

## RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entities' and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a particular standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Michael Poehlman /s/		
Legal Advisor: Karen Fraley /s/		
Approving Deputy Chief: Jim Johns /s/		
General Order No: P-340-05	Issued: December 28, 2005	Supersedes: 0/100.000, 1/200.000, and 2/010.000
	Reissued: July 3, 2007	Revised: April 19, 2007
General Order Title: <b>CODE OF CONDUCT AND VALUES AND ETHICS</b>		

### POLICY

The responsibility of the Reno Police Department is to protect lives and property, prevent crime, and provide professional police services to the citizens of Reno. To accomplish this, all employees must respond expeditiously and professionally to calls for or requests of service. They will provide police services that emphasize teamwork and mutual respect, actively participate in the Department's operation, participate as required in community events, adhere to the principals of problem solving and demonstrate our core values of respect, integrity, fairness and service.

### GENERAL PROCEDURES

1. Employees will report for duty on time, at the place required by assignment for orders, have all proper equipment with them, and be fit for duty. Judicial subpoenas and official notification will constitute an order to report for duty under this section.
2. Employees will not leave their assigned duty posts until relieved or authorized by proper authority.
3. Employees on meal breaks will be subject to immediate emergency calls at all times and will be alert to radio transmissions on their primary channel.
4. Employees are required to take appropriate police action towards aiding a fellow peace officer exposed to danger or in a situation where there might be impending danger.
5. *Officers will call out via Communications (ECOM) on all traffic stops. They will project a professional image and demeanor and present an appropriate appearance. Officers will explain the circumstances surrounding the issuance of a citation and explain the citation*

*procedure to the violator.*

## **LEGAL PROCEDURES**

### **Reverence for the Law/Constitutional Requirements**

1. The primary duty of a police officer is to uphold and enforce the law in a fair and equitable manner. The laws of the State of Nevada allow for fair application within the spirit of the law.
2. Peace officers must take an oath of office to enforce the law and uphold the Constitution of the United States and the Constitution of the State of Nevada. In applying the law, officers must exercise mature judgment and discretion within the limits of statutory authority and departmental policy.
3. Criminal investigations are scrutinized by the courts. Employees must keep informed of court decisions that relate to police investigative conduct.
4. Employees will not take any action which they know, or reasonably should know, is not in accordance with established legal precedent or statutory law.
5. Employees will follow established constitutional guidelines and requirements pertaining to interrogation of individuals suspected of criminal activity.
6. Employees will cooperate with other law enforcement agencies and/or Prosecutor's Offices when said agencies are conducting official criminal investigations. *This provision does not prohibit said employee from exercising any civil rights and/or protections afforded to them if they are the subject of said criminal investigation.*

## **KNOWLEDGE OF LEGAL PROCEDURES**

1. All employees are responsible for knowledge of, and adherence to, departmental directives, general orders, standing orders, and special orders, as well as standard operating procedures, memos, training bulletins, legal bulletins, and all other conduct instruction and training, and will be held accountable for violations.
2. A lawful order, whether verbal or written, given by a supervisor or his or her designee, regardless of rank, must be obeyed. Therefore, command and supervisory officers will not knowingly issue an order that violates a law or department directive unless special circumstances exist. Supervisors must be prepared to offer specific facts that they believe create an exigent circumstance, and justify giving an order in violation of standard rules and procedures.
3. Employees who receive an order that they consider in violation of standard rules and procedures will inform their superior that they believe the order to be in violation of a policy or procedure. If their superior does not rescind the order the employee may:

- a. Accept the order as issued, indicating that they concur with the order and the superior's reason for issuing it; or
  - b. Obey the order under protest. This means that the employee obeys the order but does not agree with it, nor the superior's reason for issuing it. Orders obeyed under protest should be noted in a memorandum following the incident, which will be forwarded to the division commander via the chain of command; or
  - c. Refuse to obey the order. Employees who refuse to obey an order must articulate in writing why they did so and why they feel the order is in violation of a policy or procedure. This written account will be forwarded to the division commander via the chain of command. Employees will be held accountable for refusing to obey any order later determined to be within policy or procedures.
4. Employees given orders that conflict with previous orders will respectfully inform the superior issuing the order of the conflict. If the superior does not alter or rescind the conflicting order, the latter order will be obeyed.

**COMMUNITY-ORIENTED POLICING PROCEDURES**

- 1. The Reno Police Department is committed to the principles of community-oriented policing, which promotes establishing close ties with and responding to the needs of the community. It is the duty of all employees who have knowledge of any actions, practices or attitudes on the part of another employee that may be contributing to community or racial tensions to bring that matter to the attention of an immediate supervisor. Supervisors are responsible for seeing that such negative actions, practices, or attitudes are immediately corrected.
- 2. Employees will be courteous to the public. They will be tactful in performance of their duties, control their tempers, exercise patience and discretion, and not engage in argumentative discussion.
- 3. When citizens or visitors request assistance or advice, or lodge a complaint, either by telephone or in person, pertinent information will be obtained in a professional and courteous manner and properly and judiciously acted upon consistent with established departmental procedures.
- 4. The Department will respond to comments and concerns from various community groups, including but not limited to, neighborhood advisory boards, private citizens, and other boards or organizations which include citizens of the City of Reno.

**ETHICAL PROCEDURES AND VALUES**

All employees must be honest, truthful, and fair in all interactions and relationships involving the Department, its employees, and the community. This implies an innate strength of character and professional attitude. *Adherence to the following department core values is expected:*

- Respect – Treating everyone with dignity, empathy and fairness;
- Integrity – Service that demonstrates honesty, professionalism and dedication in all actions;
- Fairness – Consistent, ethical and impartial treatment of everyone; and

Service – Proactively respond to the changing needs of the community and department through open communication, accountability and professionalism.

1. Officers will not knowingly interfere with cases being handled by other officers of the Department or by any other governmental agency unless ordered to intervene by a command officer, or if the intervening officer believes that an injustice would result from failure to take immediate action. Officers will not undertake any investigation or other official action not part of their regular duties without permission from their superior officer unless the situation requires immediate police action.
2. Employees will not, whether on or off-duty, whether acting in an official capacity or not, engage in conduct involving dishonesty, fraud, misrepresentation, misappropriation or theft, or that may reflect unfavorably upon the Department. Specific conduct violations include, but are not limited to, the following:
  - a. Unsatisfactory performance, demonstrated by a lack of knowledge of laws and departmental rules and procedures, unwillingness or inability to perform assigned tasks, failure to conform to standards established for the employee's rank, grade, or position, or failure to take appropriate action in response to a call for service;
  - b. Insubordination;
  - c. Lack of respect and courtesy shown to superior officers, peers, subordinates, and associates;
  - d. Failure to observe confidentiality of departmental information or files, whether verbally or in writing;
  - e. Neglect of duty, which includes avoiding or ignoring calls for service, attending to personal business, sleeping, leaving an assigned duty post, or failure to respond to emergencies during meal breaks;
  - f. Possession or consumption of any intoxicating beverages or controlled substances while on duty, or reporting to duty impaired;
  - g. Solicitation for or acceptance of any gratuity from any source. This includes food, beverages, entertainment, discount offers, and free merchandise or services offered in exchange for police services rendered, unless such gratuities are offered to the Department as a whole by citizens or institutions affiliated with the City of Reno;
  - h. Recommendation or referral of any professional or commercial service or product. This includes, but is not limited to, attorneys, towing services, alarm products and bail bondsmen;
  - i. Use of official position for personal or financial gain. This includes giving testimonials, endorsing political campaigns or candidates, or participating in promotions or advertisements using official titles or while in uniform;
  - j. Association with persons whom employees know, or reasonably should know, are under criminal investigation or are reputed to be involved in criminal activities, except as necessary for the performance of official duties, or when unavoidable due to geographic or familial proximity;
  - k. Incurrence of debts or financial obligations which employees know, or reasonably should know, they will be unable to meet;
  - l. Entrance into establishments in which employees know, or reasonably should know, that the laws of the United States, the State of Nevada, or the local jurisdiction are being

violated.

## **OFF-DUTY POLICE ACTION PROCEDURES**

1. Off-duty officers are authorized to take official police action only when such action is necessary to:
  - a. Aid and assist another peace officer;
  - b. Prevent imminent bodily injury or gross property damage; or
  - c. Affect an arrest for a felony.
2. Off-duty officers taking official police action may take such action as though they were on duty. The officer will then be responsible for initiating required reports and notifying on-duty supervisors of their action. Officers involved in police actions outside of the City of Reno are responsible for notifying, as soon as practicable, the law enforcement agency having jurisdiction over the location where the police action occurred. They are then responsible for providing any and all assistance to that agency, including the completion of reports and statements as required.
3. Should any incident arise that requires police action, but is not authorized to be handled by an off-duty officer, the off-duty officer should immediately notify the law enforcement agency having jurisdiction, stand by and await the arrival of an on-duty-officer.
4. Prohibited police actions by off-duty officers include traffic stops, citing individuals for moving traffic violations, and vehicle pursuits.
5. For purposes of administrative investigation, an on-scene supervisor may request a blood alcohol test or determine that a DRE examination is needed of an off-duty officer who, by action or deed, places himself or herself in an on-duty capacity, and who is at an establishment where alcohol is served, or where the officer may have consumed alcohol or narcotics. The officer may refuse to submit to the test requested. However, such refusal places the burden of proof of sobriety on the officer. The Department will not raise the issue of sobriety independent of a third-party allegation. The supervisor making the request for alcohol or drug testing is required to document the circumstances that lead to the request or order for the test, and the outcome of the request or order.
6. For purposes of an administrative investigation, when an off-duty employee(s) has by action or deed placed themselves in an on-duty capacity, the on-scene supervisor will determine if there is articulable suspicion that the employee has consumed alcohol/narcotics. If articulable suspicion exists, a DRE examination will be ordered. Based on the results of the DRE examination, further chemical testing may be ordered. An employee may voluntarily request a chemical examination at the outset to eliminate any doubt concerning the issue of alcohol/drug use. When chemical tests are performed, they will be done at the Department's request and will be paid for by the Department. The supervisor is required to document the circumstances that led to the request or order for the test and the outcome of such request or order.
7. If litigation against either the officer or the City arises out of an off-duty situation, the City reserves the right, under the Nevada Revised Statutes, to determine whether or not the City

will provide legal representation and indemnification for compensatory damages.