

**NEW SMYRNA BEACH POLICE DEPARTMENT
NEW SMYRNA BEACH, FLORIDA**

POLICY AND PROCEDURE DIRECTIVE

TITLE: STANDARDS OF CONDUCT

NUMBER: 7-2

EFFECTIVE: 9/16

REFERENCE:

RESCINDS/ AMENDS: 1-7-09

REVISED: 10/21

ATTACHMENTS: [City of NSB Personnel Polices and Procedures.pdf](#)
[IUPA Contract 2019 - 2022 Year 2 fully executed Nov 2020.pdf](#)
[FSS 934](#)
[FSS 943](#)
[FSS 112.533.html](#)
[FSS 837](#)
[Section 703 title-vii-civil-rights-act-1964](#)

A. PURPOSE

The purpose of this directive is to establish guidelines governing the actions and behavior of members of the New Smyrna Beach Police Department.

Because misconduct by members of the Department weakens the Department’s effectiveness and erodes public trust, the New Smyrna Beach Police Department (NSBPD) shall promote proper conduct among its members by establishing written guidelines to create a standard of professional conduct. Consequently, any violation of this Directive or City policy can bring disciplinary action that may extend to and include dismissal from employment. However, this policy statement does not prohibit the disciplining of members merely because an alleged act or omission does not specifically appear in the City Personnel Code or the department’s written directive system.

This written directive identifies certain general and specific conduct that is prohibited for members of the Department. If a particular subject or offense is not addressed in this written directive, the reader should consult the [City of New Smyrna Beach Personnel Policies and Procedures](#) or the [IUPA Collective Bargaining Union Labor Agreement](#) for direction.

Additionally, this directive prescribes eight principals of officer conduct and a code of ethics that all members shall abide by.

B. DISCUSSION

It is necessary to have a formal set of rules and regulations to uniformly govern the actions of an organization charged with the responsibility of keeping law and order. Naturally, certain common sense rules of conduct will not be spelled out herein, as any knowledgeable person would be aware of them and would comply with same.

In the performance of duty to serve society, a police officer is often called upon to make difficult decisions. Discretion must be exercised in situations where the officer’s rights, liabilities, and those of the Department hinge upon good conduct and sound judgment. An officer's decisions are not easily made, and occasionally involve a choice, which may cause personal hardship or discomfort.

Sworn members are required to take the Oath of Office to enforce the laws and uphold both the state and national constitutions. Members are expected to remain faithful to the oath, the principles of professional police service, and the objectives of the Department. Personal motives must not be allowed to influence decisions and conduct in the discharge of duty.

C. POLICY

7.2.1 It shall be the policy of the NSBPD that members maintain control of temper, patience, and discretion. They shall not engage in any conduct which constitutes neglect of duty or which is likely to adversely affect the good order, discipline, or reputation of the Department, even though such conduct may not be specifically set forth in this directive.

7.2.2 Officers employed by the City of New Smyrna Beach shall be required to be observant for violations of state statutes and city ordinances, and upon observing any such violation shall be required to initiate appropriate enforcement procedures.

7.2.3 Any officer failing to perform his or her lawful duties faces disciplinary action to include suspension, reduction in rank, and/or dismissal.

7.2.4 The Department shall maintain a Policy and Procedure Directive Manual that will establish guidelines for actions, expectations, job performance and accepted behavior for all members of the Department.

1. All department members shall have access to the Written Directive Manual. The Manual shall contain the Department's rules and regulations, the code of conduct and appearance guidelines. The Manual is added to Power DMS and agency Directive file within the network that is available to both sworn and non-sworn members. Members are also encouraged to obtain a copy of the directive manual to load onto personal computers.

D. PROHIBITED ACTS/ CONDUCT

7.2.5 Any member of City of New Smyrna Beach who knowingly violates any of the provisions of this section is subject to disciplinary action, up to and to include, dismissal from their position in the city's service.

7.2.6 No person shall make any false statement, certificate, mark, rating or report with regard to any test, certification or appointment made under any provisions of these rules and regulations or in any manner commit or attempt to commit any fraud preventing the impartial execution of these rules.

7.2.7 Surreptitious recordings (audio/video) cannot be made without permission of the Chief of Police. Surreptitious recordings shall be considered a serious Group III violation of the [City's Personnel Policies, Section X](#) as well as a criminal violation of [Florida State Statute \(FSS\) Chapter 934](#). Members may record meetings only after informing all parties that a recording will be made.

1. Any investigation which requires surreptitious recordings may be made by members only after receiving permission from the commander of their unit/division or the Chief of Police. Audio/video recordings that are made in compliance with both [FSS 934 and FSS 943](#) will not be considered a violation of this written directive.

7.2.8 Members shall not make derogatory remarks concerning race, sex, religion, age, sexual orientation, or national origin of any person.

7.2.9 Members shall not use their official position to harass, threaten, or coerce any person.

7.2.10 Members shall not engage in conduct as defined by [Sec. 703, Title VII of the Civil Rights Act of 1964](#), "sexual harassment".

7.2.11 Members shall not knowingly harbor a serious communicable disease that may endanger others or knowingly expose others to serious communicable disease.

7.2.12 Members are prohibited from participating in games of chances while on duty in uniform. Members are not precluded from participating in donations/raffles sponsored by officially recognized charitable or tax exempt organizations and/or sponsored benefits.

7.2.13 Officers shall not enter or remain within an official polling place without permission from elections officials except to cast a ballot or in performance of their official duties.

7.2.14 Members shall avoid regular or continuous association or dealings with persons who they know or should know who are under criminal investigation or indictments, or persons who have a criminal or immoral reputation in the community, except as necessary in the performance of official duties. Immediate family members are exempt from this provision, providing the situation is immediately reported to the Chief of Police or designee.

7.2.15 Members shall not knowingly associate with any person or organization that advocates, or is instrumental in fostering, hatred or persecution of any person or group of persons, nor shall they knowingly associate with any person or group that advocates the overthrow of the United States Government. (Does not include those members engaged in the investigation of said groups.)

7.2.16 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 and in accordance with established procedures. Members may remove or copy official records or reports only in accordance to established procedures.

1. Members shall maintain the security of confidential information, and shall not intentionally communicate or give law enforcement information to another which may aid a person to escape arrest, delay the apprehension of a criminal suspect, and secure the removal of stolen or embezzled goods, money or other property. Members shall not intentionally divulge the identity of criminal informants except as required by law and authorized by competent authority.

7.2.17 Members shall protect the identity of officers engaged in covert operations, and shall not intentionally expose the identity or occupation of officers engaged in covert operations. Members shall not recognize or greet plainclothes officers unless greeted first.

7.2.18 The home addresses, telephone numbers, or photographs of any member of a law enforcement agency (active or retired), the place of employment of their spouses or children, and the names and addresses of their children's school is confidential information. Such information shall be released only when authorized by competent authority, or with consent of the personnel concerned.

7.2.19 Members shall report to their supervisor any rumors that may affect the reputation and integrity of the agency or members. Supervisors hearing rumors or gossip shall take immediate action to stop or prevent the continual spreading of rumors or gossip. Members who precipitate in rumors may be subject to disciplinary action.

7.2.20 No member of the immediate family of an employee may be employed, promoted, demoted or transferred on a permanent or temporary basis, to a position where that relative would be supervised by or supervising, influenced by or influencing, the activities of that employee.

1. Immediate family is defined as blood, marital or step relative including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister or any ward of an employee living within the same household.

7.2.21 Members should not, directly or indirectly, use or allow the use of City property of any kind for other than for official activities, unless appropriately authorized.

7.2.22 An employee's financial affairs are the employee's personal business. The city will not act as a collection agent for an employee or for collection agencies. However, should complaints concerning an employee's failure to meet financial obligation result in the interference with the employee's job performance or loss of time and effort on the part of the personnel office or other city employees, the employee concerned shall be informed. Should the condition continue, the employee may be subject to appropriate corrective action.

E. DUTY REQUIREMENTS

7.2.23 Members shall report for duty in accordance with their assigned work schedules and shall not be absent from duty without supervisor's authorization or having made proper notification.

1. Members who are unable to report for duty due to illness or other emergency shall cause notification of their supervisor not less than one hour prior to their scheduled reporting time, whenever possible.

7.2.24 All sworn members assigned to Patrol are required to log into service via the Mobile Communications Terminal (MCT) at the beginning of their assigned shift, overtime detail, or any other time that the member utilizes the assigned vehicle.

1. All other departmental members assigned to other divisions shall report to their assigned workstations to complete their check-on procedures as specified by divisional commanders.

7.2.25 Members shall conduct the proper checks and/or tests of all assigned equipment including but not limited to; mobile video equipment, mobile computer terminals, Tasers, assigned vehicles, and any other item or equipment that the member has been given instructions to make daily check of that equipment.

7.2.26 Members are required to check their email, and PowerDMS accounts when reporting for duty. PowerDMS documents requiring review and signature shall be promptly reviewed.

7.2.27 Members shall make themselves available for call to duty at any time management deems a call-back is necessary.

7.2.28 Officers shall take appropriate police action toward aiding a fellow police officer exposed to danger or in a situation where danger might be impending.

7.2.29 All members of this Department shall handle evidence in compliance with the laws of the State of Florida and accordance with [Directive 27-1 Evidence & Property](#).

7.2.30 Members shall be attentive to job duties and shall not neglect work by inattention, loafing, or sleeping while on duty.

7.2.31 Members shall adhere to all official Directives and/or orders, and shall faithfully execute all the duties and responsibilities of their assigned position.

7.2.32 Members shall originate, complete, and submit all reports and documents required in the execution of their duties prior to concluding a tour of duty except as authorized by a supervisor.

7.2.33 Members shall use official radio channels in accordance with the procedures. The radio microphone shall be keyed only when transmitting an official, authorized message. Operators shall use assigned tactical radio ID designations and not refer to or call another unit or member by name. Members shall avoid use of sarcasm, impertinent remark or other transmission more appropriately communicated by other means.

7.2.34 Members shall monitor the appropriate active talk group of the Communications Center while on duty.

7.2.35 Sworn members shall monitor MCTS in order respond to calls for assistance from citizens and from other Department personnel. Members shall take appropriate action in emergencies or criminal occurrences. This includes assisting disabled motorists.

7.2.36 In the spirit of inter-departmental and interagency cooperation and professionalism, when a member of this agency while on duty and representing the department, believes that they have a complaint against a member of another city department or another agency shall notify the Shift Supervisor immediately.

1. The Shift Supervisor shall immediately address the allegations of employee misconduct, regardless of nature. The Shift Supervisor will make contact with the offending employee's immediate supervisor and make them aware of the allegations. The incident shall then fall under that department or agencies guidelines for investigation.

7.2.37 Members shall cooperate with all agencies engaged in the administration of Criminal Justice.

7.2.38 Members shall cooperate with public agencies and city departments, giving to each, all the aid and information they are entitled to receive.

7.2.39 Members, while on duty or in uniform shall give their name, rank or position in a respectful and courteous manner to any person requesting such identification unless employee is engaged in covert duties.

7.2.40 Members shall promptly report for duty properly prepared at the time and place required by assignments or orders.

7.2.41 Members shall promptly report to the specified location at the time and date as required by civil or criminal subpoena without fail. Members who are unable to respond to a subpoena because of sickness, injury, or other such causes, or because of conflict with another subpoena shall notify the Witness Coordinator or designated individual.

1. Members are required to notify their immediate supervisor should the member receive a subpoena or a request to testify or provide information in any civil proceeding that involves the city or as a result of the member's employment with the city. The member will be instructed to notify the City Attorney's Office for further instructions.
2. Any employee having been named a defendant or as a witness in a civil action arising from their official duties or capacity as an employee of the City, shall immediately notify their supervisor and the City Legal Advisor.
3. Members shall not testify in civil cases unless legally summoned. Upon receiving receipt of such, shall provide notice to the City Legal Advisor of the summons.

7.2.42 Members shall report for duty or remain on duty, when scheduled to or assigned to work overtime, special events or special shifts.

7.2.43 Members shall not feign illness or injury or falsely report themselves ill or injured or otherwise deceive any commanding officer or supervisor of the Department as to the conditions of their health for purposes of avoiding normal duties through use of accumulated leave. Performance of working off duty jobs or recreational activities while discharging personal leave during an illness shall be prima facie evidence of abuse.

7.2.44 Members on sick leave are expected to remain at their primary residence unless they are obtaining medical treatment and/or picking up required medications.

7.2.45 Members may not request or cause a change of days off which will cause any additional compensation not

normally paid, unless expressly approved by the Division Commanding Officer.

7.2.46 Management retains its right to approve or deny all discharge of personal leave during holidays or other scheduled tours of duty.

7.2.47 Any personal injury, however slight, incurred on the job shall be reported to a supervisor immediately in accordance with the provisions of the City Personnel Policies and Procedures.

1. Any injury that requires professional treatment during off-duty times shall be reported to the member's supervisor or Division Commanding Officer as soon as practical.

7.2.48 Members shall immediately report the loss of badge, ID card, or other Departmental equipment to a supervisor. An incident report shall be made of the lost and forwarded to the Division Commanding Officer for review.

7.2.49 Members shall immediately report accidents in which they are involved with a Department vehicle or equipment. Vehicles include any form of sea, land, or air transport.

7.2.50 All information received by any member of the New Smyrna Beach Police Department with reference to a case that is being handled, or the probability exists that it should appropriately be handled by the Investigative Division, will, without unnecessary delay, appropriately convey such information to the Investigative Unit.

F. INSUBORDINATION OFFENSES

7.2.51 Insubordination includes any act, failure to act, word, gesture or expression that is, or may be properly interpreted as, resisting or in defiance of legally constituted authority.

7.2.52 Members shall display respect and shall address supervisors and superior officers by proper rank or title. Members shall not use abusive language or gestures toward a supervisor or superior officer of the Department. Superior officers shall not use abusive language or gestures toward subordinates.

7.2.53 Members shall not publicly criticize or ridicule the City or Department, its policies, orders or personnel in speech, writing or by other expression where such interferes with the maintenance of discipline or otherwise undermines the effectiveness of the Department.

7.2.54 Criticism may be brought to the attention of the member's immediate supervisor, verbally or in writing, and shall not be considered insubordinate. Supervisors will be required to communicate the information to the Division Commanding Officer.

G. NEGLIGENCE

7.2.55 Members shall not ignore or violate official directives, orders, or supervisory instructions or knowingly fail to properly execute the duties and responsibilities of their assigned positions.

7.2.56 Neglect of duty offenses include any act, failure to act or instance wherein an employee ignored, paid no attention to, disregarded, failed to care for, give proper attention to or carry out the duties and responsibilities of their position whether through carelessness, oversight or neglect.

7.2.57 Failure of a member to take action regarding violations of laws and ordinances coming to their attention may be made the subject of disciplinary action.

1. This includes but is not limited to; failing to report, after witnessing or having direct knowledge of any acts, omissions, misconduct, or other improper behavior committed by a co-worker, to an appropriate supervisor or Division Commanding Officer.

7.2.58 Members shall be attentive to job duties and shall not violate official directives, orders, supervisory instructions, or knowingly refrain and cause another to refrain from the performance of lawful duties required for the safety of persons or property.

7.2.59 Members shall take appropriate action in response to emergency situations.

7.2.60 Officers shall exercise proper care in the arrest, transportation, and detention of prisoners to prevent escape, injury to self, others, or damage to property. Upon arrest, the arresting officer shall search prisoners carefully. All weapons, contraband, or evidence shall be immediately confiscated.

H. JOB KNOWLEDGE & PERFORMANCE

7.2.61 Members are required to maintain job knowledge, skills and abilities required to perform the duties and responsibilities attendant to their position as described by the [City Personnel Code Job Classification Plan](#).

1. Performance not meeting minimum standards may be corrected by counseling, remedial training, and or progressive discipline.

7.2.62 It is the officer's responsibility to remain in compliance with the Florida Department of Law Enforcement, Criminal Justice Standards and Training Commission certification requirements, including, but not limited to the 40-hour mandatory re-training requirements.

7.2.63 Every member is required to be knowledgeable of the Department's policies and procedures, and as applicable to their position, laws and ordinances they are responsible for enforcing.

1. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, ordinance, directive, or policy/procedure in question.

I. PROFESSIONAL CONDUCT

7.2.64 Members may use the Department's address for registration of personally titled motor vehicles and driver's licenses pursuant to Florida Law.

7.2.65 Members shall not involve themselves in civil actions or disputes of other persons nor shall they presume to adjudicate any civil dispute or give advice in civil matters beyond referring parties to the proper agency or class of persons qualified to handle their problem.

7.2.66 Members shall avoid taking official action or become personally involved in neighborhood controversies, family disputes while off duty, barring exigent circumstances involving bodily harm. It is recommended that off-duty members report the incident to the appropriate law enforcement agency for investigation by impartial on-duty officers.

7.2.67 Officers should not attempt to exercise authority or to make arrest in their own quarrels, barring exigent circumstances involving bodily harm. Members are required to notify their superior officer of the incident as soon as reasonably possible.

7.2.68 Members, who are off-duty, who become personally involved in a domestic dispute or other confrontational incident, within this agency's jurisdiction, are required to immediately notify the on-duty supervisor. The on-duty supervisor shall cause the matter to be investigated and appropriate action taken. The Division Commanding Officer will be immediately informed.

7.2.69 Officers who respond to a dispute involving another law enforcement officer, including members employed by this agency, will be required to conduct an investigation, take appropriate action, and forward the information to the

Division Commanding Officer via the member's immediate supervisor. The Division Commander will be responsible to provide the documents to the employing agency.

J. CONFORMANCE TO LAWS

7.2.70 Members shall obey all the laws of the United States of America, the State of Florida, the County of Volusia, and the Ordinances of the City of New Smyrna Beach.

7.2.71 Members shall notify the Chief of Police in writing as soon as possible, if they are arrested, issued criminal summon(s), issued criminal traffic citation(s), have their driver's license suspended, have active warrants against them, or are served an injunction

7.2.72 An indictment or information filed against a member or a conviction of the violation of any law, with the exception of a minor traffic violation, may be cause of disciplinary action.

K. INTERNAL OR CRIMINAL INVESTIGATIONS

7.2.73 Members shall not interfere with cases being processed by investigating officers or other governmental agencies, nor undertake any investigation or other official action not part of their regular duties unless ordered to do so by the Chief of Police or their designee, unless the intervening officer reasonably believes that failure to act would result in an injustice, or the exigencies of the situation require immediate action. Such action will be immediately reported to a superior.

7.2.74 Only with prior knowledge, consent, or approval of the Chief of Police and/or the employee(s) being recorded, may member's audio/video record conversations or communications between or with other police personnel. This includes but is not limited to both formal and informal settings between co-workers and/or management.

7.2.75 Members knowing of other members violating a law, rule, or directive shall report the violation via their chain of command.

7.2.76 Members who are the subject of an internal and/or criminal investigation may be suspended or placed in a limited duty position by the Chief of Police. The member will be notified in writing of the temporary transfer from regular duty to limited duty status.

7.2.77 Members, against whom a complaint has been made shall not, or knowingly allow or permit another to, attempt directly or indirectly, by threat, appeal, persuasion, payment of money or other consideration, to secure the abandonment or withdrawal of the complaint, charges or allegations.

7.2.78 Any member who is a participant in, including the complainant, subject employee's legal counsel/representative, the investigator, and any witnesses in internal investigation are strictly prohibited from discussing or releasing any information relative to any administrative investigation, until said investigation is officially closed or becomes a matter of public record. Any participant found to be in violation will be criminally charged under FS 112.533(4), a misdemeanor of the 1st degree.

7.2.79 Members shall not wear an official Department uniform, or any part thereof, including weapons and identification, while under disciplinary suspension.

7.2.80 When under investigation in which the member is placed on suspension or is assigned to a limited duty status, the member is prohibited from:

1. Wearing departmental uniform.
2. Utilization of departmentally issued equipment such as assigned vehicles.
3. Carrying service weapon and police identification cards.

4. Working overtime details, unless otherwise approved by the divisional commander.
5. Taking any police action except in extreme life threatening situations.
6. Engaging in outside employment

7.2.81 When any Officer is involved in a shooting or other action that results in serious physical injury to or death of a person the Chief of Police or his designee will:

1. Place the officer on Administrative Leave with full pay and benefits. The officer must comply with subsection 7.2.80
2. Pending:
 - Final determination by the Chief of Police
3. Officers placed on Administrative Leave will cooperate fully with the investigation, consistent with constitutional, state and agency legal restrictions.
4. Officers returned to duty may be placed in a temporary assignment until completion of the States findings and/or OPS investigation.

L. VERACITY

7.2.82 Members shall not knowingly make false or untrue statements except as authorized in the performance of duties and as necessary to maintain covert operations during investigation of criminal activities.

7.2.83 Members, not under oath, shall not knowingly make false statements to a supervisor, or to any official of a government agency during an official proceeding of the Department or other government agency even though such statements are not made under oath.

7.2.84 Members shall not knowingly make false statements while under oath in any court proceeding, in statements made to internal affairs investigators, to notaries and/or persons taking depositions or other testimony, or in any other official proceeding as defined in FSS 837.

7.2.85 Members shall not knowingly falsify or knowingly cause another to falsify any official record or document.

7.2.86 Members shall not feign illness or injury or falsely report themselves ill or injured or otherwise deceive or attempt to deceive any supervisor of the Department as to the condition of their health for purposes of making a fraudulent claim for insurance, workers compensation or disability retirement.

M. USE/CARE OF EQUIPMENT & FACILITIES

7.2.87 Members shall utilize Department or City equipment for its intended purpose in accordance with established procedures, and shall not subject such equipment to loss or damage through abuse, misuse, or careless handling.

7.2.88 Members who become involved in personal injury or property damage accidents while on duty or while operating a Department or City vehicle shall avoid statements of liability and shall not make statements concerning the responsibility for such accidents or inform parties that the City or Department will pay for damages even though Department personnel may be at fault. Persons involved should be referred to their own insurance companies or to City Risk Management.

7.2.89 Members shall obtain authorization from competent authority before using Department equipment not regularly assigned or before entering any locked or restricted area of Department or City facilities.

7.2.90 Members shall not post any printed or written notices in areas not authorized. All printed and written notices will be placed upon the authorized bulletin boards. Members shall not intentionally mark, alter or deface any printed or

written notices placed upon Department bulletin boards.

7.2.91 Members shall not intentionally mark, alter or deface surfaces of Department or City buildings or facilities.

7.2.92 Members shall use or handle weapons in a careful, safe and prudent manner on and off duty. Weapons shall be used in accordance with the law and Department directives.

N. USE OF ALCOHOL & DRUGS

7.2.93 Alcoholic beverages shall not be brought into or kept in Departmental or City buildings or vehicles, except as evidence or property when officially seized and reported.

7.2.94 While on duty and/or in uniform, Officers shall not enter or frequent places established primarily for sale, storage, or consumption of alcoholic beverages, or primarily for sale or display of pornographic pictures and materials, except in discharge of official duties.

7.2.95 Members, while off duty and partaking of alcoholic beverages and/or frequenting premises established primarily for consumption or sale of alcoholic beverages, shall do so only as private individuals, and shall not voluntarily display official Department identification unless necessary to perform official duties. Officers shall not be in possession of a firearm during these activities.

7.2.96 Members shall not report for duty or be on duty while under the influence of intoxicating liquors or drugs or alcoholic beverages to the extent normal faculties are impaired, as defined by Florida law. Violation subject to discipline up to demotion or termination.

7.2.97 Members shall not become unfit for regularly scheduled duty because of excessive use of intoxicating or alcoholic beverages or drugs to the extent normal faculties are impaired as defined by Florida law. Lawfully prescribed medicines taken in conjunction with legitimate sick leave shall be exempt. Violation subject up to demotion or termination.

7.2.98 Members shall not engage in the illegal use or possession of illegal drugs/narcotics.

7.2.99 In the course of performing duty related activities, a member who is accidentally exposed to, ingests, or is otherwise contaminated by the smoke, residue, or by any other means not listed above of a dangerous or illegal narcotic, shall be required to immediately report the incident to their immediate supervisor.

1. A written incident report shall be completed that details the accidental drug related exposure and shall be forwarded to the Office of Professional Standards. This includes any required or necessary notice of injury reports, which are to be completed prior to the end of the workday.

O. USE OF TOBACCO

7.2.100 Members hired before October 1, 2008 are subject to existing Departmental policy restricting tobacco use while on duty and while operating a department vehicle on duty or off duty.

7.2.101 All members are forbidden to smoke in all city facilities. Members shall use tobacco only where expressly permitted. There shall be no area set aside for the purpose of smoking in any departmental vehicle or building.

7.2.102 Uniformed members will not smoke, use, or allow any form of tobacco to remain in their mouth while on duty in direct contact with the public.

7.2.103 This does not preclude uniformed or non-uniformed use of tobacco in a public place so long as it is legal to

do so and they exercise discretion, good judgment, and prudence.

7.2.104 Officers hired on or after October 1, 2008 shall be non-tobacco users at the time of hire as a condition of and continuation of employment and shall refrain from use of tobacco products of any kind, on or off duty.

7.2.105 Violations of this section will result in a one shift suspension for a first offense, a three shift suspension for a second offense, and termination for a third offense.

Revised: RR 10/21

Approved: Signature on File
 Chief Mike Coffin