



CODE OF CONDUCT

I. PURPOSE

This Code of Conduct is intended to provide additional specificity to the law enforcement member's code of ethics and the Golden Police Department's statement of values. Members will have a better understanding of the prohibitions and limitations pertaining to their conduct and activities while on or off duty.

This Code of Conduct is not intended to serve as an exhaustive list of requirements, limitations, or prohibitions. Rather, they are intended to:

1. Alert members 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 members;
3. Guide members in conducting themselves and their affairs in a manner that reflects standards of department and professionalism as required of law enforcement members;

Additional guidance on matters of conduct is provided concerning specific policies, procedures, and directives disseminated by this department and a member's immediate supervisors and commanders.

II. POLICY

Actions of members that are inconsistent, incompatible or in conflict with the values established by the Golden Police Department negatively affect its reputation and that of its members. Such actions and inactions thereby detract from the department's overall ability of effectively and efficiently protecting the public, maintaining peace and order, and conducting other essential business.

Therefore, it is the policy of the Golden Police Department that members conduct themselves at all times in a manner that reflects the ethical standards consistent with the rules contained in this policy and otherwise disseminated by the department.

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III. DEFINITIONS

In the context of this policy:

1. Accountability means the duty of all members to truthfully acknowledge and explain their actions and decisions when requested to do so by an authorized member of this Department without deception or subterfuge.
2. Member(s) means any person paid or unpaid who conducts any action or business on behalf of the Golden Police Department.
3. Employee(s) means any person who is paid, either full or part time; receiving monetary compensation and/or benefits.

IV. RULES OF CONDUCT

1.0 General Conduct:

- 1.1 Obedience to Laws, Regulations, and Orders
 - a. Members shall not violate any law or any city or departmental policy, procedure, rule, regulation.
 - b. Members shall maintain familiarity with, and conduct themselves within, the Golden Police Department directive system, federal and state statutes, and city ordinances.
 - c. Members shall be able to perform their duties as required by the assigned duties of their position.
 - d. Members shall obey all lawful orders, however received.
- 1.2 Conduct Unbecoming a Member
 - a. Members shall use reasonable judgment and not engage in any conduct or activities on or off duty that:
 1. Reflect discredit on themselves or other members; or,
 2. Tend to bring the department into disrepute; or,
 3. Impair its efficient and effective operation.

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2.0 Accountability, Responsibility, and Discipline

- 2.1 Members are directly accountable for their actions through the chain of command to the Chief of Police.
- 2.2 Members shall cooperate fully in any investigation conducted by this or other authorized agency and shall provide complete and accurate information concerning any issue under investigation.
- 2.3 Members shall be accurate, complete, and truthful in all matters associated with police department responsibilities.
- 2.4 Members shall accept responsibility for their actions without attempting to conceal, divert, or mitigate their true culpability; nor shall they engage in efforts to thwart, influence, or interfere with an internal or criminal investigation.
- 2.5 Members shall obey the laws of the United States of America and of any state or local jurisdiction. A conviction for violation of a law may be prima facie evidence of a violation of this rule.
- 2.6 Members who are arrested, cited, or come under investigation for any criminal offense or traffic offense where their driver's license might be in jeopardy, in this or another jurisdiction shall report this fact to a supervisor as soon as possible.
- 2.7 Members who become aware of violations of these rules, or any matter that involves the integrity of the department, shall report it through the chain of command.

3.0 Conduct Toward Fellow Members and the Public

- 3.1 Members shall conduct themselves in a manner that fosters cooperation among members of this department, shows respect, courtesy, and professionalism in their dealings with one another.
- 3.2 Members shall not intentionally use language or engage in acts, verbal or physical, that demeans, harasses, or intimidates another person or subject any person to sexual, ethnic, racial, disability or religious harassment.

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- 3.3 Members shall conduct themselves toward the public in a civil and professional manner, that connotes a service orientation, and that will foster public respect and cooperation.
- 3.4 Members shall treat violators with respect and courtesy, guard against employing an officious or overbearing attitude, or language that may belittle, ridicule, or intimidate the individual, or act in a manner that unnecessarily delays the performance of their duty.
- 3.5 Members, while recognizing the need to demonstrate authority and control over criminal suspects and prisoners, shall adhere to this department's use-of-force policy, using no more force than is reasonable and necessary under the circumstances; and shall observe the civil rights and protect the well being of those in their charge.

4.0 Use of Alcohol, Drugs, and Tobacco

- 4.1 Members shall not consume any intoxicating beverage while on duty unless authorized by the Chief of Police.
- 4.2 Other than for police purposes, no alcoholic beverage shall be carried, stored, served or consumed on police premises; or in police vehicles; or in authorized police uniform.
- 4.3 A member, off duty, while serving in an official, "on-call" capacity shall not consume intoxicants.
- 4.4 No member shall report for duty with the odor of alcoholic beverage on their breath.
- 4.5 No member shall report to work or be on duty as a law enforcement member when alcohol, medication, or any other drug or substance has, in any manner, impaired their judgment or physical condition.
- 4.6 Members must report the use of any substance, before reporting for duty, which impairs their ability to perform as a law enforcement member.
 - a. Supervisors shall order a drug or alcohol screening test when they have reasonable suspicion that a member is using and/or under the influence of drugs or alcohol.

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b. Such screening shall conform to the city's policy on member drug-screening and testing.

4.7 A member shall not use a tobacco product unless in a designated area and while not conducting police business.

4.8 Members are not permitted to use tobacco products in a vehicle owned or maintained by this department.

5.0 Abuse of Law Enforcement Powers of Position

5.1 Members shall not use their police department status to seek or accept any favors, gifts, benefits, or gratuities which would not ordinarily be afforded to the general public. The Chief of Police may specifically authorize a member to conduct activities for the specific benefit of the community.

5.2 Members shall report any unsolicited gifts, gratuities, or other items of value received and shall provide a full report of the circumstances, if directed.

5.3 Members shall not use their authority or position:

a. For financial gain or;

b. For obtaining or granting privileges or favors not otherwise available to them or others except as a private citizen or;

c. To avoid the consequences of illegal acts for themselves or for others or;

d. To barter, solicit, or accept any goods or services (to include gratuities, gifts, discounts, rewards, loans, or fees) whether for the member or for another.

5.4 Members 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; unless said property was their personal property to begin with.

5.5 Members shall not use their authority to solicit or accept contributions for this department, or for any other department,

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organization, event, or cause without the express consent of the Chief of Police, or the Chief's designee.

- 5.6 Members are prohibited from using information gained through their position as a law enforcement member to advance financial or other private interests of themselves or others.
- 5.7 Members who institute or reasonably expect to benefit from any civil action that arises from acts performed under color of authority shall inform their supervisor and commander.

6.0 Off Duty Police Action

- 6.1 When off duty and within the State of Colorado, an officer may make an arrest when:
 - a. Another law enforcement officer commands assistance according to §16-3-302 C.R.S.; or,
 - b. Coming to the aid of a fellow peace officer acting under the color of their official authority in an emergency situation where the officer being assisted has a reasonable probability of being injured or killed; or,
 - c. A felony or misdemeanor has been or is being committed in the officer's presence; and, there is an immediate need to prevent a crime or apprehend a suspect; and, the officer's immediate action is necessary to protect themselves or another from bodily injury or death; and, the arresting officer possesses their police identification, a firearm approved by the department, and a restraint device approved by the department.
- 6.2 Except as allowed by this policy, off duty officers shall not enforce minor violations such as traffic, harassment, disorderly conduct, or other nuisance offenses. Should any incident arise that requires police action, but is not authorized to be handled by an off duty officer, that officer shall immediately notify the law enforcement agency having jurisdiction and await the arrival of an on duty officer.
- 6.3 Officers who act under the color of their authority while off duty shall contact the department on duty watch commander and their

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immediate supervisor informing them of the circumstances surrounding the incident as soon as practical.

- 6.4 Where an arrest is necessary, the off duty arresting officer shall:
- a. Abide by all departmental rules, regulations, policies and procedures; and,
 - b. When tactically sound, identify themselves as a police officer prior to taking action.
- 6.5 Officers shall not make an arrest off duty;
- a. Unless the officer's immediate action is necessary to protect themselves or another from bodily injury or death.
 - b. If an officer is deemed personally involved. This includes the off duty officer, a family member, or a friend who becomes engaged in a dispute or incident with the person to be arrested.
 - c. When engaged in outside employment of a non-police nature, and the officer's actions are only in furtherance of the interests of the private employer.
 - d. When the arrest is made solely as enforcement of a traffic offense.
 - e. When the officer has consumed alcoholic beverages or used any medication that may impair their ability to perform the job safely and competently.

7.0 Prohibited Associations and Establishments

- 7.1 Arresting, investigating, or custodial members shall not commence social relations with the spouse, immediate family member, or romantic companion of persons in the custody of this department.
- 7.2 Members shall not knowingly commence or maintain a relationship with any person;

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- a. Who is under criminal investigation, indictment, arrest, or incarceration by this or another police or criminal justice agency; and/or;
 - b. Who has an open and notorious criminal reputation in the community, [persons whom they know, should know, or have reason to believe are involved in felonious activity]; except as necessary to the performance of official duties, or where unavoidable because of familial relationships.
- 7.3 Except in the performance of official duties, members shall not knowingly enter any establishment in which the law of that jurisdiction is regularly violated.
- 7.4 Members shall not knowingly join or participate in any organization that advocates, incites, or supports criminal acts or criminal conspiracies.

8.0 Public Statements, Appearances, and Endorsements

- 8.1 Members shall not, under color of authority:
- a. Make any public statement that could be reasonably interpreted as having an adverse effect upon department morale, discipline, operation of the department, or perception of the public; or,
 - b. Divulge or willfully permit to have divulged, any information gained by reasons of their position, for anything other than its official, authorized purpose; or,
 - c. Unless expressly authorized, make any statements, speeches, or appearances that could reasonably be considered to represent the views of the department.

9.0 Endorsements

- 9.1 Members may not, under color of authority, endorse, recommend, or facilitate the sale of commercial products or services. This includes but is not limited to the use of tow services, repair firms, attorneys, bail bondsmen, or other technical or professional services. It does not pertain to the endorsement of appropriate

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governmental services where there is a duty to make such endorsements.

10.0 Political Activity

10.1 Members shall be guided by federal law, state law and city ordinance regarding their participation and involvement in political activities. Where law or ordinance is silent on this issue, officers shall be guided by City of Golden policy.

10.2 City of Golden Employee Handbook Policy:

- a. Prohibits; political activities and campaigning within its facilities and during working hours.
- b. You cannot be both a paid employee for the City and a City Councilor at the same time. If you are elected to City Council, your employment shall terminate. If you are a relative of a City Councilor, you cannot be a regular full-time employee of the City.
- c. You do have the right to hold elected office in another jurisdiction.

11.0 Expectations of Privacy and Security

11.1 Members shall not store personal information or belongings with an expectation of personal privacy in areas that are under the control and management of the department.

11.2 The department recognizes the need for members to occasionally store personal items in such areas. Members should be aware that these may be inspected or otherwise entered to meet operational needs, internal investigation requirements, or for other reasons at the direction of the Chief of Police or the Chief's designee.

11.3 No member of this department shall maintain files or duplicate copies of official agency files in either hard copy or electronic formats outside the confines of the department without express permission from the Chief of Police, or the Chief's designee.

11.4 Members shall not:

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- a. Access, review, or remove any report or record for other than departmental purposes;
- b. Communicate any information which may jeopardize an investigation, arrest, law enforcement action or prosecution, or which may aid a person to escape, destroy or remove evidence;
- c. Communicate any information which may endanger the safety or well being of others or jeopardize the operation of this, or any other, law enforcement agency;
- d. Access or use computer systems in any manner except as permitted.