



# Ocean City Police Department

## General Order

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<b>References:</b> Md. Public Ethics Laws, Ann. Code of Md., St. Gov't. Article §15-101, <i>et seq</i> Md. Law Enforcement Officers' Bill of Rights Public Safety Article 3-101, <i>et seq</i> IACP Law Enforcement Code of Conduct			

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**I. Purpose:**

The purpose of this Policy is to define the Department's mission, the police values important for effective law enforcement, and the general parameters of ethical conduct that is expected of all sworn employees, both on and off-duty.

**II. Definitions:**

- A. **Corrupt Practices:** Conduct by sworn employees that involves profiting from their misuse of authority of office, usually for personal gain for themselves or others, including bribery, extortion, fraud and perjury.
- B. **Gratuities:** Gifts, advantages or favors, solicited or unsolicited, by sworn employees of any rank, from a citizen or other public official, that may tend to influence or compromise the member's duty performance, so that future considerations may be reasonably expected by the citizen-benefactor; a *quid-pro-quo* arrangement.
- C. **Noble Cause Corruption:** Engaging in misconduct or committing a criminal act, in the belief that the end result will justify their actions, by bringing about some "greater good."
- D. **Malfeasance:** The intentional commission of a prohibited act.
- E. **Misfeasance:** The improper performance of a required act.
- F. **Nonfeasance:** Failure to perform a required act.

**III. Policy:**

Sworn employees will perform their professional duties competently and conscientiously in full accordance with the law as well as the Department's rules, regulations and value statement. Sworn employees, while on-duty, will uniformly treat private citizens in a civil and equitable manner, regardless of the circumstances of the citizen contact or citizen's status. Sworn employees will conduct their off-duty personal lives in a mature, law-abiding and exemplary manner which is becoming of a law enforcement officer and which does not bring the department into disrepute. The provisions of the I.A.C.P. Law Enforcement Code of Conduct and Law Enforcement Code of Ethics describes the general expectations of the Department.

**IV. Guiding Principles:**

- A. Sworn employees are personally and professionally responsible for compliance with all laws and the Department's rules and regulations and shall not consider themselves exempt from any law or regulation based on any situational basis, either while on-duty or off-duty.
- B. Sworn employees shall not engage in any conduct, either on or off-duty, that might discredit themselves or the Department. Police misconduct is impropriety in public office, either by commission or omission and includes malfeasance, misfeasance, and nonfeasance

- C. Sworn employees are responsible for their actions, both on and off-duty, and they are required to fully cooperate with any official inquiry into their work performance and behavior.
- D. Sworn employees shall treat other Department personnel, both sworn and non-sworn, in a civil, professional and collegial manner. Harassment and discrimination, either in or out of the workplace, directed at either coworkers or private citizens, is expressly prohibited.
- E. Sworn employees shall not accept gratuities. This proscription applies to all sworn ranks and positions with no exceptions.
- F. All sworn employees shall avoid any possible conflicts of interest which might discredit themselves or the Department.
- G. Corrupt practices, regardless of any presumed "noble cause intent," are prohibited and will not be tolerated on the part of any sworn employee.
- H. Sworn employees can use any reasonable means to protect themselves or to effect compliance with a lawful enforcement action. Excessive use of force is strictly prohibited.
- I. Sworn employees shall be constantly cognizant of the unique role that discretion plays in their authority as law enforcement officers, along with its corollary of confidentiality with regard to both department matters and the public's right to privacy.

**V. Agency Mission Statement**

The Ocean City Police Department shall provide the highest degree of ethical behavior, professional conduct and quality police services to all residents and visitors.

**VI. Organizational Values**

- A. Values are beliefs held in such high esteem that they noticeably affect the way a person thinks and acts. Recognizing organizational values is the first step toward maintaining professional standards.
- B. Police values set forth the beliefs, precepts and values of the Department. The following is a statement of those guiding principles:
  - 1. Principles of Democracy: The police must not only respect, but also protect the rights guaranteed each citizen under the Constitution.
  - 2. Accountability: The Department is accountable to a higher authority and the community it serves. The Department is not an entity unto itself, but a part of government and exists only for the purpose of serving the public to which it must be accountable.

3. **Crime Prevention and Impartial Enforcement:** The Department's primary missions are the prevention of crime and improving the quality of life for the citizens it serves.
4. **Professionalism:** The Department is guided by the Law Enforcement Code of Ethics and it shall maintain a system designed to assure the highest level of discipline among its employees
5. **Integrity:** Society invests in the police its highest level of trust. Each employee of the Department shall recognize that he/she is held to a higher standard than the private citizen. Their conduct, both on and off-duty, must be beyond reproach. There must not even be a perception in the public's mind that the department's ethics are open to question.
6. **Trust and Respect:** Employees shall treat each other with mutual trust, fairness and dignity in their effort to accomplish the Department's mission. The Department's employees are its most valuable resource. Respectful internal attitudes enhance morale and encourage similar relationships with the public.

**VII. Law Enforcement Code of Conduct:**

As part of this policy, the Department has adopted the I.A.C.P. Law Enforcement Code of Conduct as the foundation for expected conduct and behavior by employees.

**A. Primary Responsibilities of a Police Officer**

A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community, safeguarding lives and property, protecting the innocent, keeping the peace and ensuring the rights of all to liberty, equality and justice.

**B. Performance of the Duties of a Police Officer**

A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally with courtesy, consideration and dignity.

Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

C. Discretion

A police officer will use responsibly the discretion vested in his position and exercise it within the law. The principle of reasonableness will guide the officer's determinations, and the officer will consider all surrounding circumstances in determining whether any legal action shall be taken.

Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice rather than arrest-which may be correct in appropriate circumstances-can be a more effective means of achieving a desired end.

D. Use of Force

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances. The use of force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

E. Confidentiality

Whatever a police officer sees, hears or learns of that is of a confidential nature will be kept secret unless the performance of duty or legal provision requires otherwise. Members of the public have a right to security and privacy, and information obtained about them must not be improperly divulged.

F. Integrity

A police officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers. The public demands that the integrity of police officers be above reproach. Police officers must, therefore, avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept any gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law. Police officers must not receive private or special advantage from their official status. Respect from the public cannot be bought, it can only be earned and cultivated.

G. Cooperation with Other Police Officers and Agencies

Police officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative that a police officer assist colleagues fully and completely with respect and consideration at all times.

H. Personal-Professional Capabilities

Police officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence. Through study and experience, a police officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

I. Private Life

Police officers will behave in a manner that does not bring discredit to their agencies or themselves. A police officer's character and conduct while off duty must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.

**VIII. Law Enforcement Code of Ethics:**

The Department recognizes the established Code of Ethics endorsed by the International Association of Chiefs of Police and adopts these principles as expected conduct and behavior for its sworn employees. The Code of Ethics establishes:

- A. 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 men to liberty, equality and justice.
- B. 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 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 in both 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.

- C. 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.
- D. 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 the police service.
- E. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession ... law enforcement. 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.
- F. 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.