

TAKOMA PARK POLICE DEPARTMENT - GENERAL ORDERS



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Authority: Chief Antonio DeVaul		Dated: October 31, 2022
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I. Purpose

This General Order establishes general rules pertaining to the conduct and responsibilities of all officers and employees.

II. Policy

It is the policy of this Department to require that all employees maintain a high standard of personal integrity and ethics in their relationships with other employees and the public. The below rules will apply equally to all officers and employees, as appropriate. These rules will serve as a set of professional standards governing the conduct of all employees and no deviation of flexibility is permitted.

III. Rules of Conduct

RULE 1: CONFORMANCE TO LAW:

- A. Employees are required to adhere to Departmental Rules and Regulations, General Orders, Special Order, and Memoranda; City of Takoma Park Code and Charter, Administrative Regulations, Administrative Procedures, Personnel Regulations, Guidelines & Policies. Employees will obey all applicable federal, state, and local laws and ordinances.
- B. Employees are required to notify the Chief of Police in writing, via their chain of command, prior to their next tour of duty and within 24 hours of their: arrest; receipt of criminal citation; citation in lieu of arrest; receipt of any criminal charges where they are named as Defendant; receipt of any interim, temporary, or final peace or protective order where they are a named Respondent; or the suspension, revocation, expiration, or cancellation of their driver's license.
- C. Employees will report to their supervisory chain of command their involvement with another law enforcement jurisdiction in any criminal matter where they may be under criminal investigation, potentially be charged with a crime, or listed as possible suspect. Employees will report to their supervisory chain any domestic violence incident where they are an involved party (not in an official capacity) and law enforcement responded to the scene.
- D. All employees have a duty to report to a supervisor the neglect or violation of law or General Orders of another employee.



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RULE 2: CONDUCT UNBECOMING:

- A. No officer shall commit any act or omission to act, on or off-duty, which constitutes conduct unbecoming a police officer or brings discredit upon the Department. Conduct unbecoming will include any criminal, dishonest, discriminatory, or disgraceful act or omission.
- B. Employees will show respect to all other employees and other persons with whom they deal. When addressing supervisory officers in public, employees will maintain a respectful attitude and use proper titles. Such courtesy will also be afforded to supervisory officers from any other law enforcement agency.
- C. No employee will knowingly associate with any persons engaged in unlawful activities, except while on official business.

RULE 3: CONFIDENTIALITY

- A. An employee will not communicate to any person, not an employee of the Police Department such information on operations, activities, or matters of police business as are prohibited by law, reasonably expected to be private communication, or which may have an adverse impact on the Department's operations or bring discredit to the City or Police Department and its employees.
- B. An employee will not discuss personnel matters with persons outside the police department, except in the course of an official investigation of a lawful authority. Within the department, information regarding personnel matters will not be discussed with anyone except those persons who are required to have the information. Examples of personnel matters include but are not limited to disciplinary actions, internal affairs matters, administrative suspensions, medical information, personal matters, and EEO complaints.
- C. Nothing herein prohibits an employee from filing a complaint with any other governmental organization having appropriate jurisdiction.

RULE 4: ATTENTIVENESS TO DUTY AND PERFORMANCE

- A. Employees will devote their full time and attention to official duties. Officers will diligently patrol, inspect, and otherwise direct their attention to police business within their assigned area throughout their tour of duty.
- B. Officers shall be competent to perform their duties properly and assume all necessary responsibilities. Officers shall not demonstrate Neglect of Duty or Unsatisfactory Performance. Officers shall be able and willing to perform assigned tasks or to take appropriate action in a situation requiring police attention or conform to work standards established for the officer's rank, grade, or position.

RULE 5: FEIGNING – CAUSING ILLNESS



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- A. Employees will not feign, simulate, or intentionally cause illness or disability to evade the performance of their duty.
- B. Employees will not cause themselves to be ill or injured by carelessness, improper conduct, or excessive indulgence in any harmful substance.

RULE 6: ORDERS AND INSUBORDINATION

- A. Orders shall be issued in a clear, concise, and courteous manner, consistent always with the best interests of the Police Department and the City of Takoma Park.
- B. Officers shall obey a superior's lawful order, including any order from a superior, which is relayed by an officer of an equal or lesser rank. However, no officer will obey an order, which is contrary to the law of the United States, State of Maryland, or the City of Takoma Park. The officer is responsible for any justification of noncompliance, which may be required.
- C. If an order is issued that conflicts with a previously issued order General Order or other directive, the officer should respectfully call attention to the conflict. If it is not rescinded by the superior, the order shall stand. Responsibility for that order will rest with the issuing superior; the officer shall not be answerable for disobedience of any previously issued order.
- D. An officer receiving an unlawful, unjust, or improper order shall report, at the earliest opportunity, that fact to the Patrol Operations Commander/Support Services Commander, through the chain of command. The report shall contain the facts of the incident and actions taken. An appeal for release from the orders may be made at the same time.
- E. A superior shall not issue an order, which he/she knows would require a subordinate to commit an illegal, immoral, or unethical act.
- F. No officer shall obey an order requiring him/her to commit any illegal, immoral, or unethical act.
- G. Except as otherwise stated in Department Rules or General Orders or other written policies, insubordination is insolent or abusive language and/or acts toward a command and/or supervisory officer and/or failure or deliberate refusal to obey a lawful order given by such officer, or maliciously ridiculing the orders of a command and/or supervisory officer, whether in his/her presence or not.

RULE 7: ABUSE OF AUTHORITY/OBSTRUCTION OF JUSTICE

- A. The lawful authority entrusted to police officers shall not be used improperly to interfere with the lawful conduct of anyone.
- B. Employees will not manufacture, tamper with, falsify, destroy or withhold evidence or information, nor make any false accusations or statements regarding a



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criminal charge, for the purpose of influencing the outcome of any investigation or trial.

- C. Employees are prohibited from providing confidential information concerning Department investigations or operations to any unauthorized person.
- D. Employees will not interfere with the cases of other employees except by consent of such other employees or his/her superior. Interfering shall mean an intentional act, which is unethical or contrary to established policy or procedure.
- E. No employee shall provide information or take action in an ongoing investigation without the knowledge and consent of the investigating officer.
- F. Employees will not make any compromise or arrangement between suspected violators and alleged victims, nor communicate any information which may enable a person guilty of criminal acts to escape arrest or punishment.
- G. Employees will not dispose of, secrete, or destroy any money or other valuables which are the proceeds or evidence of a crime.
- H. Employees will not remove or destroy any official police record unless authorized to do so by a competent authority.

RULE 8: BRIBERY

No employee will accept any bribe or gratuity in conjunction with any official act or duty.

RULE 9: DECORUM

- A. Employees will at all times maintain decorum and presence of command and conduct themselves in a professional manner.
- B. Employees will be of even temper and exercise patience and discretion.
- C. Employees will not use language that a reasonable person may consider to be derogatory, demeaning, provocative, or insulting directed towards, within listening distance of, or in any communication with any person.
- D. Employees are expected to show an even disposition and remain calm in the face of provocation, and to avoid responding with insolent, demeaning, abusive, violent, insulting, and/or provoking language.

RULE 10: COURTESY

- A. When addressing or referring to a superior officer in the performance of official business or within view of the public, whether on or off-duty, employees shall use a rank designation or title. Sworn officers below the rank of Corporal shall be addressed as Officer. Civilians shall be addressed with courtesy.



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- B. The supervisory authority shall be exercised with firmness and fairness. Command and supervisory officers shall sustain subordinates in their actions and orders when possible and shall avoid censuring subordinates in the presence of others. Command and supervisory officers are strictly forbidden from injuring or discrediting those under their authority by intentional conduct or abusive language. All censures of subordinates will be documented and available for inspection by the affected employee and/or command staff. This section shall not be construed to prohibit informal oral reprimands to a subordinate.
- C. Employees will coordinate their efforts and cooperate with one another to ensure maximum effectiveness. A high degree of cooperation, courtesy, and coordination will also extend to other City employees, citizens, elected officials, and other law enforcement organizations and government agencies.

RULE 11: RUMORS AND RELATIONSHIPS WITH FELLOW EMPLOYEES

- A. Employees of the Department will not gossip or spread rumors detrimental to the Department or another employee.
- B. Employees will coordinate their efforts and cooperate with one another to ensure maximum effectiveness and efficiency. A high degree of cooperation, courtesy, and coordination will also extend to other City employees, residents, elected officials, and other law enforcement organizations and government agencies.

RULE 12: INQUIRY AS TO DUTIES

Employees having occasion to inquire as to their duties concerning any matter will seek information from their immediate supervisor, who shall provide a clear and satisfactory answer. A written answer may be requested by an employee.

RULE 13: EFFICIENCY, PUNCTUALITY, AND ATTENTION TO DUTY

- A. Employees will not engage in any activity or personal business, which would cause them to neglect work responsibilities.
- B. Brief personal business transactions are permitted as follows: Personal business may be conducted during the course of an employee's daily duties, with discretion and in an inconspicuous manner so as not to create a poor public image. Such activities shall neither restrict an officer's availability for calls nor any employee's availability to discharge his/her duties.
- C. Employees will be punctual in reporting for duty at the time and place designated.
- D. Dereliction of Duty: No employee shall loiter or sleep on duty or in any other manner neglect or abandon their responsibilities or assigned tasks.

RULE 14: CALL RESPONSE AND RADIO COMMUNICATION



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- A. Officers shall respond to service calls immediately and without unreasonable delay. If an officer is unable to immediately respond to a call for service, they will notify dispatch of the length and nature of the delay. Dispatchers or supervisor monitoring the communication may request or assign another available unit to respond.
- B. While on duty and responding to calls, officers will inform the dispatcher of their starting location, arrival to the scene, and departure from the scene. The dispatcher will ensure the communication is properly logged into the CAD.
- C. Officers will notify dispatch when they begin and end a shift, detail, or duty assignment that includes overtime or part-time assignments. Officers will keep dispatch apprised of any change in their duty status.

RULE 15: MEAL PERIODS

- A. Officers may suspend their duties for a half-hour meal period in accordance with the direction of supervisors; however, all employees are subject to an immediate return to duty in response to an emergency or other pertinent call for service.
- B. Officers will advise their supervisor when they are taking a meal break. Officers and supervisors will ensure adequate road coverage when scheduling meal breaks. They may advise the dispatcher of their location during mealtimes.
- C. Officers will avoid eating a meal as a squad and will limit themselves to a group of less than three unless authorized by their respective Patrol Operations or Support Services Commander.
- D. Shift supervisors will ensure that dispatchers are provided a one-half-hour (30 minute) break for meals and at least two shorter breaks during any shift except during an emergency.

RULE 16: USE OF ALCOHOL/DRUGS/TOBACCO:

- A. Alcoholic beverages will not be consumed while wearing any part of the police agency uniform.
- B. Alcohol, prescription narcotics, or drugs will not be consumed by any officer while they are armed with a firearm or weapon that is designed to expel a projectile by explosive action.
- C. No on-duty or off-duty officer will be armed with an agency-issued or authorized firearm or weapon capable of firing a projectile while intoxicated or under the influence of alcohol or drugs.
- D. Alcohol will not be consumed by any employee within four hours of the start or reporting time of any tour of duty or shift. (*The only exception to the foregoing prohibitions is prior approval of the Chief of Police or designee.)



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- E. An employee shall not consume or be under the influence of any alcoholic beverage in any capacity while on duty except under the specific and direct order of the Chief of Police or designee.
- F. Any employee who suspects another employee of being under the influence of alcohol, prescription narcotics, or drugs will immediately report such suspicions and the suspected employee or officer to the duty watch commander or their immediate supervisor if the duty commander was not available.
 - 1. The supervisor or duty commander will order a preliminary breath test, a breathalyzer, or a test administered by a DRE to the suspected officer or employee as appropriate.
 - 2. If it is determined, that an on-duty officer or employee's blood alcohol level is 0.02% or higher, or that the employee or officer is under the influence of prescription narcotics or drugs, the on-duty watch commander will immediately notify the chain of command, and the Internal Affairs Commander to report the incident.
- G. In an off-duty capacity, an officer shall not exercise any police authority, take any official police action, or represent himself/herself as a police officer to the public for the purposes of taking police action while intoxicated or under the influence of alcohol, prescription narcotics, or illegal drugs. Being "under the influence of alcohol" is defined as registering a blood alcohol content of 0.02% or higher.
- H. Employees shall not consume any narcotic or controlled dangerous substance unless it is prescribed by a physician. Employees taking prescription medication or any other drug that may affect their ability to perform their duties (such as those containing warnings of drowsiness, or caution against operating machinery) shall notify their supervisor.
- F. Tobacco Use: Officers shall use discretion when smoking in public and shall refrain when smoking interferes with performance or would likely bring criticism to the Department. Officers will not smoke in No Smoking areas designated by law, nor will they smoke while within the armory or any other place where gasoline, explosives, ammunition, or other flammable material is stored.

RULE 17: ON-DUTY MUTUAL AID:

- A. Within the City of Takoma Park, a Takoma Park officer shall promptly come to the aid of any law enforcement officer who is in need of assistance. However, a Takoma Park officer will notify Police Communications of the details of the request and notify the on-duty supervisor as soon as practical and safe to do so.
- B. If the mutual aid was of a serious nature, required a significant police response, or injuries occurred then officers will notify their chain of command and document the mutual aid call on a police information report.

RULE 18: REFUSAL TO WORK OR STRIKES:



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Employees are not permitted to strike, create a work slowdown, or create work stoppages. If there is a conflict between this order and the Collective Bargaining Agreement (CBA), the CBA will supersede this order.

RULE 19: DISCRIMINATION, HARASSMENT, AND BIAS:

- A. Employees shall not discriminate against nor harass any person based on perceived age, disability status, economic status, familial status, gender, gender identity, homelessness, mental illness, national origin, political ideology, race, ethnicity, skin color, religion, sexual orientation, veteran status, or other discernible personal characteristics as prohibited by State and Federal Law.
- B. Employees shall not take or contribute to any reprisal or retaliate against any individual or group of individuals having opposed discriminatory practices or having participated or assisted in a charge, investigation or proceeding brought under Department policy or county, state or federal law.
- C. Supervisors and/or administrators of the Department will conduct a prompt and candid inquiry into any allegation of discrimination or harassment coming to their attention. All information will be documented and reported to a proper authority in accordance with Departmental General Orders.
- D. Employees shall not express verbally, in writing, created image or depiction, by gesture, or any other means any prejudicial or derogatory commentary concerning discernible personal characteristics including, but not limited to those identified in Rule 20. A. above.
- E. No employee, on or off duty, inside or outside of the police station, will use language, jokes, or stories which could be construed to disparage any sex, religion, race, ethnic group, nationality, age group, sexual orientation, disability, marital status, political /union affiliation, or other characteristic protected by law.

RULE 20: SEXUAL HARASSMENT

- A. Employees are prohibited from engaging in sexual harassment against any employee.
- B. Sexual harassment can include deliberate, repeated, and/or unwanted sexual comments, gestures, or physical contact that another finds objectionable. Sexual harassment also includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical sexual conduct, when: submission to such conduct is made, explicitly or implicitly, a term or condition of employment; submission to, or rejection of such conduct acts as a criterion for employment decisions; or such conduct has the purpose or the effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

RULE 21: IDENTIFICATION AS POLICE EMPLOYEE:



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- A. Officers will carry department-issued police credentials including a police ID and badge while on duty and while off-duty when armed unless exempted by the Chief of Police.
- B. Employees will, while on duty or acting in any official capacity, provide their first and last names and display their identification to any person upon request. Officers in full uniform with their police badge, name, and ID number clearly displayed on their uniform need not present any identifying documents if it is not feasible but will state their first and last names and police ID number to anyone who requests it. Officers in plain clothes whose badge, name, and ID number are not clearly visible will present identification upon request when safe to do so.
- C. To protect detectives/special assignment officers in the performance of their duty, officers and employees should use discretion in speaking with other officers when in the vicinity of the public.
- D. No employee shall either visually or verbally recognize or acknowledge any plainclothes officer unless and until the officer acknowledges him/her first.

RULE 22: TELEPHONE NUMBERS/ADDRESS:

- A. Employees are required to maintain a telephone and to inform their chain of command of the telephone number and their current address.
- B. Any change of telephone number or address will be communicated to their supervisory chain of command within 24 hours of the change.
- C. No past or present employee's telephone number or address shall be released to any person not an employee of the Department, except on consent of the employee.
- D. Supervisors will ensure their subordinate's contact information remains current and updated in agency database to include the Communication Center's master list.

RULE 23: DISCRETION:

Officers are authorized to use discretion in the performance of their enforcement duties, taking into consideration the totality of the circumstances and any possible alternative ways of handling a situation, except where supervisory direction, constraints of policy, and/or existing statutes direct otherwise. Generally, only the least amount of enforcement action should be taken to accomplish the law enforcement objective with the best interests of the public in mind.

RULE 24: INTEGRITY:

- A. No employee will make a false statement or misrepresentation of fact concerning their official duties to any supervisor or superior officer.



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- B. No employee will make, or cause to be made, any omission, false, inaccurate, or improper entries in any official record, form, or report, nor will they under any circumstances make any false official statement or intentional misrepresentation of fact.
- C. Employees are prohibited from making or causing to be made, duplications of official records, reports, or correspondence for other than official criminal justice use.

RULE 25: MAINTENANCE OF CITY OWNED PROPERTY:

- A. Officers will be held accountable for the proper care, use and maintenance of all City vehicles, equipment and issued property in their charge. When beginning his/her tour of duty, the officer will inspect the inside and outside of his/her cruiser and report defects in accordance with Department directives. Defects not reported may be assumed to have been caused by the officer last using the vehicle.
- B. Officers who lose or damage Department or City property shall within 72 hours report all facts in writing to their supervisor. The supervisor will immediately pass the information up the chain of command.

RULE 26: EVIDENCE/PROPERTY:

Property and/or contraband coming into the possession of any employee in his/her official capacity will be reported and properly stored or otherwise disposed of in accordance with Department procedures and state and local law.

RULE 27: MONEY EXPENDITURES:

- A. No expenditure of money or other financial obligation will be incurred in the name of the City or the Police Department without prior approval on a Request to Purchase form, except as provided in procedures where emergency purchases of up to \$25.00 may be made with the approval of a Sergeant, and up to \$100.00 with the approval of a Division Commander or the Chief of Police.
- B. No employee shall imply or accept financial liability on behalf of the City. Any inquiry concerning City liability will be referred to the Corporation Counsel.

RULE 28: EQUIPMENT, UNIFORMS AND SEPARATION FROM THE DEPARTMENT:

- A. Non-sworn employees will turn in all uniforms and equipment upon separation from the department.
- B. Sworn employees undergoing separation from the department will promptly gather all equipment and uniforms and consult with Administration Services in accordance with General Order 410.



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RULE 29: PARKING:

Employees will park only in designated areas in City lots, or in legal parking spaces on City streets while on or reporting for duty, except in emergencies as set out in Section 21-106 of the Maryland Vehicle Law.

RULE 30: GRATUITIES:

No compensation, reward, gift, or other consideration (including discounts not available to the public) may be solicited or accepted by employees without special permission of the Chief of Police.

RULE 31: SOLICITING/ENDORSEMENTS:

- A. An officer may not solicit votes or contributions for any prize contest, nor engage in the sale of tickets or the solicitation of advertisements or business of any kind while in uniform or while representing himself/herself as a Department officer, without the prior written approval of the Chief of Police.
- B. No officer shall authorize use of his/her name, photograph or official title identifying him/her as a member of the Department, in connection with testimonials or endorsements of any product or particular commercial enterprise.

RULE 32: SECONDARY EMPLOYMENT:

- A. No member of the Department shall engage in any employment other than as a police officer with the City, without the prior written approval of the Chief of Police.
- B. Written approval must be renewed annually if the secondary employment is to continue. No officer shall engage in secondary employment while on sick or disability leave.

RULE 33: WEARING THE UNIFORM:

- A. The uniform shall be worn by officers and civilian employees only while on duty or going to or from their place of assignment.
- B. Uniforms will be clean and pressed; shoes and metal objects will be shined.
- C. Officers working security related secondary employment within the City shall wear the uniform of the day, unless specifically granted an exception.
- D. Uniforms shall not be modified

RULE 34: SALUTE TO THE FLAG:

- A. When uncased colors pass, officers in uniform will render a hand salute when wearing a uniform hat. When the officer is not wearing a uniform hat, the right



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hand will be placed over the heart. Like honors will be rendered at funerals, when the casket is draped with the American flag.

- B. Individually initiated salutes and honors will be rendered when the uncased colors approach within 10 paces and held until the colors have passed by a like distance. In a formation, officers will respond to the commands of “present arms” and “order arms” given by the officer in charge.

RULE 35: LEAVE:

- A. Employees requiring emergency leave or sick leave will notify the supervisor as soon as possible and at least thirty minutes prior to start of any shift.
- B. No employee shall abuse sick leave benefits by malingering or feigning illness to evade the performance of duties may lead to disciplinary action up to and including termination from employment.

RULE 36: MENTAL & PHYSICAL HEALTH:

- A. The Chief of Police may direct any person employed by the Department to be examined by a physician and/or psychologist/psychiatrist employed by the City, if a mental impairment or physical disability is suspected or discovered which could affect the employee’s work, could place other employees in danger, or endanger the public. Employees shall cooperate and participate in any examination so directed.
- B. If a disability or impairment is determined to be correctable; the employee shall be given a reasonable time to attempt to correct it. If the employee fails to take necessary corrective action, the employee shall be subject to disciplinary action up to and including termination from employment.
- C. If the disability is not correctable, the Chief of Police may ask the City Manager to attempt to place the employee in another position within the City or take steps to separate the employee through retirement or other appropriate measure.
- D. Sworn officers will participate in a yearly physical health assessment and a bi-annual mental health assessment as prescribed by Maryland State Law.

RULE 37: SERIOUS INJURY OR DEATH:

- A. Upon being notified of the serious injury/death of an employee on or off-duty, the on-duty shift supervisor shall ensure that immediate verbal notification is made to the Duty Commander, the Police Public Information Office. The Duty Commander shall inform the Chief of Police in addition, ensure the employee’s family member is notified.
- B. The shift supervisor shall also ensure that a written report containing all relevant information is forwarded to the Chief and the Police Public Information Office



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within one working day, if such death or injury occurred while the employee was on-duty.

- C. Any employee learning of the death or serious injury of another employee shall notify the on-duty supervisor immediately.

RULE 38: REPORT OF INJURIES:

Employees who sustain an injury either on or off duty shall promptly report it in writing to their supervisor. If the employee is incapacitated, the supervisor shall file the required report.

RULE 39: CONDUCT TOWARD SUBJECTS IN CUSTODY:

- A. Officers shall not speak or act in a manner intended to provoke or antagonize any prisoner or subject in a custodial situation.
- B. All persons in custody will be treated with dignity, firmness, fairness and caution.

RULE 40: POLITICAL ACTIVITIES:

Rules governing political activity are set forth in the City Charter and Code.

RULE 41: OFF-DUTY INVOLVEMENT IN POLICE MATTERS:

- A. In deciding a course of action during an incident encountered while off duty, officers shall use sound judgment, based on the nature of an incident, potential harm to citizens and/or the officer, whether or not the officer is armed, and the availability of on-duty units.
- B. If an officer decides not to become actively involved, he/she shall be expected to carefully observe the incident, summon police assistance at the earliest opportunity, and aid responding units in whatever manner is requested or directed.

RULE 42: VEHICLE OPERATION: EMERGENCY RESPONSE AND PURSUITS:

- A. Officers will not operate vehicles in a manner, which constitutes reckless disregard for the safety of persons and property when responding to any emergency or while engaged in a pursuit.
- B. Officers shall abide by all limitations in General Order 701 - Operation of Police Vehicles, and General Order 702 - Vehicle Pursuits.
- C. Officers will exercise due caution under adverse conditions such as darkness, rain or snow.
- D. All supervisors will pay particular and continuing attention to their subordinates' driving habits, employing counseling, training, or disciplinary action to ensure improper driving behavior is corrected.



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RULE 43: USE OF FORCE, DEADLY FORCE, AND THE MARYLAND USE OF FORCE STATUTE

- A. Each police officer shall sign an affirmative written sanctity of life pledge to respect every human life and act with compassion toward others.
- B. A police officer may not use force against a person unless, under the totality of the circumstances, the force is necessary and proportional to prevent an imminent threat of physical injury to a person or effectuate a legitimate law enforcement objective.
- C. A police officer shall cease the use of force as soon as the person on whom the force is used is under the officer's control, no longer poses an imminent threat of physical injury or death to the police officer or to another person, or the police officer determines that force will no longer accomplish a legitimate law enforcement objective.
- D. All officers will abide by the Maryland Use of Force Statute and General Order 617
- E. Officers are cautioned against deliberate blows to the head or spinal column. Such a blow may be administered only where a life is in imminent danger of death or serious physical injury.
- F. The carrying or use of any instrument as an offensive or defensive weapon, not specifically authorized or issued by the Department, is prohibited. However, officers may use any object as a weapon in a situation where no other alternative exists to stop an imminent threat of death or serious physical injury.
- G. Deadly force may be used to euthanize an injured animal or kill a dangerous animal.
- H. Firing of warning shots is prohibited under all circumstances.
- I. Following any use of force incident, officers will summon medical assistance as necessary.

RULE 44: THE CRIME OR INCIDENT SCENE:

- A. Incident Command - At the scene of any crime, accident or other major incident the first officer on scene will take command of the scene until a higher-ranking officer arrives and assumes command. Where two or more officers of equal rank are present, the officer whose primary assignment is most closely associated with the type of incident at hand will assume command.
- B. Stopping at Scene - No employee shall arbitrarily stop at or enter the scene of any crime or attempted crime under investigation by another employee, unless dispatched by radio or specifically assigned by a supervisor to assist. The



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presence of the Chief, supervisory personnel, and the Police Public Information Office are exceptions.

- C. Officers on scene who do not have a specific task or no longer serve a purpose at the scene will return to their normal duty assignment.
- D. Preserving Scene/Evidence: Officers shall exercise every possible precaution to avoid destruction or lessening of evidence when investigating an alleged crime. Officers will be held strictly accountable for preservation of the crime scene, and are prohibited from allowing unauthorized persons from entering the scene without express permission from the ranking supervisor at the scene.
- E. Search and Processing Evidence: Officers assigned to a crime scene are responsible for conducting a thorough crime scene search and for processing all physical evidence in accordance with Department procedures. Supervisors will in every case be responsible for ensuring that proper search and processing is accomplished.

RULE 45: HAZARDOUS CONDITIONS:

Employees shall be vigilant in observing conditions within Takoma Park, which may represent potential harm to the public. They shall report such conditions and take whatever immediate action is necessary to ensure the safety of the community.

RULE 46: REPORT PREPARATION:

- A. Officers shall submit all necessary reports in accordance with procedures established in the Report Manual.
- B. Reports will follow rules of grammar and be complete, accurate, and legible.
- C. Reports will be submitted prior to the end of each shift unless an extension is authorized by a supervisor.

RULE 47: DISPLAY OF FIREARMS:

- A. The display of a firearm can constitute a use or display of force. Officers are prohibited from displaying firearms unnecessarily or from drawing them in any place, public or private, except for the authorized purpose of inspection or cleaning, or in the official discharge of duties.
- B. Use of a firearm must be in accordance with law and departmental policy. Firearms will never be used merely as a means of intimidation.

RULE 48: ACCESS TO THE POLICE COMMUNICATIONS OFFICE:

General access is limited to personnel assigned to this component, and personnel authorized access by current directives and procedures, or by special permission of the Chief of Police.



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RULE 49: VICTIM ASSISTANCE:

In all crimes of violence, the investigating officer will:

- A. Render all possible aid to the victim
- B. Provide the victim with:
 - 1. The Department's Victim Assistance brochure, and
 - 2. The State Criminal Injuries Compensation brochure.
- C. Whenever possible, , the investigating officer or the Victim and Witness Coordinator should make a follow-up telephone call or visit the victim of a violent crime to ascertain whether additional assistance and/or referral to another agency is needed.

RULE 50: CHOKE HOLDS ARE PROHIBITED

Chokeholds are defined as:

- * an arm-hold around the neck, applying pressure;
- * pressure to a suspect's upper back and/or neck area while a suspect is prone, or
- * placing of the officer's knee(s) on the upper back or chest area near a suspect's neck,

and with the result of the action, either intended or otherwise, restricting the airflow of the individual.

Officers are prohibited from using chokeholds to restrain a suspect except where deadly force is needed; that is, when the life of an officer or another person is in imminent danger.

RULE 51: DUTY TO RESPOND:

In no case will employees attempt to screen telephone calls and as a result, make an independent decision not to respond to a call requesting police assistance. As soon as needed information is obtained, a unit will be dispatched to the scene. Officers dispatched or directed to respond to an incident will respond to the scene to assess the need for police assistance, unless the call is handled by another officer on the scene prior to their arrival.

RULE 52: DUTY TO REPORT:

Employees are required to expeditiously report direct knowledge of incidents involving excessive force, other unlawful acts, ethical violations, and violations of this General Order either directly to the police chief, to the chief through the chain of command, to the chief by some other supervisory personnel, or through the EEO complaint process as described elsewhere in the General Orders. There is a duty to report even if intervention prevented or reduced the violation. Examples of direct knowledge include, but may not be limited to, witnessing an event, receiving an admission, receiving a complaint, receiving information from a witness, or obtaining direct evidence of a violation



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RULE 53: DUTY TO INTERVENE

Each department member has the individual responsibility to intervene and attempt to stop any other member from committing an unlawful or improper act, including but not limited to, acts of brutality, abuses of process, abuses of authority, and any other criminal acts or violations of department rules and procedures. Successful intervention does not negate a duty to report.

RULE 54: SUPERVISORY DUTY TO ACT

In addition to any other duty under the rules herein, upon becoming aware of a violation(s) of the Rules, General Orders or other directives of the department, or of violation of local, state, or federal law, being committed by an employee or employees, supervisors shall have the duty to:

- A. Ensure that any dangerous or illegal condition is abated as soon as possible,
- B. Take corrective action with regard to an employee under his/her supervision when the supervisor knows or should have known of any form of neglect of duty or misconduct,
- C. Ensure that any report of the infractions is appropriately documented and forwarded either through the chain of command or to the responsible authority,
- D. Ensure that victims/complainants are informed of their rights under law and this department's procedures.