Procedure Number: 102.3
Procedure: Rules of Conduct
Effective Date: 08/01/2011
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Approved by: Scott Forshee, Chief of Police

POLICY:

The Montana State University Billings Police Department will have uniform rules of conduct.

PROCEDURE:

I. In General:

A. Employees will not engage in any activity or commit any act that would tend to bring discredit or impair the efficiency or reputation of the University, the Department or its employees.

1. Actions of employees that are inconsistent, incompatible or in conflict with the values established by this Department negatively affect its reputation and that of its employees. Such actions (and inactions) will not be tolerated as they detract from the Department's overall ability to effectively and efficiently protect the public, maintain peace and order, and conduct other essential business.

B. Employees shall not convert to their own use, or have any claim on (also policies/procedures 107.1 and 107.2):

1. Recovered property;

2. Evidence; and/or

3. Found property.

4. Employees shall promptly deliver all items of property to the Property Room or City of Billings Evidence Clerk following the proper tagging procedure (see policy/procedure #107.1).

C. Employees will not discriminate in their service to or refer to any person in a derogatory manner because of their:

1. Race,

2. Color,

3. Religion,

4. Sex,

5. National origin,

6. Age,

7. Physical or mental handicap,

8. Creed, or

9. Marital status, or sexual preference.

D. Employees shall give their name in a respectful manner when asked.

E. All employees will be attentive to:

1. take suitable action on all reports and complaints;

2. ensure security of people, facilities, property and vehicles on University property; and

3. conduct regularly spot checks of individuals using University buildings at night, weekends, and holidays to ensure only those authorized are in the buildings.

F. Employees shall be accurate, complete, and truthful in all matters.

G. Employees will be courteous.

H. Employees shall not be absent from duty except during leave granted them by proper authority.

I. Employees may not use their official authority to:

1. Influence any election;

2. Interfere with the court system;

4. Cause any person to escape prosecution;

5. Accrue any personal benefit; and/or

6. Use or permit the use of property, equipment, vehicles, labor or services for private advantage.

J. Employees shall not use language or engage in acts that demean, harass, or intimidate another person, unless the officer believes that such language is necessary to gain control of a situation or offender.

II. Outside Activities (see policy/procedure 101.1 for further)**:**

A. Employees shall not engage in any outside activity or employment that is related to or influenced by their connection with the Department without the prior approval of the Chief of Police.

B. Employees shall not allow other employment or activities to interfere with the performance of their duties.

C. Employees of the Department shall not engage in advertising, when such advertisement may reflect on the University or the Department, without the prior written approval of the Chief of Police.

III. Punctuality:

A. All employees must report for work at the required starting time. A supervisor must authorize any deviation.

B. All employees will be on time for all appointments related to the job or will make appropriate notifications to all persons involved.

C. Court appearances:

1. Officers will receive only their white copy of the Municipal Court subpoena notifying them of the date and time of the court appearance, and the name of the appropriate prosecutor to contact prior to the trial date. Officers subpoenaed into any court will follow the instructions received with their subpoena or as directed by the appropriate court or prosecuting attorney's office.

2. Officers will be appropriately dressed as per policy/procedure 102.5.

3. Officers subpoenaed into any other court will follow the instructions received with their subpoena or as directed by the appropriate court or prosecuting attorney's office.

RULES:

I. Compliance with Policies:

A. All officers will comply with Department and University Policies.

B. Justifiable exceptions may be granted to:

1. Policies; and/or

2. Procedures.

II. General Conduct:

A. Dereliction of duty, no officers shall:

1. Loiter or sleep on duty;

2. N**eglect assigned responsibilities;**

3. N**eglect expected performance of duty**

B. No officer will be insubordinate at any time.

C. Conduct towards other employees:

1. Employees shall conduct themselves in a manner that will foster cooperation among members of this Department, showing respect, courtesy, and professionalism in their dealings with one and other.

2. Employees shall not make statements about others which are false, malicious, disparaging, derogatory, rude, abusive, obnoxious or disrespectful, or have the intent to hurt others' reputations.

D. Obedience to laws:

1. All officers of this Department will obey all:

a. Federal Laws;

b. State laws; and

c. Municipal Laws and ordinances.

2. **Disobedience of laws and/or ordinances will result in disciplinary action.**

E. Requirement to notify:

1. **Any officer charged or arrested for any Federal, State or Local violation or is involved in any civil litigation will immediately notify the Chief of Police or his designee.**

F. Gratuities - Solicitations:

1. **Officers shall not accept any gift, whether in the form of money, thing, favor, loan or promise, that would not be offered or given if the employee were not an employee.**

2. **Officers shall not solicit any donation, gift, or help for the Department whether in the form of money, thing, favor, loan or promise, without the prior permission of the Chief of Police.**

G. No officer shall gamble while on duty or in uniform whether on or off duty unless gambling is conducted as part of the officer's official duties.

1. **Participation in office sports pools is not prohibited so long as such participation is out of public view, does not interfere with official duties, and is in compliance with any applicable State Gambling Laws.**

III. Alcohol and Drugs:

A. Alcohol:

1. **All officers of the Montana State University Billings Police Department are prohibited from the:**

   a. **Use, consumption, distribution or possession of alcoholic beverages while on duty except as may be required by the officer's duty (eg. . . training situations);**

   b. **Use of alcohol off duty that adversely affects the officer's work performance, the safety of the officer or others at work, or the University's regard or reputation in the community. This includes reporting to duty while under the influence of alcohol.**

2. **When a supervisor has reason to believe that an officer is under the influence of alcohol while on duty, the supervisor will:**

   a. **Require a test of the officer's breath; and**

   b. **If the officer refuses the test, the officer shall be relieved of duty with pay and instructed to see the Chief of Police on the next regularly scheduled business day;**

   c. **If the officer has measurable blood alcohol they will be relieved of duty, with pay, with instructions to report to the Chief of Police on the start of the Chief's next working day; and**

   d. **The supervisor will maintain confidentiality of the process.**

3. **No drinking in uniform:**

   a. **On duty; or**

   b. **Off duty.**

4. **Officers allowed to drink on duty in the performance of a police function must:**

    a. **Have the specific permission of their supervisor;**

    b. **Have good and sufficient reason for the function;**

    c. **Be in civilian clothes; and**

    d. **Will not be permitted to drive home after the function, the Department will provide a ride to the employee.**

5. **Alcohol on University property or work place:**

    a. **There will be no alcohol on University property or work place with exception of legally seized evidence or found property being transported to property storage.**

    b. **There will be no alcohol in University vehicles except for legally seized evidence or found property being transported to property storage.**

    c. **Exceptions to this rule may be granted by the Chief of Police, in writing.**

B. Drugs:

1. **All officer's of the Department are prohibited from the:**

    a. **Unauthorized use, consumption, distribution, or possession of controlled substances (dangerous drugs) while on duty.**

    b. **Unlawfully manufacturing, distributing, dispensing, possessing, or use of a controlled substance (dangerous drugs), whether on duty or off duty.**

2. **Officer's taking drugs prescribed by an attending physician or over the counter drugs, which may affect their job performance, must advise their immediate supervisor in writing of the possible effects of such medication regarding their job performance and physical/mental capabilities. This written information must be communicated to the Chief of Police or his designee prior to the employee commencing work.**

References:

- **International Association of Chiefs of Police - Rule #1**
- **Billings Police Department Rules of Conduct Policy #2-3**
- **Montana Constitution, Article XIII, Section 4**
- **Montana Standards of Conduct Guide (March 2011)**