
Standards of Conduct

320.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Santa Clara Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

Cross referenced with CMD 031 Transaction of Personal Business During Work Hours, CMD 35 Smoking in the Workplace, CMD 067 Gifts & Favors to Individuals, CMD 082 Political Activities of Public Employees, CMD 087 Workplace Security, CMD 100 Conflict of Interest Code, CMD 120 Drivers License Requirements, CMD 129 Drug and Alcohol Abuse Policy, CMD 131 Equal Opportunity Employment Policy

320.2 POLICY

The continued employment or appointment of every member of the Santa Clara Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

320.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

320.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible

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for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

320.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

320.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

320.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service:

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320.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

320.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Santa Clara Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

320.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

320.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.

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- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

320.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.

320.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.
 - (a) Members of this department shall not disclose the name, address, or image of any victim of human trafficking except as authorized by law (Penal Code § 293).
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

320.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.

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- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within 24 hours of any change in residence address or contact numbers.
- (f) Failure to notify the Human Resources Department of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

320.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department -related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of an officer official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or, on department property except

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as expressly authorized by City policy, the memorandum of understanding, or the Chief of Police.

- (h) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the memorandum of understanding, or the Chief of Police.
- (i) Any act on- or off-duty that brings discredit to this department.

320.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.
- (g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any memorandum of understanding or contract to include fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.
- (n) Off-Duty Enforcement - Prior to taking enforcement action, off-duty officers will give first consideration to causing the appropriate action to be effected by on-duty personnel from the law enforcement agency in which the activity occurs. Additionally,

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the Department recognizes that off-duty officers cannot rely on the immediate assistance or application of police resources in the same capacity as while on duty and, thus, does not expect officers to jeopardize themselves or others by taking police action while off duty. However, when action is considered necessary consistent with the tactical situation, offense involved, or other factors as articulated by the involved officer, any police action taken will be governed by the same policies, procedures, rules and regulations that apply to on-duty personnel in a similar situation. When on or off duty, employees will avoid becoming officially involved in quarrels or disputes occurring in their own neighborhoods, unless the incident involves an immediate threat to human life. In any event, employees will give first consideration to their capacity to render an appropriate and adequate response before any action is taken.

- (o) Off-Duty Law Enforcement - Any employee who is placed under arrest or receives a criminal citation shall as soon as possible notify the on-duty watch commander. Any employee who is detained, for other than traffic violations, shall notify their immediate supervisor upon their return to work. An employee does not need to notify the watch commander or his/her supervisor if the contact resulted in an infraction traffic citation or a parking citation.
- (p) Insignia of fraternal organizations and associations may be worn upon rings on the hand and shall in no instances be placed upon the uniform itself. Pins denoting membership in a police organization or those in recognition of service in the armed forces are not to be worn. Wearing an American flag insignia is optional. It shall be made of metal and no larger than three-quarters of an inch. It shall be worn one-half inch and centered above the nametag.
- (q) Misuse of Authority - A Department employee will not engage in any act that could reasonably be construed as misuse of authority. They will not use their position in the Department to obtain any money or property except as required by law or Departmental procedures.
- (r) Withholding Information of Criminal Activity - Failure to promptly report to the Department any information concerning any crime or unlawful activity. This applies whether the information or observation comes to the attention of the employee while on or off duty.
- (s) Private Use of Departmental Information - Employees are prohibited from using confidential or official information to advance the financial or other private interest of themselves or others.
- (t) Solicitation of Favorable Acts - Employees are prohibited from soliciting anyone to intercede with the Chief of Police, a supervisory employee, the City Manager or any elected or appointed City official in relation to promotions, assignments, disciplinary actions or personnel investigations. This section shall not apply to licensed attorneys at law or employee organization representatives who are representing employees consistent with the provisions of collective bargaining agreements.
- (u) Misconduct Known to Department Personnel - Failure to promptly report a fellow Department employee's violation of a Law, Rule or Regulation, Policy or Procedure, General or Special Order or Written or Verbal Order to a supervisor. To this end,

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all such violations coming to the attention of another employee shall be immediately reported in writing to a supervisor in the Department.

- (v) Provide Information/Identity to the Public - Officers on duty shall be attentive to reports and complaints by citizens and either give personal attention or refer them to the proper person or agency. When so requested by a citizen, all employees shall supply his/her name and I.D. number unless such action is likely to jeopardize the successful completion of a police assignment.
- (w) False Reports - No employee of the Department shall make false official reports, or knowingly enter or cause to enter in any Department books, records, computerized files or reports, any inaccurate, false or improper police information or other related material.
- (x) Participation in Civil Matters - Giving a deposition or preparing/submitting an affidavit stemming from one's official duties as a Department employee in a civil matter, without the knowledge of the Chief of Police. Employees of the Department shall not serve civil processes nor shall they render assistance in civil cases, except when the City of Santa Clara is a party. They shall, however, prevent breaches of the peace or quell disturbances growing out of such matters and advise parties concerned what action may be possible.
- (y) Personal Activities While On-Duty - Employees of the Department will not devote any of their on-duty time to any activity that does not relate to a police function. They will not perform any police duty for the purposes of private gain nor will they make any private purchases when in uniform unless for personal maintenance or sustenance, or as authorized by competent authority.
- (z) Registration of Weapons - Failure to register with the Department any personal handgun carried by an employee, on or off duty, in connection with the employee's peace officer status.
- (aa) Solicitation - No employee will solicit, collect, receive money or other things of value while on duty, for charitable or testimonial purposes except as approved by the Chief of Police.
- (ab) Gratuities and Bribes - Employees will not receive any rewards for services rendered in the line of duty. Employees will not accept a bribe or engage in any act of extortion or other unlawful means of obtaining money or property through their position with the Department. Employees will not accept, directly or indirectly, a fee, loan, reward or gift of any kind from any person in custody, discharged from custody, liable to arrest or complaint, or from any friend or relative of such person.
- (ac) Criticism of Orders - No employee of the Department will publicly disparage or ridicule written or oral orders or instructions issued by a senior officer.
- (ad) Criticism of Employees - Employees of the Department shall conduct themselves in a manner that will foster the greatest harmony and cooperation between each other and divisions and units of the Department. Gossiping about another officer or employee will not be tolerated and may subject the employee to disciplinary action.
- (ae) Recommending Services - When acting in official capacity, employees of the Department will not recommend or suggest the employment or purchase of any

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specific professional or commercial service or product. The rules does not affect an employee's duty to inform people in need of the availability of municipal, county, state or federal services.

- (af) Use of Private Vehicles and Equipment - Use of private vehicles/equipment for official purposes unless directed/authorized to do so by the Chief of Police or supervisor.
- (ag) Neglect of Duty / Inefficiency - Failure to give suitable attention to performance of duty. Examples include, but are not necessarily limited to: failure to take appropriate action on the occasion of a criminal offense, disorder or other act or condition deserving police attention, absence without leave, failure to perform duties or comply with any lawful Rule, Regulation, Code of Conduct, Policy or Procedure or order, failure to maintain sufficient competency to perform duties, failure to efficiently and promptly perform duties.
- (ah) Insubordination - Failure or refusal to obey a lawful order given by a supervisor or, any disrespectful, mutinous, insolent or abusive conduct toward a supervisory employee whether or not in the presence of the supervisory employee.
- (ai) Gifts Solicitation - Soliciting or accepting for oneself or another any money or other compensation for services provided in the line of duty other than as outlined in Department orders.
- (aj) Department Vehicle Use - Use of a Department vehicle without permission of the appropriate supervisory employee on duty.
- (ak) Unauthorized Persons in City owned vehicles - Allowing unauthorized persons to ride in police vehicles without permission of the supervisory employee on duty.
- (al) Accidents with City owned vehicles - Failure to promptly report any accident involving the operation of a police motor vehicle/bicycle and comply with Department orders on making such reports.
- (am) Conduct unbecoming an Employee - Conduct which adversely affects the morale or efficiency of the Department, or conduct which tends to bring the Department or the employee into disrepute, or conduct that reflects discredit upon the employee as an element of the Department.
- (an) Unauthorized Investigations - Conducting a personnel investigation on another employee of the Department without authorization from the Chief of Police or conducting a criminal investigation in any manner other than with the knowledge of the Department and in compliance with Department orders.
- (ao) Compromising Criminal Cases - Employees of the Department shall not take part or be concerned, either directly or indirectly, in making or negotiating any compromise or arrangement for any criminal or any person, with a view of permitting such criminal or any person or other person to escape the penalty of the law. They shall not seek to obtain any continuance of any trial in court out of friendship for the defendant, or otherwise interfere with the Courts of Justice. This section shall not be construed as preventing an employee of the Department from cooperating with the prosecuting attorney in the altering of any charge or other action, in any case he/she may be concerned with as the arresting or investigating officer, in the furtherance of justice.

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- (ap) Firearms Use / Display / Handling - Drawing, displaying or discharging a firearm, other than as authorized by law and/or Department orders or the negligent handling or discharging of firearms.
- (aq) Political Utilization of Official Position – No employee shall engage in partisan political activity of any nature while on duty unless state law authorizes that activity. Using an employee's influence for partisan political reasons. Use of City funds, supplies, property or equipment for partisan political purposes.
- (ar) Valuable Items – Buying / Selling / Receiving / Selling - Buying, receiving or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner or other person involved in any case which has come to the attention of an employee of which arose out of an employee's employment with the Department, except as authorized by the Chief of Police.
- (as) Outside Employment - Employees performing secondary or outside employment without the specific authorization of the Chief of Police and the City Manager. See CMD 051.
- (at) Courtroom Demeanor - Any unexcused absence from court. Failure to appear punctually for court. Failure to appear in court prepared to testify. Failure to appear properly dressed for court in accordance with Department orders. Failure to maintain professional demeanor in court.
- (au) Departmental Records / Reports / Citations - Stealing, releasing, altering or tampering with any record, report, citation or document in the Department except as provided in Department Orders and in accordance with the law. To this end, the copying, releasing, altering or tampering with any record of the Department or information contained in any record of the Department except by process of law or as directed by the Chief of Police or a supervisory employee is prohibited.
- (av) Absence from work / Tardiness - Failure to appear for duty at the date, time and place assigned without being excused or properly notifying the Department of illness or other emergency.
- (aw) Cooperation with Investigations - Failure to testify or cooperate in investigations being conducted by the Santa Clara Police Department, other law enforcement agencies, a Grand Jury, District Attorney, Attorney General or a governmental administrative agency, (City, State or Federal), when properly called upon to do so, and when there is no properly asserted constitutional privilege, or when immunity from prosecution has been granted.
- (ax) Use of Force - Unnecessary or excessive use of physical force against any person while on or off duty (while performing in an official capacity).
- (ay) Sickness / Injury - Feigning sickness or injury to escape duty.
- (az) Tape Recording of Employee Conversation - The surreptitious tape recording of conversations by any employee in the organization, of another employee, without the written consent of the Chief of Police, is prohibited.
- (ba) Sleeping on Duty - No Department employee will sleep while on duty.
- (bb) Prisoners - No Department employee will engage in willful mistreatment of a prisoner.

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- (bc) Criminal Associations - Substantiated, active, continuing association on a personal rather than a professional basis with a person or persons who engage in or are continuing to engage in serious violations of state or federal laws, where the employee has or reasonably should have knowledge of such criminal activities, except where specifically directed and authorized by the Department. See General Order 26.4.1 for additional information.
- (bd) Voicemail and E-Mail - All employees have been assigned a specific voicemail box and an email address. Each employee shall check their voice and e-mail boxes at least once each work shift, and respond to each message, as appropriate. Employees who have an assigned telephone will have an indicator on the phone to show when voicemail messages are present. For those who do not have a telephone, it is necessary to call into the voicemail box to check for the presence of messages. When setting up one of these remote mailboxes, each employee shall record a message which at the least contains the employee's name and work schedule. An employee must have Division Commander approval prior to sending out an "all user" e-mail to police department employees. In addition, police department employees are not allowed to send a city-wide e-mail (all city users) without permission of the Chief of Police.
- (be) Cell Phone Use - Although the Vehicle Code provides an exemption for on-duty police officers, safety and public perception dictate that in accordance with CMD 37, no Police Department employee will use a cellular phone while operating any City vehicle unless they are using a hands-free device. The only exception to this policy will be during undercover operations and in the case of an emergency. Any employee in uniform is prohibited from using any cellular device that is comprised of a head set or affixes to the ear. Hands-free devices will be provided by the City for employees' use. All employees are encouraged to pull over and stop before using a cellular phone – even when equipped with a hands-free device – whenever possible.

320.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off- duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic collision.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

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320.5.11 INTOXICANTS

- (a) Consuming intoxicating beverages while on duty, except in the performance of duty and while acting under proper and specific orders from a supervisor. When consuming alcohol in the performance of duty and while acting under proper orders, employees shall refrain from consuming intoxicants to the extent that it results in impairment, intoxication, or offensive behavior which discredits them or the Department, or renders the employee unfit to continue their assigned duties.
- (b) An on-duty employee showing objective symptoms of being under the influence of intoxicating liquor/drugs shall submit to a chemical test upon direction of a supervisory employee. Refusal to comply with the request shall be considered insubordination.
- (c) No employee in uniform will consume any beverage, including soft drinks, at a bar, tavern or cocktail lounge. It is the employee's responsibility to maintain an image of high ethical conduct.
- (d) No employee of the Department will use any illegal drug or narcotic. Any employee of the Department who is under the influence of any substance that impairs the mental or physical ability of such employee to perform assigned duties will adhere to the procedure contained in CMD 129.
- (e) No employee of the Department will report for work while under the influence of alcohol or drugs or become unfit for duty because of their use. No employee will become addicted to narcotics, alcohol or other habit-forming drug.
- (f) Off-duty employees will not consume intoxicants in a public place to the extent that they are unable to care for themselves and/or become discourteous when such conduct reflects adversely upon the Department.
- (g) Use of Tobacco - Department employees in uniform shall not use tobacco when in view of the general public. Use of tobacco shall not be indulged in by any employee of the Department under conditions that may be detrimental to good conduct or procedure.
Department employees shall comply with CMD 35 concerning smoking in the work place.