider their badge of office, as a license designed to provide them with special favor or consideration.
- 4.4 Police officers shall conduct themselves at all times in such manner, so as not to bring discredit upon the officer and/or department. Conduct unbecoming an officer shall include, that which brings, or could bring the department into disrepute, or reflects discredit upon the officer as a member of the department,

or that which impairs or could impair the operation or efficiency of the department or officer.

- 4.5 Officers shall maintain a level of moral conduct in their personal and business affairs, which is keeping with the highest standards of the law enforcement profession. Officers shall not participate in any incident involving moral turpitude, which impairs their ability to perform as law enforcement officers, or causes them or the department to be brought into disrepute.
- 4.6 Officers shall not possess or use any controlled substances, narcotics or hallucinogens, unless prescribed by a physician or dentist. When such drugs are prescribed, officers shall notify the Chief of Police in writing, if the officer would be under the influence of the drug while on duty. Officers shall not store or bring into any police facility or vehicle, alcoholic beverages, controlled substances, narcotics or hallucinogens, except those which are taken and held as evidence.
- 4.7 Officers shall not consume intoxicating beverages while in uniform or on duty. Officers shall not appear for duty, while under the influence of intoxicants to any degree, or with the odor of intoxicants on their breath. Officers shall not in uniform or on duty, enter any place where intoxicating liquor is sold or furnished, except in the performance of duty. Exceptions apply to gas stations, restaurants, grocery stores, etc., when the officer is conducting an activity unrelated to alcohol purchase or consumption.
- 4.8 Officer, while on duty, shall refrain from consuming intoxicants to the extent that it results in intoxication or obnoxious behavior which makes them ineffective in their job, or renders the officer unfit to report for their next tour of duty.
- 4.9 No officer of this department, including all ranks and any civilian employees, shall ever accept a gratuity from any citizen. This regulation shall not preclude or prevent an officer from accepting a meal or gift of reasonable value, from any service club, church sponsored organization, fraternal organizations, etc., when such meal or gift is offered the officer as a guest of the organization, or in reward for extra-duty activities that have been devoted to the interest of the citizens.
- 4.10 Officers 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. When such service is necessary and the person needing the service is unable or willing to procure it, or requests assistance, officers shall proceed in accordance with established departmental procedures.

- 4.11 Police officers shall carry their badges and identification cards at all times while on duty, except when impractical or dangerous to their safety or an investigation. They shall furnish their name and rank to any person requesting that information when they are on duty or while holding themselves out as having official capacity, except when withholding of such information is necessary for the performance of the police duties or is authorized by proper authority. Officers who take official action, while off duty, or out of uniform, must properly identify themselves as an officer and display badge and/or identification.
- 4.12 Officers shall avoid regular or continuous associations or dealings with person whom they know, or should know, are persons under criminal investigations or indictment, or who have a reputation in the community or 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 with the officer.
- 4.13 Officers shall treat the official business of the department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established department procedures. Officers shall not divulge the identity of persons giving confidential information except as authorized by proper authority.
- 4.14 Whenever an officer observes, or is informed of the conduct of another officer, which is in violation of any of these rules, he/she shall take necessary action and report the incident to his immediate supervisor, who shall forward it to the Chief of Police (except for oral reprimand actions) via chain of command. In the event the misconduct observed was committed by a superior officer, the officer shall forward a report of the same to the Chief or Sergeant, via sealed envelope.

5. PRIDE

We pride ourselves on being capable and caring people who provide a valued service to the citizens of Littleton and we shall promote pride in our community, agency and profession.

5.1 Officers shall not use their official position, identification cards or badges:

1. **For personal or financial gain, for themselves or any other person.**
2. **For obtaining privileges not otherwise available to them except in the performance of duty.**
3. **For avoiding consequences of illegal acts.**

- 5.2 Officers shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without approval of the Chief of Police.
- 5.3 Upon the order of the Chief, the Chief's designated officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department which may be asked of them. Officers will not make any false official statements.
- 5.4 Officers shall truthfully, completely, and impartially report, testify, and present evidence in all matters of an official nature.
- 5.5 Officers shall not undertake financial obligations which they know, or reasonably should know, they will be unable to meet, and shall pay all just debts when due. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not constitute a violation, provided that a good faith effort to settle all accounts is being taken.
- 5.6 Upon order of the Chief of Police or his/her designee, police officers shall submit to any medical, ballistics, chemical or other tests, photographs or line-up. All procedures carried out under this subsection shall be specifically directed and narrowly related to a particular internal investigation being conducted by the department, and shall be carried out in conformance with law and department procedure.
- 5.7 Officers shall at all times conduct themselves in a manner which does not discredit the law enforcement profession or their employing agency.

6. TEAMWORK

Law enforcement and public safety are of highest standards of community wide concern; thus we must actively seek citizen involvement in all aspects of policing. We shall strive to cultivate effective working relationships with other governmental public and private service agencies in pursuit of mutual goals.

- 6.1 Officer, within legal and agency guidelines, shall share with personnel, both within and outside their agency, appropriate information that will facilitate the achievement of criminal justice goals or objectives.
- 6.2 Officers, whether requested through appropriate channels or called upon individually, shall render needed assistance to any other officer in the proper performance of their duty.
- 6.3 Officers shall, within legal and agency guidelines, endeavor to communicate to the people of their community the goals and objectives of the profession, and

keep them apprised of conditions, which threaten the maintenance of an ordered society.

- 6.4 The police administration shall accept the responsibility of utilizing all available resources and the authority of their agency and the competency of their officers.
- 6.5 **Officers shall treat each other with respect and promptly obey any lawful order so f a superior officer.** This will include orders relayed from a superior officer by another officer of the same or lesser rank. Officers who are given an otherwise proper order, which is in conflict with a previous order, or department procedure, shall respectfully inform the superior officer issuing the order of the conflict. If the superior officer 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 officer.
- 6.6 Officers 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, officers shall request the issuing officer to clarify the order or to confer with a higher authority.
- 6.7 **Officers shall not publicly criticize or ridicule the department, its policies or personnel by speech, writing or other expression where such expression is defamatory, obscene or unlawful.**
- 6.8 Officers, as representatives of the department, shall 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 investigative information or any other matters of the department without prior approval of the Chief.
- 6.9 Officers shall not undertake any investigation or other official action not part of their regular duties, without obtaining permission from their superior officer, unless the exigencies of the situation require immediate police action.

7. COMMITMENT

We must have a vision for the future of our community and our agency and make a firm commitment to foster goals which will enable us to attain that end.

- 7.1 Officers, during their tour of duty, shall diligently devote their time and attention to the effective and professional performance of their responsibilities.
- 7.2 Police officers shall diligently study principles and new enactments of the laws they enforce.

- 7.3 Officers shall not play games, watch television or movies, or otherwise engage in entertainment while on duty, except as may be required in the performance of duty, or as properly authorized by the department. They shall not engage in any activities or personal business which would cause them to neglect or be inattentive to duty.
- 7.4 Officers shall not feign illness or injury, falsely report themselves ill or injured, intentionally cause themselves to be injured, or otherwise deceived, or attempt to deceive any official of the department as to the condition of their health.
- 7.5 Officers shall remain awake while on duty. If unable to do so, they shall report to their superior officer, who shall determine and order the proper course of action.
- 7.6 Officers shall not leave their assigned posts during a tour of duty, except when authorized by proper authority, or when dictated by the exigencies of the situation.
- 7.7 Officers shall maintain the integrity of their profession through disclosure of those who violate any of these rules of conduct, violate any law, or conduct themselves in a manner which tends to discredit the profession.
- 7.8 No member or employee of the department shall withdraw or resign, unless he has given the Chief not less than 14 days notice in writing, or has obtained special permission from the Chief to do so.

8. EXCELLENCE

We shall endeavor to meet or exceed national recognize law enforcement standards in every duty we undertake. We pledge to establish and maintain high performance standards to ensure public confidence and trust.

- 8.1 Officers and department shall maintain a level of performance and competence that will keep them abreast of current techniques, concepts, laws, and requirements of the profession
- 8.2 Officers shall assume a leadership role in furthering their profession, by encouraging and assisting in the education and training of other members of the department.
- 8.3 Officers shall submit all necessary reports on time and in accordance with established departmental procedures. Reports submitted by officers shall be truthful and complete, and no officer shall knowingly enter, or cause to be entered any inaccurate, false, or improper information; wrongfully alter, conceal, destroy, mutilate, obliterate, remove, or steal any report or record of the department.

- 8.4 Property or evidence which has been discovered, gathered, or received in connection with departmental responsibilities, will be processed in accordance with departmental procedures. Officers shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence, except in accordance with established departmental procedures.
- 8.5 Officers shall operate official vehicles in a careful and prudent manner, and shall obey all laws and all departmental procedures pertaining to such operation. **Loss or suspension of any driving license shall be reported to the department immediately.**
- 8.6 Officers shall not use, or handle weapons, in a careless or imprudent manner. Officers shall use weapons in accordance with the law and departmental procedures.

9. QUALITY SERVICE

We shall strive to realize the aforementioned values in order to provide the citizens of Littleton with the highest quality of police services possible and accomplish our department mission.

- 9.1 Officers shall conduct themselves so as to set exemplary standards of performance for all law enforcement personnel.
- 9.2 Officers shall not use their official position to detain any individual, or to restrict the freedom of any individual, except in the manner and means permitted or prescribed by law.
- 9.3 Officers 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.** They shall be properly equipped and cognizant of information required for the proper performance of duty, so that they may immediately assume their duties. Situations involving an apparent conflict of assignment shall be reported to an officer's supervisor as soon as possible for resolution and disposition of the conflict.
- 9.4 When any person applies for assistance, or makes complaints or reports, either by telephone, writing, or in person, all pertinent information will be properly and judiciously acted upon, consistent with established departmental procedures.
- 9.5 The department bulletin board and individual officer mailboxes are the official publication media for the department, and all instructions and information distributed therein, shall have the force and effect of departmental order when

issued by the Chief or his/her designee. Members of the department, upon reporting for duty, shall familiarize themselves thoroughly with the contents of each.

10. DISCIPLINARY ACTIONS

10.0 Disciplinary actions outlined in this procedure shall not supersede the Collective Bargaining Agreement between the State Employee's Association of New Hampshire – Chapter 57 Local Police Employees and the Town of Littleton unless mutually agreed upon.

10.1 CHARGES:

The Chief of Police is authorized to make such rules and regulations as may be deemed necessary for the efficient operation and government of the Department and with prior approval of the Board of Selectmen. Charges may be placed against any member of the Department for any violation (either by omission or commission) of the Department's rules and regulations, procedures, or for any conduct detrimental to the good order, efficiency, or discipline of the department. Departmental charges may be placed against any member for any violation of law.

10.2 ORAL REPRIMANDS:

Official oral reprimands or admonitions shall be issued by the Chief of Police or a Commanding Officer to a member whose performance or lack of performance, behavior, or attendance is such that it required close supervision by the Chief of Police or a designee. Oral reprimands may result at the discretion of the Chief of Police and shall require the Chief to inform the member that is being officially orally reprimanded and also to state the reasons for the reprimand. Oral reprimands shall be documented in the member's personnel jacket. Appeal must be in writing within ten (10) days from receipt of the Oral Reprimand to the Town Manager.

10.3 WRITTEN REPRIMANDS:

Written Reprimands shall be issued only by the Chief of Police to a member whose performance (or lack of performance), behavior or attendance is such that it constitutes a deviation from expected or required practices and where the Chief of Police deems it necessary. Written reprimands will include a statement for its issuance, the admonition, a statement to the member that a copy shall be placed in their personnel jacket, and that an appeal must be in writing to the Town Manager within ten (10) days from receipt of the written reprimand.

10.4 SUSPENSION FROM DUTY WITH OR WITHOUT PAY:

Suspensions with or without pay of a member of the Department shall be the responsibility of the Chief of Police and/or the Commanding Officer after consultation with the Town Manager. Suspension with or without pay shall last a maximum of fourteen (14) days. At the conclusion of the fourteen (14) day

period, the member shall be either reinstated or dismissed. Suspension with or without pay shall occur when a member's performance (or lack of performance), behavior, or attendance is such that it constitutes a gross deviation from expected or required departmental practice and/or where the Chief of Police deems it necessary. A suspension notice shall include a statement of charges and allegations and that disciplinary appeal must be in writing to the Town Manager within ten (10) working days of receipt of the Suspension Notice.

- 10.5 Any permanent employee or member upon whom disciplinary action is taken is entitled to a hearing before the Town Manager, either publicly or privately.
- 10.6 Demotion of a member shall occur at the discretion of the Chief of Police and when the member fails to perform related duties of a supervisor and fails to accept responsibilities and duties as assigned by the Chief of Police. The member may appeal his demotion to the Town Manager within ten (10) working days of their demotion letter.

10.7 EXCEPTIONS

Part-Time Police Officers may be suspended from duty by the Chief of Police not to exceed thirty (30) days, without hearing or notice for just cause. Termination of a Part-Time Officer at any time shall require the Chief of Police to notify the Part-Time Officer of the intended action and to schedule a suspension motion with the Town Manager. The suspension motion shall apply only to the revocation/suspension of police powers in the Town of Littleton. It is mandatory that all Part-Time Police Officers attend all training sessions as scheduled by the Chief of Police. Since it is recognized that Part-Time Officers have outside full employment commitments, Part-Time Officers may request a make-up date for all missed training sessions. Continuous disregard toward police training shall result in disciplinary action.

- 10.8 While any member of the Department is on Probationary Status, the Chief of Police may extend their period of probation for just cause. They shall have the right to appeal the action to the Town Manager within ten (10) working days of initial notification.
- 10.9 The Chief of Police and/or Commanding Officer shall have the authority to suspend any member for emergency reasons without immediate consultation with the Town Manager.

11. ORDERS

An order is a command or instruction, written or oral given by a superior officer. All lawful orders, written or oral shall be carried out fully and in the manner prescribed.

11.1 GENERAL ORDERS:

General Orders are permanent written orders issued by the Chief of Police outlining policy matters which affect the entire Department. A General Order is the most authoritative written order the Chief issues, and may be used to amend, supersede or cancel any previous order. General Orders remain in full effect until amended, supersede or cancelled by the Chief. Arrangements shall be made to include General Orders in the Police Manual.

11.2 SPECIAL ORDERS:

Special Orders are temporary written orders issued by the Chief of Police outlining instructions covering particular situations. Special Orders are automatically cancelled when their objective is achieved.

11.3 UNLAWFUL ORDERS:

No member shall knowingly issue an order in violation of any law or any departmental regulation. Unlawful orders shall not be obeyed. The officers to whom the order was given shall notify the ordering officer of the illegality of their order. Responsibility for refusal to obey rests with the officer to whom the order was given. The officers shall be strictly required to justify their action.

11.4 UNJUST OR IMPROPER ORDERS:

Lawful orders which appear to be unjust or improper shall be carried out. After carrying out the orders the officer to whom the order was given may file a written report to the Chief via the chain of command indicating the circumstances and reasons for questioning the orders along with the officer's request for clarification of departmental policy.

11.5 CONFLICTING ORDERS:

Should any order given by a superior officer conflict with a previous departmental order, the member to whom such order is given will call attention to the conflict. If the superior officer does not change their order to avoid such conflict, their order will be obeyed, but the member obeying such order will not be held responsible for disobedience of the previous order. It should later be reported to the Chief in writing for clarification.

11.6 PERSONNEL ORDERS:

Orders pertaining to assignments, change of duty assignments or administrative matters related to conditions of employment and employee rights and benefits.