

TAKOMA PARK POLICE DEPARTMENT - GENERAL ORDERS



TITLE: Rules of the Department		Number: 201
Effective Date: September 4, 2007		Review Date:
New	X Amends	Rescinds
Authority: Chief Ronald A. Ricucci		CALEA STANDARDS: 1.1.1, 1.1.2, 12.2.1 Total Pages 2

01 Introduction: “Rules and Regulations” as used in law enforcement are synonymous. They are a means of defining and controlling the behavior of all employees, sworn and non-sworn. A Department Rule, although it may be revised or amended, is definite, inflexible and restrictive. Violation may lead to disciplinary action.

When the word “officer” is used, the Rule shall apply to sworn personnel only. When the word “employee” is used, the Rule shall apply to all personnel, sworn and non-sworn, including part-time and volunteer employees.

02 Purpose: To set out Rules relating to operations of the Department and the duties, responsibilities, appearance and conduct of employees.

03 Policy: It is the policy of the Department to ensure that all members maintain an exemplary standard of personal integrity and ethical conduct in their relationships with other employees and the community. Employees are reminded that police powers are limited and that police action, of whatever kind, is accountable to the community. All officers will study and adhere to the Law Enforcement Code of Ethics distributed to them and made part of their Manual. Ethics training will be conducted for all employees, biennially at a minimum, and to include instruction that concerns their position dilemmas, temptations, responsibilities and duties. All officers will take the Takoma Park Oath of Office promising to enforce the law and uphold the Constitution of the United States and local laws.

A. If any Rule herein conflicts with a law of Federal, state, county or City government, the law of the higher jurisdiction shall apply. If any clause, sentence, provision or section of these Rules or other directives is held illegal or invalid by any court, the illegality or invalidity shall not affect remaining clauses, sentences, provisions or sections, and the Rule or directive shall be construed and enforced as if such illegal or invalid portion were not contained therein.

B. Nothing in these Rules is limiting in the sense of charges, because the alleged act or omission does not specifically appear in the Department’s Manual, General Orders of the Department, or in the laws or ordinances under which the Department operates.

C. The Department recognizes the rights of its employees and will protect those rights so as to enhance the integrity of the force and quality of its police services.

D. The Department seeks to ensure that all employees maintain the highest possible standard of personal integrity and appearance, ethical conduct and courtesy toward fellow employees, citizens and elected officials of Takoma Park.

E. Employees will familiarize themselves thoroughly with all Rules adopted by the Department as well as individual General Orders, and will seek guidance from supervisors on any Rule or General Order not clear to them. Following the completion of one tour of duty after receipt of these Rules, an employee will be assumed to have knowledge of and be bound by them.

04 Violation Classifications:

A. Minor Violations: Summary punishment may be imposed for minor violations of Department Rules, Regulations or directives when:

1. The facts which constitute the violation are not in dispute;
2. The officer waives the hearing provided by LEOBOR and Department Regulations, and,
3. The officer accepts the punishment imposed by the highest-ranking officer of the unit to which the officer is assigned.
4. Summary punishment may not exceed three days suspension without pay or a fine of \$150.00.

B. Major Violations: Punitive action for a major violation can involve the loss of more than three working days or \$150.00. All allegations of major violations will be sent to an Administrative Hearing Board, in full compliance with the Law Enforcement Officer's Bill of Rights. Final disposition of disciplinary action for a major violation will be handled by the Chief of Police or Acting Chief of Police or his/her designee, after review of the findings of the Administrative Hearing Board. This does not preclude an officer who does not dispute the allegations from waiving his/her right to a hearing before a Board, and accepting a final disposition as determined by the Chief of Police.

05 Exemptions: It is within the authority of the Chief of Police to exempt individuals or units from complying with specific Rules, Regulations or General Orders, on a case-by-case basis.