



<b>WRITTEN DIRECTIVE</b>	No. PD17-0401	Page: 1 of 6
Subject: <b>EMPLOYEE RULES OF CONDUCT</b>	Effective Date:	1-31-17
	Supersedes/ Amends:	PD 14(2)-0401
	Reference: <b>Addendum</b>	1.1.2, 12.2.1, 22.2.7, 26.1.1, 26.1.3 81.2.4, 81.2.12



1.1.2, 26.1.1

**I. Purpose**

The purpose of this directive is to establish department rules of conduct that will supplement the City of Lynchburg *Code of Conduct for Municipal Service to the City of Lynchburg*.

**II. Policy**

It shall be the policy of the Lynchburg Police Department for employees to abide by the City of Lynchburg *Code of Conduct for Municipal Service to the City of Lynchburg* and the Lynchburg Police Department *Rules of Conduct*.

**III. Procedure**

**A. ALL EMPLOYEES**

1. Employees of the Lynchburg Police Department are individually and collectively accountable for their actions and are required to conduct themselves according to policies, procedures and rules of conduct adopted by the City of Lynchburg and the Lynchburg Police Department.
  - a. Employees are accountable for:
    - 1) any action that is prohibited, or any failure to act that is required
    - 2) any conduct that would tend to bring discredit to the Lynchburg Police Department.
  - b. Employees may be subject to disciplinary action for any failure to follow applicable policies, procedures or rules of conduct.
  - c. Employees will be responsible for seeking clarification on any policy, procedure or rule of conduct that they do not fully understand.
2. Employees will behave in a professional and courteous manner while performing their duties.

## 26.1.3

3. Employees who engage in harassment or who permit employees under their supervision to engage in harassment, or who retaliates or permits retaliation against an employee who reports harassment, is guilty of misconduct and shall be disciplined accordingly, up to and including discharge. Harassment can be on the basis of but not limited to:
  - a. sex
  - b. religion
  - c. color
  - d. age
  - e. handicap
  - f. national origin
  - g. or any protected status as protected by the federal government under applicable law.
4. Except when necessary in the performance of their duties, employees will not knowingly:
  - a. associate with or have dealings with persons engaged in unlawful activities
  - b. frequent establishments involved in unlawful activities.
5. Employees will not use their affiliation with the Lynchburg Police Department as a means of soliciting or obtaining for personal gain:
  - a. any service
  - b. any item of value
  - c. any testimonial regarding the performance of their duties.
6. Unless specifically authorized by the Chief of Police, employees will not accept gratuities, services or items of value in payment or reward for services rendered as part of their duties.
7. The Chief of Police may accept for the department any donations of money, services or items of value that he deems appropriate.
  - a. All donations will be acknowledged by letter.
  - b. Cash donations will be processed through the City's Report of Collections procedures.

- c. Donated items valued over \$5000.00 will be included within the department's property inventory system.
8. Employees will not publicly comment on City or department policies, procedures, activities or employees in any unlawful, slanderous or libelous manner.
9. Employees are generally authorized to address factual issues with the public or media according to existing department procedures. Employees should not express personal opinions to the public or media while presenting themselves as representatives of the department unless authorized to do so by the Chief of Police, or his designee.
10. Department employees enjoy the constitutional rights to free speech, but such rights are subject to certain necessary limitations due to the scope and nature of the law enforcement profession.
  - a. Employees will be responsible for complying with department policies and directives governing interpersonal, broadcast, written and electronic communications, both on and off duty.
  - b. Any photographs, facsimiles, or other depictions of LPD uniforms, badges, patches, police vehicles/equipment, or anything else representing the agency will be done in a manner that will not tend to bring discredit to the agency or any employee.
  - c. Any Major may order the removal of any Internet material posted by an LPD employee if the material:
    - 1) disrupts the workplace, interferes with important working relationships or efficient work flow, undermines public confidence in an employee, or creates anxiety or unrest within the community, or
    - 2) contains material that is not appropriate for public viewing (for example, content that promotes illegal activity, violates the rights of any other person or entity, threatens the safety of any person or entity, etc.)
    - 3) is deemed to be in violation of this policy or any ordinance/statute
  - d. Failure to remove any posting may subject the employee to disciplinary actions as outlined in directive *PD-0212 Disciplinary System*.
11. Employees will not, while acting as representatives of the department, recommend to the public the services of any particular attorney, bondsman, funeral service, locksmith, towing service or other business providing paid service to the public.
12. Employees will not join or associate with any organization that advocates:
  - a. subversive or terrorist activities targeting:
    - 1) the orderly process of government, or

2) any ethnic, racial, religious or other legally defined group

b. engaging in any illegal activity.

13. If charged with any violation of criminal law, all employees will notify the Chief of Police (through their chain of command) immediately.

14. All sworn employees and all civilian employees that regularly operate a City-owned vehicle will notify the Chief of Police (through their chain of command) if charged with a violation of any traffic infraction.

**22.2.7**

15. Employees of the Lynchburg Police Department will carry official credentials at all times when acting in their official status, and will display their credentials at any time a citizen requests to verify that the individual is an employee of the agency. Credentials will minimally include:

a. name of the employee

b. photograph of the employee

c. date of issue

d. sworn or civilian status.

16. When communicating with the public by phone, employees of the Lynchburg Police Department should identify themselves when acting in their official status. Verbal phone identification should include:

a. name

b. title/rank

c. any specific information relevant to the nature of the call that would help promote public confidence that the person they are speaking to is an employee of the Lynchburg Police Department.

**1.1.2**

17. Ethics training will be conducted for all personnel at least biennially, in any of the following formats:

a. classroom

b. roll call training

c. computer-based training (such as LPD eSign), or

d. bulletins, articles, or other written materials.

18. All employees of the Lynchburg Police Department are prohibited from using any tobacco, nicotine vapor or alternative nicotine products within any City-owned municipal building, facility or vehicle.
  - a. In addition to the above requirement, sworn employees must abstain from the use of any tobacco, nicotine vapor or alternative nicotine product at any location either on-duty or off-duty as a condition of employment.
    - 1) Under the Virginia Workers' Compensation Act, when sworn employees are diagnosed with certain types of respiratory diseases, hypertension, heart disease, or cancer, it is presumed that such health conditions are occupational diseases, suffered in the course of their employment. Accordingly, the Commonwealth of Virginia recognizes that localities have a legitimate interest in requiring employees who are susceptible to such occupational diseases as a result of their employment, to refrain from smoking or using tobacco products (which includes nicotine based products such as e-cigarettes and similar products) during or outside of the course of their employment as a condition of their employment (Sections 15.2-1504, 15.2-1511, 51.1-813, and 65.2-402 of the Code of Virginia, 1950, as amended).
    - 2) The above requirement for sworn employees will remain in effect during such time as the Heart/Lung Laws (Virginia Code 65.2-402 and 15.2-1511) or statutes of similar impact are in effect.

## **B. SWORN EMPLOYEES**

1. Officers will conduct themselves at all times in accordance with the *Law Enforcement Code of Ethics* (see *Addendum*).
2. Officers will obey and enforce applicable Lynchburg ordinances as well as state and federal laws.
3. Except when necessary in the performance of covert duties, and authorized by their supervisor, officers will not knowingly engage in any unlawful activity.
4. Officers and civilian employees will be responsible for remaining alert and productive during their duty tour.
  - a. Officers and civilian employees may take on-duty rest and rehab breaks, so long as breaks are within department guidelines and are approved by a supervisor.
  - b. Officers and civilian employees will be responsible for adequately preparing themselves to function effectively in on-duty assignments.
5. In addition to complying with the City's *Drug-Free Workplace Program*, officers will adhere to the following:
  - a. Officers will not consume or purchase any alcoholic beverage while in uniform.

- b. Officers wearing civilian clothing may consume alcoholic beverages on duty only if:
    - 1) deemed necessary in performance of covert duties and authorized in advance by their supervisor, *and*
    - 2) the officers are not rendered unfit for proper and efficient performance of their duties.
  - c. Officers called back to duty will notify their supervisor if they have consumed within the previous eight hours any:
    - 1) alcoholic beverage or other intoxicant
    - 2) medication bearing the recommendation that the user not operate a motor vehicle.
6. Officers acting as surety on a bond or recognizance for anyone other than themselves or members of their family will notify their on-duty supervisor immediately.
7. Except in emergency situations, officers will not provide law enforcement services in situations involving themselves or members of their family. Other officers will be requested to handle these situations.
8. To protect officer's rights identified in state code § 65.2-402, sworn officers hired after 1995 will not smoke tobacco products on-duty or off-duty as a condition of their employment. Employment agreements will be maintained in officer pre-employment files.

*Original Signed*

---

Raul M. Diaz  
Chief of Police

January 31, 2017

---

Date