

	<b>Charlotte-Mecklenburg Police Department</b>		<b>ROC</b>
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1. Abuse of Position **22 (A1-A3, B-G)**

- A. Employees will not use their official position or identification for:
  - 1. Personal or financial gain.
  - 2. Obtaining privileges not otherwise available to them except in the performance of their duty.
  - 3. Avoiding the consequences of illegal acts.
- B. Employees will not lend to another person their official identification cards, badges, or permit them to be photographed or otherwise reproduced without the prior approval of the Chief of Police.
- C. Employees will not permit the use of their names, photographs, or official titles that identify them as police officers or as employees of the Charlotte-Mecklenburg Police Department (CMPD) in connection with testimonials or advertisements of any commodity or commercial enterprise without the prior approval of the Chief of Police.
- D. Employees will take no part, either directly or indirectly, in sales promotions, solicitations, fund raising campaigns, or similar activities for personal gain or benefit of commercial enterprise while representing themselves as police officers or as employees of CMPD, or authorize others to conduct themselves in a manner as indicated above that would leave the impression they are representing CMPD, without the prior approval of the Chief of Police.
- E. Employees while on duty or acting in an official capacity will not recommend or suggest in any manner, except in the transaction of personal business with family and close friends, the employment or procurement of a particular product, professional service, or commercial service.
- F. Employees will not interfere with or attempt to influence the lawful business of any person.
- G. Employees will not knowingly make false accusations or false criminal charges.

2. Arbitrary Profiling **41 (A-D)**

Officers will not conduct any law enforcement activity that is motivated by an arbitrary stereotype or profile. All law enforcement activity involving the detention of a member of the public must be based on a lawful and articulable action.

- A. **Racial Profiling:** Officers are prohibited from detaining, arresting or conducting any law enforcement action against an individual solely based on the individual's actual or perceived race, color, national origin, or ancestry.
- B. **Other Biased Based Policing:** Officers are prohibited from detaining, arresting or conducting any law enforcement action against an individual solely based on the

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individual's actual or perceived gender, religion, disability, sexual orientation and/or their marital, parental, military discharge, or socioeconomic status.

- C. Language: Officers are prohibited from using derogatory or disrespectful language nicknames, terms, slurs, or slang that refers to a person of a particular racial group, national origin, religion, gender, sexual orientation or disability.
- D. Foreign Nationals: CMPD will provide law enforcement service and protection to all members of the Charlotte-Mecklenburg community.

3. Arrest, Search, and Seizure **29**

Officers will not make any arrest, search or seizure, which they know, or should know, is not in accordance with the law.

4. Associations **15**

Employees will avoid associations with persons who they know, or should know, are involved in criminal activity, are under criminal investigation or indictment or who have a serious criminal record, except as necessary to the performance of official duties or where unavoidable due to family relationships.

5. Conformance to Laws **14 (A-C)**

- A. Employees will obey all laws of the United States and of any state and local jurisdiction in which they may be present, and will obey all administrative regulations enacted pursuant to local, state, or federal law.
- B. Employees will not obey any order which they know or should know requires them to commit an illegal act.
- C. Any employee arrested or charged with any crime, to include traffic related charges such as Hit and Run, DWI, Death by Motor Vehicle, must notify the Chief of Police in writing within 48 hours of that arrest or charge. Any employee must notify the Chief of Police in writing within 48 hours of being cited or charged with any traffic offenses or infractions that could result, if there were a conviction, in a suspension or revocation of the employee's driver's license. The employee will also notify the Chief of Police in writing of the court disposition within 48 hours of that disposition. In addition, any suspension or revocation of an employee's motor vehicle operator's license must be reported to the Chief of Police within 48 hours of this action regardless of whether the suspension or revocation is the result of a conviction.

6. Gifts and Gratuities **23 (A, B1, B2, C)**

- A. Employees will not use their position to solicit any form of gift, gratuity, or service for gain.
- B. Employees will not accept from any person, business, or organization any gift if it may reasonably be inferred that the person, business, or organization:

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1. Seeks to influence an official action or to affect the performance of an official function.
  2. Has an interest, which may be substantially affected, either directly or indirectly, by the performance or non-performance of an official function.
- C. Employees may not accept any form of reward for the performance of an official function without the prior approval of the Chief of Police.

7. Harassment **39**

No employee will intentionally subject any fellow employee to any verbal or physical harassment of a sexual, ethnic, racial, disability or religious nature.

8. Improper Use of Property and Evidence **31**

Employees will not convert to their own use, manufacture, conceal, destroy, remove, tamper with or withhold any property or evidence in connection with an investigation or other police action, except in accordance with established CMPD procedures.

9. Insubordination **4 (A,B)**

- A. Employees will promptly obey any lawful order or direction of a supervisor. This includes any lawful order or direction relayed from a supervisor by an employee of the same or lesser rank. If an employee does not understand the direction given to them the employee will seek guidance from a supervisor.
- B. Employees will not use profane or intentionally insulting language toward any supervisor.

10. Intervention **30 (A1,A2,B)**

- A. Officers will not interfere with or take action in cases being handled by other officers of CMPD or by another governmental agency unless:
  1. Ordered to intervene by a superior officer.
  2. The intervening officer believes that a manifest injustice would result from failure to take immediate action.
- B. Officers will not undertake any investigation or other official action, which is not part of their regular duties without obtaining permission from their supervisor, unless the exigencies of the situation require immediate police action. Any officer taking such an action must notify his immediate supervisor as soon as possible after the incident occurs.

11. Labor Activity **12**

Employees will not engage in any strike, work slowdown, unreasonable or selective enforcement of the law, or other concerted failure to report for duty for the purpose of

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inducing, influencing, or coercing a change in conditions, compensation, rights, privileges, or obligations of employment.

12. Participation in Administrative Investigations **35 (A,B,C1-C5)**

- A. All procedures carried out under this rule will be specifically directed and narrowly related to a particular internal administrative investigation being conducted by CMPD.
- B. Employees who are involved in administrative investigations and who have been advised in writing (or orally, if the interview is conducted by telephone) that no statement they make can be used against them in a criminal prosecution, will truthfully answer all questions which are specifically directed and narrowly related to their job performance and/or fitness for duty.
- C. Upon the order of the Chief of Police, the Chief's designee or a superior officer, an employee will:
  - 1. Provide a complete and truthful statement to the Chief's representative or designee.
  - 2. Submit to a polygraph examination.
  - 3. Submit to any medical, ballistics, chemical, or other test, photographs, or line-ups required in a particular administrative investigation being conducted by CMPD, and release the results of any such tests to CMPD in connection with the administrative investigation.
  - 4. Submit financial disclosure statements in accordance with CMPD procedures in connection with a complaint in which this information is material to the investigation. Financial statements are to be confidentially maintained and used by the Chief of Police and will not be made available to the public.
  - 5. Submit medical records that are granted by the employee and/or the employee's physician, and that relate to a condition that the employee has raised as an issue, and the condition pertains to the employee's fitness for duty or job performance.

13. Political Activity **13**

Employees may not engage in political activity when on duty, (other than voting and registering to vote in uniform), and will not engage in political activity while identifying themselves as representatives of CMPD by virtue of their uniform or otherwise.

14. Possession and Use of Drugs **18 (A,B)**

- A. Employees will not possess or use any controlled substances, narcotics, hallucinogens, or prescription drugs except when prescribed by a physician or dentist.
- B. When narcotics are prescribed to an employee, the employee will notify his or her supervisor prior to reporting for duty under the influence of such medication. When a

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medication other than a narcotic is prescribed and that medication could affect an employee's fitness for duty, the employee will notify his or her supervisor prior to reporting for duty under the influence of such medication.

15. Public Statements and Appearances **24 (A-D)**

- A. Employees will treat the official business of CMPD as confidential and will disseminate information regarding CMPD operations only in accordance with established CMPD procedures.
- B. Employees will not divulge the identity of persons giving confidential information in a criminal investigation.
- C. Employees will not publicly criticize or ridicule CMPD or its personnel when such statements may interfere with the maintenance of discipline or the effective operation of CMPD, or when such statements are made with reckless disregard for truth.
- D. Employees will not disseminate any information that would violate North Carolina General Statute (N.C.G.S. 160A -168).

16. Residence and Telephone Requirements **7 (A-C)**

- A. All sworn police officers may reside in North Carolina or South Carolina and within a 45-mile radius of the CMPD Central Headquarters Building within six months after their date of employment. During the period of their employment with the CMPD, all sworn employees will continue residing within this 45-mile radius. Any officer found to have violated this rule will be cited to the Civil Service Board with the recommendation that he/she be terminated.
- B. Each employee will have a functioning telephone.
- C. Employees will inform their supervisor and the Human Resources Division of any change in their permanent address or telephone number before the end of the next business day after making such change.

17. Truthfulness **38 (A1-A7, B)**

- A. Making materially false statements or intentionally omitting material facts will be deemed as being untruthful. Employees are prohibited from being untruthful relating to:
  - 1. Performance of their duties;
  - 2. Fitness for duty;
  - 3. Giving testimony;
  - 4. Reporting to superiors;
  - 5. Criminal investigations;

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- 6. Internal investigations;
- 7. Other official duties.

- B. Employees are prohibited from intentionally failing to disclose information in connection with the performance of official duties when the purpose of such nondisclosure is to conceal suitability or unsuitability for duty of themselves or another or to gain improper personal advantage.
- C. Any material falsification of or any intentional failure to disclose information relevant to suitability or fitness for police employment which is discovered after an individual is hired can result in the termination of that employee.

18. **Unbecoming Conduct 6 (A, B1-B4)**

- A. Employees will conduct themselves at all times, both on and off duty, in a manner which is in keeping with the highest standards of the law enforcement profession.
- B. Employees of CMPD are prohibited from engaging in any conduct which:
  - 1. Brings CMPD into disrepute;
  - 2. Reflects unfavorably upon the employee as a member of CMPD;
  - 3. Damages or negatively affects the reputation of any member of CMPD;
  - 4. Impairs the operation or efficiency of CMPD or any of its personnel

19. **Unsatisfactory Performance 5 (A-C)**

- A. Employees will maintain sufficient competence to properly perform their duties and assume the responsibilities of their position.
- B. Employees will perform their duties in a manner that will maintain the highest standard of efficiency in carrying out the functions and objectives of CMPD. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws to be enforced; unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for an employee's rank, grade, or position; the neglect of duty; the display of cowardice, absence without leave, or the physical or mental inability to perform the essential functions of the position and required duties.
- C. In addition to other indications of unsatisfactory performance, the following will be considered unsatisfactory performance: Repeated poor evaluations and records of repeated violations of orders, rules, procedures, or other directives of CMPD.

20. **Use of Alcohol on Duty or in Uniform 17 (A,B)**

- A. Employees will not consume intoxicating beverages while in uniform or on duty except in the performance of duty and while acting under orders.

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B. Employees will not appear for duty, or be on duty, while under the influence of alcohol, or with the odor of an alcoholic beverage on their breath.

21. Use of Department Equipment **32 (A,B)**

A. Employees will utilize departmental equipment, including any vehicle, computer and radio, only for its intended purpose in accordance with all laws and departmental procedures and will not damage or lose departmental equipment.

B. Employees will utilize departmental equipment, including any vehicle, computer and radio, only for its intended purpose in accordance with all laws and departmental procedures and will not intentionally damage or abuse departmental equipment.

22. Use of Force **28 (A,B)**

A. Officers will use no more force than necessary in the performance of their duties and will then do so only in accordance with CMPD procedures and the law.

B. Officers will comply with CMPD procedures concerning the documentation and investigation of the use of physical force.

23. Use of Weapons **27**

Officers will carry and use firearms only in accordance with law and established CMPD procedures.

24. Visiting Prohibited Establishments **16**

Employees will 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.

25. Absence from Duty **9 (A1, A2, B, C)**

A. Employees will be considered absent without leave if they fail, within 2 hours after the beginning of their regularly scheduled tour of duty, to:

1. Report for duty; or,
2. Notify the appropriate supervisor of their inability to report for duty and be granted approved leave.

B. Employees will not be absent from secondary duty assignments such as court, Grand Jury and training without first obtaining permission from proper authority.

C. Employees will not feign illness or injury, falsely report themselves sick, ill or injured, or otherwise deceive or attempt to deceive any official of CMPD as to the condition of their health or that of their families.

26. Chain of Command **3**

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Employees will conduct CMPD business through accepted channels unless written procedures or orders from proper authority dictate otherwise.

27. Complaints **26 (A, B)**

- A. Employees will follow established procedures for processing complaints.
- B. Employees may attempt to amicably resolve public complaints, but they will not attempt to prevent any member of the public from lodging a formal complaint against any individual employee or against CMPD.

28. Courtesy **25 (A-C)**

- A. Employees will be courteous and tactful in the performance of their duties or while representing themselves as members of CMPD.
- B. Employees will not use profane or intentionally insulting language toward any member of the public or employee of CMPD.
- C. Employees will promptly (usually within 24 hours) return messages from members of the public and should keep a record of unsuccessful efforts to return messages.

29. Departmental Reports and Records **34 (A, B)**

- A. Employees will submit all necessary reports and records on time and in accordance with established CMPD procedure.
- B. Reports and records submitted by employees will be accurate and complete.

30. Driving **40 (A-D)**

- A. Employees will obey all traffic laws while driving under normal conditions and will drive with due regard for the safety of others.
- B. Officers will only initiate and continue in a pursuit in accordance with CMPD directive that governs pursuits.
- C. Officers will comply with CMPD directives concerning the documentation and investigation of any event which an officer knows, or should know, qualifies as a pursuit.
- D. Officers will only initiate and continue with an emergency response in accordance with the CMPD directive governing emergency responses.

31. Employment Outside CMPD **11**

Employees will adhere to all regulations, procedures, and other directives governing secondary employment established by CMPD.

32. Identification **21 (A-C)**

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- A. Officers will carry their police identification cards on their persons at all times, except when impractical or dangerous or harmful to the progress of a criminal investigation.
- B. Officers will furnish their names and code numbers to any person requesting that information when they are on duty or presenting themselves as police officers, except when the withholding of such information is necessary to the performance of police duties or is authorized by proper authority.
- C. Employees will display their identification cards while on duty as required by CMPD procedures.

33. Knowledge of Regulations **1 (A-D)**

- A. Employees will familiarize themselves with and understand all rules, regulations, directives, and written procedures of CMPD.
- B. Employees who do not understand their duties or responsibilities will read the relevant directives, rules, etc., and will consult their immediate supervisor for clarification and explanation.
- C. When dealing with a situation for which there are no regulations or established procedures, employees will consult their immediate supervisor for direction.
- D. If a supervisor gives an order, the supervisor is responsible for that order. If the employee perceives an apparent conflict between the supervisor's order and the rules, regulations, directions, or written procedures of CMPD, the employee will seek clarification or confer with a higher authority.

34. Legal Processes Brought By or Against Employees **36**

Employees will immediately report in writing directly to the Chief of Police or his designee any criminal charges brought against them and any court actions brought against them as a result of the performance of duty or which involve the employee's fitness for duty. Employees will also notify the Chief of Police or his designee in writing before filing claims for damages or entering into any legal compromise or settlement regarding events which resulted from the performance of duty.

35. Neglect of Duty **10 (A-H)**

- A. While on duty, employees will not engage in any activities or personal business, which would cause them to neglect or be inattentive to their assigned responsibilities.
- B. Employees will remain awake, alert, and attentive while on duty. If unable to do so, they will so report to their supervisor, who will determine the proper course of action.
- C. Officers will take any official action required by federal or state law, by city or county ordinance or by any directive of the Chief of Police.
- D. Employees will not leave their assigned duty post during a tour of duty except as authorized by proper authority.

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- E. Civilian employees will take any action which is required or is responsible and appropriate in connection with the performance of their assigned duties.
- F. Officers will take appropriate action in any emergency situation or in any situation in which substantial and irreversible damage would result from the failure to take appropriate action, whether on or off duty.
- G. Employees will, whether requested or not, assist any employee involved in an emergency situation or any other situation in which additional assistance would be critical to the successful performance of a CMPD function.
- H. Officers will respond to all radio communications directed to them.

36. Personal Appearance **19 (A,B)**

- A. Employees on duty will wear uniforms and other clothing and equipment in accordance with established CMPD procedure.
- B. Except when acting under orders from proper authority, employees on duty will maintain a neat, well-groomed appearance and will style their hair according to CMPD procedures.

37. Radio Communications **33**

Officers will keep available radio communications equipment turned on and operating at all times while on duty, unless ordered by proper authority to do otherwise.

38. Reporting for Duty **8 (A-C)**

- A. Employees will report at the scheduled time for any duty assignment, including court, Grand Jury appearances, and training.
- B. Employees will be properly equipped and prepared to perform their duties.
- C. Employees who are unable to report to a duty assignment will notify the appropriate supervisor prior to the beginning of that scheduled assignment.

39. Supervision **37 (A, B)**

- A. Supervisors are charged with insuring compliance with all applicable laws, CMPD policies, Directives, and Standard Operating Procedures by those employees under their supervision. Supervisors are responsible for investigating and reporting all known violations to their immediate supervisor.
- B. Any sworn or civilian CMPD employee who supervises any other CMPD employee will perform their duties completely, diligently, promptly, professionally, and satisfactorily.

40. Use of Tobacco **20**

Officers will not use tobacco products while engaged in any activity that causes them to be in direct contact with the public, while engaged in traffic direction and control, when they must

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leave their duty assignment for the sole purpose of doing so, when the use of tobacco is prohibited by law, or when the use of tobacco would violate any written City or CMPD policy.

41. Violation of Rules 2

Employees will not commit any acts or make any omissions, which constitute a violation of any of the rules, policies, procedures, or other directives of CMPD.

42. Use of Body Worn Cameras **42 (A-D)**

- A. Employees shall utilize the BWC, its accessories, components, and related equipment only for its intended purpose in accordance with all laws and departmental procedures.
- B. Employees shall not utilize the BWC for unofficial or personal use outside the scope of their official duties.
- C. Employees will treat all BWC recordings as the official property of CMPD and will disseminate recordings only in accordance with established CMPD procedures.
- D. Employees will not disseminate in any manner BWC recordings that are considered a record of a criminal investigation or recordings that are not a public record as outlined in North Carolina General Statutes (N.C.G.S. 132-1.4 and N.C.G.S. 132-1).