



SHOREWOOD HILLS POLICE DEPARTMENT STANDARD OPERATING PROCEDURES

Code of Conduct

Purpose

To give practical meaning to our Mission, Vision, and Values by setting forth for all members of the Shorewood Hills Police Department (SHPD) articulated codes of conduct and ethics that encompass and describe expectations of behavior and conduct, both on duty and off duty.

Introduction

The following rules are intended to regulate the general conduct of all sworn members of the SHPD in all areas and under all circumstances. These rules form the basic framework of discipline and regulate the expected and accepted behavior of members. The rules contained herein are inherently rigid because they deal with the basic character of police responsibility and authority. The breach of these rules directly reflects upon the integrity of the department and all persons connected with it.

Complete and absolute adherence is, of course, impossible because of the infinite number of factors governing the many facets of police work. Whenever there is doubt as to the meaning or intent of a rule, members should seek interpretation or explanation. In cases not covered by specific rules, members must exercise sound judgment and discretion. These rules require strict compliance by all members. These rules and regulations are as complete and comprehensive as it is possible to make them in view of the many varying circumstances which make specific instructions to cover every conceivable situation practically impossible.

For the purposes of this policy, the term member(s) shall apply to all department employees, and the term officer(s) shall only apply to sworn employees.

- All members of the SHPD will become thoroughly familiar with, and shall comply with all department orders, rules, regulations, policies, procedures, and directives in the performance of assigned duties.
- Members are subject to disciplinary action for the commission of any act that is prohibited or the omission of any act that is required. Non-compliance with any order, rule, regulation, policy, procedure, or directive may also result in disciplinary action.

Oath

All personnel hired as police officers with the Shorewood Hills Police Department will, prior to assuming duty, be administered the Oath of Honor and the Oath of Office by the Chief of Police.

Oath of Honor

On my honor, I will never betray my integrity, my character, or the public trust. I will treat all individuals with dignity and respect and ensure that my actions are dedicated to the safety of my community and the preservation of human life. I will always have the courage to hold myself and others accountable for our actions. I will always maintain the highest ethical standards and uphold the values of my department and my community.

Oath of Office

I, (insert name), having been duly appointed police officer in and for the Village of Shorewood Hills, Dane County, Wisconsin, do solemnly swear that I will support the constitution of the United States, and the Constitution of the State of Wisconsin, and will faithfully discharge the duties of my position to the best of my ability.

Law Enforcement Code of Ethics

The "Law Enforcement Code of Ethics," adopted from the International Association of Chiefs of Police, will serve as the basic standard of principle and professional behavior for officers of the SHPD.

As a Law Enforcement Officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice, or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession... law enforcement.

RULES OF CONDUCT

The following Rules of Conduct shall apply to all sworn officers, and where applicable, to all members of the SHPD.

Conformance to Law

All officers, on or off duty, shall obey the laws of the United States and of any state and local jurisdiction in which they are present. No officer shall commit an intentional breach of an order of a court. A conviction for a felony or any offense punishable by incarceration shall be prima facie evidence of a violation of this rule.

Use of Force

No officer shall, while on or off duty, use or participate in the use of excessive force against any person; or engage in any unjustified physical assault against any person, including the use of oleoresin capsicum (pepper) spray or a Taser; nor shall they use insulting, unjustifiably threatening words or gestures to any person while on duty. Officers shall always act within the standards for use of force as stated in the SOP titled "Use of Force."

Duty to Report Noncompliant Use of Force

Officers who, during their law enforcement duties, witnesses another law enforcement officer use force that does not comply with WI SS 175.44(2)(b) or (c) in the course of that law enforcement officer's official duties shall report the noncompliant use of force as soon as is practicable after the occurrence of the use of such force. If multiple officers witness that noncompliant action, each must report it. This report must be made to the officer's immediate supervisor. This report shall be made in writing and shall be a separate report from any others.

Duty to Intervene

Officers shall, without regard for the chain of command, intervene to prevent or stop another law enforcement officer from what they believe to be a violation of constitutional rights or from using force that does not comply with the standards set under WI SS 175.44(2)(b) or (c) if the officer observes a use of force that does not comply with the standards, and the circumstances are such that it is safe for the officer to intervene. An officer that intervenes as required shall report the intervention to his or her immediate supervisor as soon as is practicable after the occurrence. This duty applies to officers regardless of duty status or location. Off-duty officers should consider whether they are in their own jurisdiction, if they are immediately recognizable as a law enforcement officer, if the observed use of force is in the context of an ongoing tactical situation, and if the officer's intervention is likely to escalate the situation when they evaluate if it is safe to intervene.

Protection for Reporting and/or Intervening

No SHPD employee may be discharged, disciplined, demoted, or denied promotion, transfer, or reassignment, or otherwise discriminated against in regard to employment, or threatened with any such treatment, because the employee reported or is believed to have reported any noncompliant use of force or intervened to stop any noncompliant use of force or other violation as required, or initiated, participated in, or testified in any action or proceeding regarding that report or intervention.

Carrying and Display of Firearms

Officers shall carry firearms in accordance with the law and established departmental procedures. Officers shall not unlawfully or unnecessarily use or display a firearm or use a weapon not in conformity with applicable policies or directives.

Sexual Harassment

No member shall sexually harass any employee of the Village or any citizen they come in contact with. Sexual harassment is described as unwelcome sexual advances, requests for sexual favors and other verbal, visual, or physical conduct of a sexual nature. Sexual conduct that unreasonably interferes with an individual's work or performance, or creates an intimidating, hostile, or offensive environment for work constitutes sexual harassment. Refer to SOP titled "Harassment in the Workplace."

Unbecoming Conduct

Officers will always conduct themselves, both on and off duty, so as not to reflect disfavor on the department. Conduct unbecoming an officer shall include that which brings the department into disrepute or reflects discredit upon the officer as a member of the department, or that which impairs the operation or efficiency of the department or officer.

Immoral Conduct

Officers shall not participate in any incident involving moral turpitude which impairs their ability to perform as law enforcement officers or causes the department to be brought into disrepute.

Insubordination

No member of the SHPD shall refuse or fail to obey a lawful order or directive from the Chief of Police or a supervisor refuse or fail to obey an order or directive relayed from the Chief or supervisor by an employee of the same or lesser rank.

No member shall exhibit disrespectful conduct toward a commanding officer or supervisor by acts or omissions to act or by language, which detracts from the respect due the authority and person of the commanding officer or supervisor.

Members of the department must cooperate in any official internal investigation of alleged misconduct, illegal activity, or impropriety. Failure to answer questions or submit to proper investigative techniques constitutes insubordination.

Conflicting Orders

Officers who are given an otherwise lawful order which conflicts with a previous order, rule, regulation, or directive shall respectfully inform the superior officer issuing the order of the conflict. If the superior officer issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior officer. Officers shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued.

Neglect of Duty

SHPD employees shall not engage in any activities or personal business that would cause them to neglect or be inattentive to duty. Members may be violation of this rule for:

- Intentional failure to take necessary police action and/or failure to make a written report.
- Failure to properly patrol their area and make necessary reports.
- Failure to properly complete an investigation and make necessary reports.
- Failure to appear for court or a hearing when duly notified or subpoenaed.
- Failure to respond to a radio call.
- Allowing a prisoner to escape through carelessness or neglect.
- Failure to search for, collect and preserve, and identify evidence of persons, property and locations in any arrest or investigation.

Supervisory Neglect of Duty

Supervisors may be in violation of this rule for:

- Failure to properly perform assigned or required supervisory responsibilities.
- Failure to ensure subordinates perform assigned or required duties.
- Failure to investigate or report actual or alleged incidents of misconduct or violations of department orders.
- Failure to insure proper care of department property or equipment.
- Failure to advise employee of grievance and appeal process or to apprise superiors of pending or reported grievances.
- Misuse or abuse of supervisory authority or privilege.

Leaving Duty Post

Officers shall not leave their assigned duty posts during a tour of duty except when authorized by proper authority or in case of an emergency where prior consultation with a commanding officer or supervisor is impossible.

Sleeping on Duty

Members shall remain awake while on duty. If unable to do so, they shall so report to their commanding officer or supervisor, who shall determine the proper course of action.

Official Reports

No member shall fail to write and file required complete reports, supplements, or memorandums as soon as possible after the event. Nor shall any member fail to file original or subsequent reports upon the order of a commanding officer or supervisor. Reports will be completed at the time of the event unless permission to postpone the completed report is obtained from a supervisor. Clerical and grammatical errors and inaccuracies in names and addresses in communications and reports should be carefully avoided.

Unsatisfactory Performance

Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the department.

Unsatisfactory performance may be demonstrated by:

- A lack of knowledge of the application of laws required to be enforced.
- An unwillingness or inability to perform assigned tasks.
- The failure to conform to work standards established for the member's rank, grade, or position.
- The failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving department attention.
- An absence without leave.

False Reporting

No member shall make a false written or verbal official report, or knowingly or willingly enter or cause to be entered into any department report, record, application, interview, or hearing, any inaccurate, false, or improper information or knowingly make an inaccurate or false verbal report to a fellow or superior officer.

Members shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department which may be asked of them. They shall not make any false statements.

No member shall make any false sick or injury report.

This rule covers both express falsity and withholding of complete information known to the reporter.

Truthfulness

Members are required to always speak the truth and under all circumstances, whether under oath or otherwise, except in cases where they are not allowed by the rules of the department to divulge the facts within their knowledge. Officers shall not make false accusations of a criminal or traffic charge.

Computer Systems

No member shall access, in any way, any computer program, directory, file, or application unless authorized. No member shall use another member's computer login name, security password, or other unique identifier. Also refer to the SOP titled "Computer Protocol," and the SOP titled "TIME System Policy." This rule does not apply to authorized computer system administrators engaged in their official duties.

Misappropriation

No member shall keep, transfer, retain, or convert to his/her own use, any property of the Village of Shorewood Hills or property held by the department unless authorized by the Chief of Police.

Misuse of Evidence/Property

No Officer shall fail to inventory and process recovered property in conformity with department policies and procedures. Members shall not convert to their use, manufacture, conceal, destroy, remove, tamper with, or withhold any property seized, found, or turned into the department except in conformance with policy, ordinance, or directive.

Gratuities, Gifts, Bribes, Rewards

No member shall solicit or accept, directly or indirectly, any gratuity, fee, reward, gift, or other compensation for services rendered as a department member as a condition of rendering such service, or as a condition for not performing required duties as part of their employment with the department. No member shall accept or solicit a bribe or gratuity for permitting an illegal act. No member of the department shall solicit anything of value for the department without the permission of the Chief.

Reporting for Duty

Members shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties.

- Judicial subpoenas shall constitute an order to report for duty under this section.
- Habitual tardiness shall constitute a violation of this rule.
- Officers while off-duty shall report to the station within one (1) hour of receiving notice of recall or order to report. (It shall **not** be a violation of this sub-section if an Officer fails to report for duty within one (1) hour, due to an emergency or other circumstance beyond the officer's control.)

Off-Duty Conduct

Officers shall have regular hours assigned to them for duty, and when not so employed they shall be considered off-duty. However, they shall always be subject to duty by order of the Chief or his/her designee. Officers, while off duty, shall refrain from consuming intoxicating beverages to the extent that it constitutes a violation of the laws of the State of Wisconsin or ordinances adopted in conformity therewith. It is a violation of this rule to use alcoholic beverages off-duty while armed with a firearm or off-duty while in uniform and in a public place.

Use of Alcohol and/or Illegal Drugs On-Duty

No member shall report for duty while under the influence of an intoxicating beverage and/or illegal drug, or use intoxicating beverages and/or illegal drugs, at any time while on duty. The Chief may authorize reasonable exceptions to this rule for bona fide law enforcement investigative purposes.

Alcoholic Beverages and Drugs in Police Facilities

Members shall not store, or bring into any police facility or vehicle, alcoholic beverages, controlled substances, narcotics, or hallucinogens, except those that are taken and held as evidence.

Drug Use/Abuse

Members shall not possess or use any controlled substances, narcotics, hallucinogens, or prescription medications, except when prescribed in the treatment of members by a physician or dentist. No member shall abuse any legally prescribed drug or controlled substance on or off duty or use/abuse any non-prescribed drug. (This section does not apply to over-the-counter medications.) No member shall use any controlled substance, or possess any controlled substance, on or off duty except during authorized

police duty, or except as prescribed for medication during an illness. Officers shall report to a commanding officer or supervisor the use of prescription medicine that may adversely affect their ability to perform their duty in any way prior to reporting for duty.

Self-Reporting of Arrest

Members shall promptly submit a written report that any employee, including oneself, has been arrested or is under investigation for a criminal offense by an agency other than the SHPD.

Driver's License Requirement

Officers shall maintain a valid Wisconsin driver's license for employment purposes and shall report the loss of such privilege immediately to the Chief of Police.

Courtesy to Public

All members shall be courteous to the public and be tactful in the performance of their duties, control their tempers, and exercise the utmost patience and discretion, even in the face of extreme provocation. When any person requests assistance or advice or makes a complaint or reports either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon consistent with established department procedures.

Citizen Complaints

Officers shall courteously and promptly record in writing any complaint made by a citizen against any member of the department. Officers may attempt to resolve the complaint but shall never attempt to dissuade any citizen from lodging a complaint against any member or the department. Members shall follow established departmental procedures for processing complaints. See SOP titled "Citizen Complaints."

Identification

Officers shall always carry their identification cards while on duty or carrying a weapon off duty under department authority, except when impractical or dangerous to their safety or to an investigation. They shall furnish their name to any person requesting that information, when they are on duty or while acting in an official capacity, except when the withholding of such information is necessary for the performance of police duties or is authorized by proper authority.

Directions from Dispatch

Officers shall respond to the instructions, directions or assignments received via dispatch. No Officer shall unnecessarily interfere in, or with, instructions, directions or assignments given other members via dispatch.

Testimony

No member shall fail to testify or give evidence before any grand jury, John Doe probe, medical examiner's inquiry, coroner's inquest, court of law, or before any investigative agency of a governmental body if the testimony is a direct result of the action(s) or observation(s) by the member while on duty.

Dissemination of Information

Members shall treat the official business of the department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established department procedures. Members shall not divulge the identity of persons giving confidential information except as authorized by proper authority.

Public Statements and Appearances

Officers shall not publicly criticize or ridicule the department, its policies, or other officers by speech, writing, or other expression, where such speech, writing, or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.

Officers shall not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents for a newspaper or a periodical, release or divulge investigative information, or any other matters of the department while holding themselves out as representing the department in such matters without proper authority. Officers may lecture on "police" or other related subjects only with the prior approval of the Chief.

Civil Action

Members shall not commence civil action for damages sustained while on duty without notifying the Chief of Police. Members of the department shall not serve civil process; neither shall they render assistance in civil cases, except when the Village of Shorewood Hills is a party.

Search Warrants

Officers shall not apply for any search warrant or other warrant, nor serve any such warrants, without the knowledge and approval of a supervisor. This section does not apply to search warrants obtained as part of an OWI investigation, or arrest warrants found during routine data checks of persons. Officers of the Shorewood Hills Police Department **shall not** apply for "No-knock" warrants.

Abuse of Position

Officers shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief.

Officers shall not authorize the use of their names, photographs, or official titles which identify them as officers, in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief.

Officers shall not use their official position, official identification cards, or badges for:

- Personal or financial gain.
- Obtaining privileges not otherwise available to them except in the performance of duty.
- Avoiding the consequences of illegal acts.

Association with Criminals/Organizations

Officers shall not have regular or continuous associations with persons whom they know, or should know, are the subject of an ongoing criminal investigation or pending criminal charges, or have been previously convicted of a crime, except as necessary in the performance of official duties, or where unavoidable because of other family relationships of the officers.

Officers shall not join any organization, the object of which is either directly or indirectly to interfere with the established government by force or illegal means.

Visiting Prohibited Establishments

Officers shall not knowingly visit, enter, or frequent a house of prostitution or establishment wherein the laws of the United States, the state, or the local jurisdiction are regularly violated except in the performance of duty or while acting under proper and specific orders from a superior officer.

Gambling

Officers shall not engage or participate in any form of illegal gambling at any time, except in the performance of duty and while acting under proper and specific orders from a supervisor.

Payment of Debts

Officers shall not undertake any financial obligations which they know they will be unable to meet and shall pay all just debts when due. An isolated instance of financial irresponsibility will not be grounds for discipline except in unusually severe cases. However, repeated instances of financial difficulty may be cause for disciplinary action. Filing for a voluntary bankruptcy petition shall not, by itself, be cause for discipline. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline, provided that good faith effort to settle all accounts is being undertaken. Officers shall not co-sign a note for any superior officer.

Financial Disclosure

Upon the order of the Chief of Police or his/her designee, officers will submit financial disclosure statements in accordance with state and federal laws. This information may be requested upon filing of a complaint in which this information is material to the investigation.

Interference

Officers shall not interfere with cases being handled by other officers or by any other governmental agency unless:

- Ordered to intervene by a superior officer.
- The intervening officer believes beyond a reasonable doubt that an obvious injustice would result from failure to take immediate action.

Officers shall not undertake any investigation or other official action not part of their regular duties without obtaining permission from a supervisor unless the exigencies of the situation require immediate police action.

Members 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 who has suffered by his/her act, with a view of permitting such criminal or other person to escape the penalty of the law; nor shall they seek to obtain any continuance of any trial in court out of friendship for the defendant, or otherwise interfere with the courts of justice.

- Any member having knowledge concerning such compromise or arrangement and failing to inform his/her supervisor shall be subject to charges.

Political Activity

Officers shall be permitted to:

- Register and vote in any election.
- Express opinions as individuals privately and publicly on political issues and candidates.
- Attend political conventions, rallies, fund raising functions and similar political gatherings.
- Actively engage in any nonpartisan political functions.
- Sign political petitions as individuals.
- Make financial contributions to political organizations.
- Serve as election judges or clerks or in a similar position to perform nonpartisan duties as prescribed by state or local law.
- Hold membership in a political party and participate in its functions to the extent consistent with the law and consistent with this section.

- Otherwise participate fully in public affairs, except as provided by law, to the extent that such endeavors do not impair the neutral and efficient performance of official duties or create real or apparent conflicts of interest.

Officers are prohibited from:

- Using their official capacity to influence, interfere with or affect the results of an election.

Candidate for Public Office

Officers shall be permitted to be candidates for public office. An officer shall be considered to have become a candidate for public office upon the occurrence of any of the following:

- The taking out of nomination papers.
- The circulation of nomination papers.
- Registration as a candidate, a statement of candidacy by the employee.
- Other matters of probative value.

The officer will be considered to have resigned from employment as of noon the day after the election if the officer wins the election and assumes office. Failure of the officer to take those steps necessary to complete the resignation process will result in discharge proceedings.

Labor Activity

Members shall have the right to join labor organizations, but nothing shall compel the department to recognize or to engage in collective bargaining with any such labor organizations except as provided by law. Members shall not institute, authorize, participate in, sanction, encourage, or ratify any strike, work stoppage, work slowdown, or other concerted refusal to perform enforcement of municipal or state laws during their employment with the department.

Vehicle Operation

Members shall operate official vehicles in a careful and prudent manner and shall obey all laws and all departmental orders pertaining to such operation.

Suspension or revocation of any member's driving privileges shall be reported immediately to the Chief of Police.

Department Equipment

Members shall utilize department equipment only for its intended purpose, in accordance with established department procedures, and shall not lose, abuse, damage, neglect, or wrongfully dispose of any equipment. All department equipment issued to members shall be maintained in proper order. Members shall not lend to another person their badges or identification cards or reproduces them in any way.

No member shall use, possess, or duplicate any departmental key without permission of the Chief.

Whenever any member of the department terminates employment, he/she shall surrender to the Chief or his/her designee, all property belonging to the department.

Persons in Custody

No member shall, while on duty or off, conduct any personal business whatsoever with any person who is in the custody of this department. No member shall attempt to negotiate a release or reduction of penalty for any prisoner in departmental custody because of friendship, relationship to the accused, personal gain, or any other reason. No member shall recommend to any person in departmental custody

any specific attorney for employment as counsel, nor shall they interfere with the employment of any attorney.

Treatment of Persons in Custody

Officers shall not mistreat persons who are in their custody. Officers shall handle such persons in accordance with law and department procedures.

Defacement of Notices

No member shall mark, alter, mar, change, deface or remove without permission any printed matter or written notices, memoranda, order, or directive posted within the confines or under the control of the department.

Personal Appearance

Officers on duty shall wear uniforms or other clothing in accordance with established department procedures.

- Members will strive to maintain high standards of personal appearance and hygiene. Clothing and personal equipment will be clean and in good repair.
- Proper business attire, as prescribed by the Chief of Police, shall be worn at all times.
- Only authorized personal property or equipment may be utilized while on duty.
- Officers may wear items of jewelry providing the items are discreet and do not expose the wearer to undue risk or hazard.
- Officers shall conform to the established procedures for hair style as outlined in department policy.

Use of Tobacco

Tobacco may be used only in designated station areas. Officers, when in uniform, may use tobacco if:

- They are not in formation.
- They are not engaged in traffic control.
- They are not in direct contact with the public.

Personal Information and Residency

Members of the department are not required to reside in the Village of Shorewood Hills. Notification of changes in address, domestic status, or telephone number must be made within twenty-four (24) hours after making such changes by promptly submitting such information to a supervisor.

End.

Initial: 03/10/2014
Revised: 11/01/2018
Revised: 03/27/2022