



Police Department

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## DEPARTMENT GENERAL ORDER 21-07

OFFICE of the CHIEF OF POLICE  
REPLACES: 20-23

DATE: August 23, 2021

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### STANDARDS OF CONDUCT

#### I. PURPOSE

It is the purpose of this policy to provide specificity to the standards of conduct embodied in the law enforcement employee's code of ethics and this agency's statement of values and mission, so that employees have a clear understanding of agency expectations pertaining to conduct and activities while on and off duty.

#### II. POLICY

It is the policy of this law enforcement agency that employees shall conduct themselves both on and off duty in a manner that reflects high ethical standards consistent with the values and mission established by this agency and the expectations of the community it serves.

#### III. PROCEDURES

##### A. General

The following items shall be reviewed and/or developed:

1. A statement that explicitly states the agency's mission, vision, and values;
2. Oath of honor.

##### B. Conduct

General conduct includes the following:

1. Employees shall follow this agency's mission and vision statement, values, and oath of office. If an employee experiences an ethical conflict with these items, they should consult a supervisor for further clarification.

2. Employees shall be truthful in all matters and shall not lie, falsify, conceal, purposely distort, diminish, embellish, or fail to fully disclose facts associated with any law enforcement business.

3. Adherence to laws, regulations, and orders:

- a. Employees shall abide by all laws, regulations, agency policies, rules, and procedures.
- b. Employees shall also abide by all department policies and general orders when performing law enforcement duties outside the City of Clayton. Employees should contact an on-duty Clayton supervisor for guidance if they are being ordered to violate one of our policies or general orders while working under the supervision of an outside agency.
- c. Employees shall obey all lawful orders.
- d. Employees who are arrested, come under investigation for any criminal offense, or receive a traffic summons, in any jurisdiction, shall immediately report this fact to their supervisor.
- e. A court conviction for a crime that carries a possible sentence of incarceration shall be prima facie evidence of a violation of this policy.
- f. Employees shall, upon receipt of proper notice, attend such trial, hearing or proceeding before a court, board, bureau, or tribunal of the United States, the State of Missouri, or any political subdivision thereof, and shall remain in attendance until the conclusion of the proceedings or until duly excused.
- g. All employees who operate vehicles on City business must possess a valid operator's license entitling them to drive the class of vehicle they are assigned to operate. Loss or suspension of an operator's license shall be reported to the department immediately.

4. Unbecoming conduct – Employees shall not conduct themselves in a manner, on or off duty, that:

- a. Casts doubt on their integrity, honesty, moral judgment, or character;
- b. Brings discredit to this agency; or
- c. Impairs the agency's efficient and effective operation.

5. Neglect of duty:

- a. All employees shall perform their duties faithfully and diligently and shall take responsibility for and exhibit attentiveness, care, and thoroughness in the conduct of assignments and responsibilities.
- b. Employees shall conduct themselves in an expeditious manner to avoid any unreasonable delays to the public in the performance of law enforcement duties and activities.

- c. Every sworn employee must assist, protect, or come to the aid of other members of the Department in need of aid or assistance.
- d. Employees shall remain awake and alert during their assigned tour of duty.
- e. Employees shall not linger, loiter, or lounge, either individually or in a group, within police headquarters or any other establishment except in the case of a legitimate meeting, meal break, personal relief, or as required in performance of duty.

6. Accountability and responsibility:

- a. Employees are directly accountable for their actions, through the chain of command, to this agency's chief executive employee.
- b. Employees shall adhere to the established chain of command to transmit any communications, except when circumstances may necessitate the immediate transmittal of orders or information.
- c. Employees shall report for duty, including court and off-duty assignments, at the time and place required.
- d. Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the department or the city as to the condition of their health.
- e. Employees have a duty to intervene to prevent or stop wrongdoing by another employee/public safety associate when it is safe and reasonable to do so. The duty to intervene includes, but is not limited to excessive force, verbal abuse, and violations of department policy and criminal law.
- f. Employees have a duty to report any misconduct of which they become aware and shall notify a supervisor as soon as possible when another member of the agency is violating law or policy. Employees can bypass the chain of command or notify Human Resources for the purposes of reporting misconduct by an employee of rank.
- g. Employees shall cooperate fully in any internal administrative investigation conducted by this or any other authorized agency and shall not attempt to conceal, divert, or mitigate any culpability of theirs or others by falsehoods or omissions.
- h. Employees shall utilize agency supplies, property, and equipment only for their official purpose and in accordance with established agency rules, policies, and procedures and shall not intentionally abuse, destroy, dispose of, or damage these items. Any employee found responsible for the willful or negligent damage of property may be required to pay the cost of repair or replacement.
- i. Equipment may not be loaned to individuals or entities outside of this Department without the approval of the Chief of Police or a designee.
- j. Employees are responsible for maintaining the cleanliness of vehicles, equipment, work areas, and other parts of the Police Department facility (fitness room, breakroom, locker rooms, bathrooms etc.) after use.
- k. Employees will keep the Department updated on their current address and phone numbers.
- l. Using the City's communication systems and equipment (computer, phone, police radio, etc.) to transmit obscene, harassing, or otherwise offensive language, images, or

videos is prohibited. This prohibition does not apply to the processing of such material for legitimate investigative purposes.

7. Conduct toward fellow employees:

- a. Employees shall conduct themselves in a manner that fosters cooperation among members of this agency and other City employees, showing respect, courtesy, and professionalism in their dealings with one another.
- b. Employees shall not use language or engage in acts that demean, harass, or intimidate other department or City of Clayton employees.
- c. Command and supervisory rank personnel will exercise their authority in a firm, professional and impartial manner. Supervisors shall not use abusive conduct or language with employees. When possible, supervisors will avoid censuring employees in the presence of other employees or the public.
- d. Employees shall treat supervisory and command rank officers with respect due their position and shall not use coarse, profane, or insolent language or behavior toward a superior, nor be otherwise insubordinate. Employees shall not speak critically or derogatorily regarding orders or instructions issued by command or supervisory personnel. Should sound reason exist to believe that an order or instruction may be unjust or inconsistent, the employee shall respectfully call it to the attention of the issuing supervisor in private.

8. Conduct toward the public – Employees shall interact with the public in a civil and professional manner that conveys a service orientation to foster public trust and cooperation and adheres to the concepts associated with procedural justice:

- a. Employees shall treat individuals with courtesy, respect, and dignity.
- b. Employees shall not employ an officious or overbearing attitude or use language that might belittle, ridicule, or intimidate individuals. Employees shall not engage the public with the use of sarcastic or condescending language.
- c. Employees shall perform their duties equitably in both the enforcement of laws and the delivery of law enforcement services within the community and shall strive to maintain public trust by conducting all law enforcement business in an unbiased, fair, and impartial manner.
- d. Employees shall give their name, rank, and department serial number to any person requesting it during duty hours or while acting in an official capacity. The use of DSN nametags is appropriate during demonstrations, times of civil unrest, or with the approval of the Chief of Police or designee.

9. Abuse of law enforcement authority or position:

- a. Employees shall stringently decline to accept monetary or other inducements that may be offered to influence their actions or behavior, and shall immediately respond to such offers in accordance with existing law.
- b. Employees shall not use their authority or position:
  - for financial gain;

- to obtain or grant privileges or favors;
  - to avoid the consequences of illegal acts for themselves or others; or
  - to barter, solicit, or accept any goods or services, such as gratuities, gifts, rewards, loans, or fees, whether for themselves or others.
- c. Employees shall not purchase, convert to their own use, or have any claim to found, impounded, abandoned, or recovered property or any property held or released as evidence. Employees can bid as private citizens on property which has been appropriately transferred to a public auction site for sale.
  - d. Employees shall not permit the use of any agency-issued identification card, badge, or official document by unauthorized persons.
  - e. Employees are prohibited from using law enforcement sensitive information gained through their position to advance financial or other private interests of theirs or others.
  - f. Employees shall not steal, forge, or tamper with any official law enforcement document. Documents shall not be altered or duplicated unless such actions are approved by a supervisor.
  - g. Employees shall not take or release video or photographs capturing sensitive information or images unless authorized to do so.
  - h. Employees shall not undertake any investigation or other official action that is not part of their regular duties without first obtaining permission from their supervisor, unless the exigency of the situation requires immediate law enforcement action.
  - i. Employees involved with any civil action that arises from acts performed under color of authority shall inform their supervisor.
  - j. Employees shall treat the official business of the department as confidential. Information regarding official business shall be disseminated only to those whom it is intended in accordance with established department procedures.

10. Prohibited associations and establishments:

- a. Employees shall not knowingly commence or maintain a relationship with any person who is under criminal investigation, indictment, arrest, or incarceration by this or another law enforcement or criminal justice agency or who has an open and notorious criminal reputation in the community (for example, persons whom they know, should know, or have reason to believe are involved in criminal activity), except as necessary to the performance of official duties or where unavoidable or impractical because of pre-existing familial or marital relationships. In such cases where regular household, physical, or telephone contact is unavoidable, the employee shall inform their supervisor of the relationship.
- b. Employees shall not knowingly engage in social or romantic relationships with confidential informants, victims, or witnesses involved with active investigations. Officers should also not engage in sexual conduct with a detainee or prisoner.

- c. Employees shall not participate or interfere in investigations involving family members or persons with whom they have a close personal or business relationship.
- d. Except in the performance of official duties, employees shall not enter any establishment in which the law is knowingly violated.
- e. Employees shall not knowingly join or participate in any organization that advocates, incites, or supports criminal acts or criminal conspiracies or that promotes hatred or discrimination toward racial, religious, ethnic, or other groups or classes of individuals protected by law.

#### C. Public Statements, Appearances, and Endorsements

- 1. Employees shall follow this agency's policy on social media.
- 2. Employees shall obtain approval from the Chief of Police or designee before any personal appearance where the employee will be perceived by a reasonable person as an official representative of the Clayton Police Department.
- 3. Employees shall not, when officially acting as a representative of this agency:
  - a. make any public statement that could be reasonably interpreted as having an adverse effect upon agency morale, discipline, operations, or public perception;
  - b. divulge or willfully permit to have divulged any information gained by reason of their position, for anything other than its official, authorized purpose; or
  - c. unless expressly authorized, make any statements, speeches, or public appearances that could reasonably be considered to represent the views of this agency.
- 4. Employees shall not solicit or accept contributions for this agency or, as a law enforcement employee of this agency, for any other agency, organization, event, or cause without the express consent of the agency chief executive or their designee.
- 5. Employees may not, as a member of this agency, endorse, recommend, or facilitate the sale of commercial products or services without the approval of the agency's chief executive employee or their designee. This includes but is not limited to the use of tow services, vehicle repair shops, attorneys, bail bondsmen, or other technical or professional services. It does not pertain to referrals to appropriate governmental, community, or social services.
- 6. Employees shall not publicly criticize or ridicule the department, its policies, or its members, where such statements are defamatory, obscene, or untruthful.
- 7. Except when acting under proper and specific orders from a supervisor, personnel on duty shall maintain a neat, well-groomed appearance.

#### D. Political Activity

Employees are free to exercise their full rights of suffrage. As public servants, Employees are required to support the Constitution of the United States of America, the Constitution of the State of Missouri, all elected City officials while engaged in the lawful performance of their

duties and to serve the interest of the public without regard to their personal political opinions or affiliations. As a result, the City reserves the right to restrict certain types of political activity on the part of Employees with the intent to maintain the neutral and efficient performance of official duties, and to avoid any real or apparent conflict of interest. The following shall apply:

1. No Employee shall publicly support or actively campaign for a political candidate for the offices of Mayor or Board of Aldermen of the City of Clayton while on duty or off duty in uniform. Conversely, no employee shall publicly oppose or campaign against a political candidate for the offices of Mayor or Board of Aldermen of the City of Clayton while on duty or off duty in uniform. The definition of "in uniform" includes City-issued uniforms as well as any apparel with insignia, logos, or language indicating an affiliation with the City of Clayton.
2. No Employee shall solicit, sell, or handle political contributions while on City business or property.
3. No employee shall place, affix, or display any campaign literature or other paraphernalia in or on government-owned or controlled property, to include offices, vehicles, and uniforms.
4. While on duty or off duty in uniform, no employee shall make public statements which violate political neutrality.
5. While on duty or off duty in uniform, no employee shall solicit signatures or other forms of support for political candidates, parties, or ballot measures.
6. No employee shall use official authority to interfere with any election or with the political actions of other employees or the public.
7. No employee shall favor or discriminate against any person because of political opinions or affiliations.

#### E. Alcoholic Beverages

1. Employees shall not possess, store, or transport alcoholic beverages in any police vehicle or within the confines of police headquarters except in the performance of their official duties.
2. No sworn or non-sworn member of the department shall consume any alcoholic beverage while on duty, except as necessary in the performance of their official duties.
3. No member of the department shall be on duty under the influence of alcohol or be unfit for duty from use of same.

4. Employees shall not use intoxicating beverages off duty to the extent that it may render them unable to report for their next scheduled shift or to bring discredit upon the department.

#### F. Drug Usage

1. Employees shall not possess, store, or transport narcotic or controlled substances in any police vehicle or within the confines of police headquarters except in the performance of their official duties or as legally prescribed.
2. No employee shall use, consume, or have present in their system any controlled substance or narcotic drug while either on or off duty, except as legally prescribed by a physician.
3. Should prescription medication qualify as a controlled substance, employees shall notify their supervisor of any actual or intended on-duty usage.

#### G. Uniform

1. Employees shall wear uniforms or other clothing in accordance with established procedural guidelines. Except when acting under proper and specific orders from a superior, personnel on duty shall maintain a neat, well-groomed appearance.
2. Employees shall wear only duly authorized patches, buttons, badges, medals, pins or other insignia on their uniforms.
3. The wearing of the police uniform shall be restricted to on-duty service, traveling to and from duty, acting as an official representative of the police department on special assignment, or otherwise authorized by the Chief of Police. Approval to work secondary employment while in the department's uniform shall rest solely with the Chief of Police. Non-duty activity in uniform (e.g. menial tasks, non-emergency manual labor, sporting events) is inconsistent with the dignity associated with the uniform and shall be prohibited.

BY ORDER OF:



MARK J. SMITH  
CHIEF OF POLICE

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