The purpose of this directive is to establish rules of professional conduct for all employees of this department.

This department’s policy is to require its employees to obey all laws and department rules and to treat all persons fairly and with respect. In order to maintain public trust and confidence, it is also the policy of this department to objectively and thoroughly investigate all allegations of wrongdoing and to consistently and fairly administer discipline when appropriate. Public faith and trust in the Police Department and its employees are essential to the accomplishment of its mission.
2.2.02 PROFESSIONAL CONDUCT AND INTEGRITY

A. Standard of Conduct:
Employees will not engage in any conduct that constitutes unbecoming conduct or neglect of duty, or any other acts on or off-duty that are likely to bring discredit on the department. This department has developed its own values statement (see Police Directive 1.1, Mission, section 1.1.04) and has adopted Virginia’s Division of Criminal Justice Services (DCJS) Code of Ethics (See Attachment A). All employees are expected to abide by these. Training for all employees will be conducted biennially. [1.1.2]

B. Gifts, Gratuities, Fees, Loans, Etc.:
1. Employees will not accept or solicit either directly or indirectly any gift, meal, gratuity, loan, fee or any other thing of value arising from or offered because of police employment or any activity connected with said employment, except a lawful salary or that which may be authorized by law, or by the police chief. It is vital that employees not become involved in any activity that could be reasonably interpreted as an actual or perceived conflict of interest. [26.1.1]

2. Any unauthorized gift, gratuity, loan, fee, reward or other item falling into any of these categories and coming into the possession of any employee will be forwarded to the police chief along with a written report explaining the circumstances.

C. False Reports and Entries: No employee will knowingly falsify any official report or enter or cause to be entered any inaccurate, false or improper information on records of the department.

D. Confidentiality:
1. Employees are required to maintain the confidentiality of certain matters pertaining to official business. See Administrative Regulations 6-1 and 6-20 for further information.

2. Employees are expected to protect from disclosure information that is marked “confidential” or is known by them to be privileged or otherwise protected from disclosure. Some examples of confidential information are as follows:
   a. Information related to personnel actions (personnel evaluations, grievances, internal investigations, disciplinary actions, and other personnel information) will not be discussed except to the extent that the subject of such personnel information has waived his or her right to confidentiality.
   b. Information gained as a result of acting as a participant in a selection or promotional process, whether for this department or another agency.
   c. Information related to background investigations.
3. Employees will treat official department business as confidential. They will not impart it to anyone except those for whom it is intended, or as directed by their commander or as required by law.

4. Administrative inquiries are confidential processes and employees are required to keep the information discussed in confidence.

5. No employee will use information that he or she knows to be confidential or privileged for his or her personal gain.

6. **Exceptions:** Unless the employee has been issued a confidentiality order (see section 2.2.02.D.7, below) nothing in this policy is intended to prohibit personnel under investigation or administrative inquiry from conducting the following activities:
   a. Seeking advice and/or guidance from their immediate supervisor or commander, or apprising someone within their direct chain of command of the details of a complaint;
   b. Consulting with personnel assigned to staff or technical assignments to resolve an issue involved in the investigation (for example, the Personnel and Training commander on matters involving personnel practices or policies). The employee should only disclose the amount of information necessary to resolve the question at hand, and the person being consulted will keep the information confidential.
   c. Interviewing witnesses or possible witnesses such as, but not limited to, employees of this department, other city departments, and other law enforcement agencies.
   d. Discussing the matter with a deputy police chief in order to obtain information or guidance in furtherance of the investigation.
   e. The police chief, or the person handling an investigation at the chief's direction, may discuss the investigation with an employee's union and/or police association representative if the employee has officially requested (in writing) the representatives' involvement.
   f. The police chief may discuss an investigation, an administrative inquiry, a personnel matter, or any other matter pertaining to official department business with any person in a position to help resolve the matter, except as prohibited by law and/or by city personnel policies.
   g. The person who initiates any discussion pertaining to a topic covered in this directive is responsible for informing any parties to such discussion (in advance) that the topic to be discussed is privileged information and must be kept confidential, and that there may be repercussions for failing to keep such information confidential. City employees are subject to disciplinary action, including termination, for disclosing privileged information.

7. **Confidentiality orders:** The exceptions above in section 2.2.02.D.6 do not apply if an employee is placed under a confidentiality order. While under a confidentiality order an employee may not talk to anyone other than an attorney,
clergy, mental health counselor, union representative or police association representative about the ongoing investigation for which the confidentiality order was issued. Confidentiality orders are issued at the discretion of the police chief or designee.

E. **Compromising Criminal Cases:** Employees will not:
1. Interfere with the service of lawful process;
2. Interfere with the attendance or testimony of witnesses through coercion, bribery or other means;
3. Attempt to have any traffic summons, citation or notice to appear reduced, nolle prossed or dismissed except as provided by department regulation; or
4. Take any other action that will interfere with the efficiency or integrity of the administration of criminal justice.

F. **Assisting Criminals:** Employees will not communicate in any manner, either directly or indirectly, any information which might assist persons charged with or suspected of criminal acts to escape arrest or punishment, or enable them to dispose of or secrete evidence of unlawful activity or property unlawfully obtained.

G. **Other Transactions:** Except when it furthers a police purpose, employees are prohibited from buying or selling anything of value from or to any suspect, defendant or prisoner involved in any case which has come to their attention.

H. **Free Admissions and Passes:** Employees will not use their position to solicit or accept free admission to theaters, other places of amusement or transportation systems for themselves or others without the written permission of the police chief.

I. **Property and Evidence:** Employees are prohibited from appropriating or converting to personal use any items of property or evidence coming into the department's possession. All such items will be disposed of in accordance with law and department regulations.

J. **Feigning Sickness:** Employees will not feign sickness or injury, or otherwise deceive a representative of the department as to their real condition, when such condition affects the employee’s ability to perform their official duties.

K. **Truthfulness:** Employees are required to be truthful and will give all pertinent information when testifying, making reports, conducting official business, and answering job-related questions asked by supervisors and commanders.

L. **Use of Credentials by Others:** Employees will not permit any other person to use their badge, official identification, or other equipment.
M. **Personal Preferment:** No department employee will seek the influence or intervention of any person outside the department for purposes of personal preferment, advantage, transfer or advancement.

N. **City Auctions:** Employees who are not involved in the disposition of surplus items can view and bid on them online at govdeals.com. Winning bidders must complete a GovDeals participation affidavit form.

O. **Court Action or Arrests:** Employees will immediately report in writing to the police chief via the Internal Investigations Unit any arrests, court actions, any type of protective order instituted against them, or any civil action initiated by or against an employee. This action is required in order that the department is cognizant of the information. If necessary, the department will be able to appropriately respond to or use the information, if called upon by the media or any other organization to do so. The Chief of Police or designee may mandate a supervisor to attend any of the court proceedings listed above involving a police department’s employee, where the best interest of the department would be served.

1. **Traffic Infractions:** Any employee, who receives any traffic summons, or photo citation, whether the incident occurred while operating a department vehicle or their personally owned vehicle, on or off duty, will immediately notify the Chief of Police in writing, via the Internal Investigations Unit.

### 2.2.03 GENERAL CONDUCT

A. **Knowledge of Laws and Regulations:** Officers are required to establish and maintain a working knowledge of state laws and city ordinances for which this department has enforcement responsibility. Employees are required to establish and maintain a working knowledge of all department and city rules and policies. When working on a task force, employees are responsible for knowing and maintaining a working knowledge of the governing agency’s policies, regulations and directives.

B. **Obedience to Laws and Regulations:**

1. Employees will not violate any criminal or civil federal, state, or local law.

2. Employees will obey all city and department regulations.

C. **Reporting Violations of Laws, Ordinances, Rules or Orders:** Any employee knowing of other employees violating laws, ordinances, department rules, or disobeying orders, will immediately report it to a supervisor who will take appropriate action. Also see section 2.2.06.I, and Directive 2.3, Complaints and Disciplinary Action.

D. **Criticism:** Employees will not publicly criticize or ridicule the department, its policies or other employees by talking, writing or expressing in any other manner, where
such talking, writing, or other expression is defamatory, obscene or tends to impair the operation of the department by interfering with its efficiency; interfering with the ability of supervisors to maintain discipline; or having been made with disregard for truth.

E. **Debts**: Employees are obligated to pay all their debts and legal liabilities. Failure to do so may create unnecessary work for city employees, the time for which could have been used more productively.

F. **Residency**: In order to maintain the department's capability to respond to disasters and other emergencies within a reasonable period of time, employees will not establish residence more than fifty (50) miles from Police Headquarters. Upon written request, the police chief may grant limited exceptions to this rule, as the best interests of the department dictate.

G. **Unused travel funds** will be returned in accordance with City AR 6-17, after travel is completed. See Administrative Regulation 6-17 for further information regarding travel and official business expenditures.

H. **Conduct Toward The Public**:  
   1. Employees will be courteous in their dealings with the public.
   2. Employees when performing their duties will avoid harsh, violent, profane or insolent language, and remain calm regardless of provocation to do otherwise.
   3. Language, conduct or behavior that is discriminatory or derogatory to any person's race, religion, gender, sexual orientation, or nationality is strictly forbidden.
   4. Employees will respond to requests from the public quickly and accurately, avoiding unnecessary referral to other units of the department or city government.

I. **Impartiality**
   1. The department is committed to observing, upholding, and enforcing all laws relating to the individual rights of all persons.
   2. Employees will be impartial toward all persons coming to the attention of the department. Employees will treat all persons with the courtesy and dignity inherently due to every human being.

J. **Caring For Lost, Helpless, Injured or Ill Persons**: Employees will be alert to assist lost, helpless, injured or ill persons, and act and report appropriately.

K. **Commercial Testimonials**: Employees shall not authorize the use of their names, photographs or official titles that identify them as department employees in
connection with testimonials or advertisements of any commodity or commercial enterprise, without the written approval of the police chief. The request should identify specifically what will be photographed or used and how it will be depicted. The purpose of the advertisement should also be described. If this happens without the employee’s knowledge, a memo to the chief is required when it is learned.

L. **Public Appearance Requests:** Requests to employees for public speeches, demonstrations, and the like, on behalf of the department, will be routed in advance to the police chief for approval and processing. Such requests will be coordinated through the Media Services Office (PIO). Exception: this is not necessary when a civic association liaison requests another employee to attend a meeting.

M. **Identification of Personnel:**

Provided that no investigation is jeopardized and no police function is hindered, when a citizen requests a department employee or volunteer engaged in department related activities to produce documentation verifying their identity, the employee shall do so utilizing their department issued photo identification. If the citizen simply asks for an employee’s name and or badge number the employee shall provide it.

[22.2.7.a]

The intent is to ensure the public can identify law enforcement officers and other employees of the department.

1) Uniformed, sworn employees and Parking Enforcement Officers shall provide their name, unit of assignment and department serial number, and when specifically requested, shall also display their department issued photo identification.  

[22.2.7.b]

2) Non-uniformed, sworn employees shall display their badge and department photo identification when specifically asked.

3) Civilian employees shall verbally provide their name and department serial number, or display their department photo identification card if specifically requested to do so.

4) Citizens requesting name, badge number or serial number etc. in writing, will be provided the information; a business card can be used if available.

5) **Except for those officers working in an undercover capacity, when citizens request verbal identification over the telephone, employees will provide their name and unit of assignment. When specifically requested, employees will provide their department serial number.**

[22.2.7.c]
N. **Arrests:** In making arrests, officers will strictly observe the laws of arrest and the following provisions:

1. Officers will announce their intention to arrest prior to doing so unless the officer's safety will be threatened or it is impractical to do so.

2. Only use the force necessary to accomplish lawful objectives. [1.3.1]

3. The arresting officer is responsible for the safety and protection of the arrested person while in the officer's custody. The officer's immediate supervisor will be notified as soon as practical regarding ill or injured prisoners.

O. **Admonition of Rights:** The "Warning of Individual Rights" will be read to each arrestee in accordance with state and federal law. [1.2.3]

P. **Arguments During Arrest:** Officers during the course of making an arrest or issuing a traffic summons or citation will not become involved in any arguments or discussions on the merits of the case. Officers will courteously give any information requested by the offender as to the procedure for handling a summons, citation, or arrest.

Q. **Treatment of Arrestees:** Officers having custody of arrestees will observe all laws and department directives regarding this activity. Any irregularity indicating the arrest to be contrary to a lawful principle or department procedure will be immediately brought to the attention of the officer in command.

R. **Transportation of Arrestees:** Transportation of arrestees will be in accordance with current department procedures.

S. **Recommending Attorneys, Bail Bond Services Or Other Services Prohibited:** Department employees will not suggest, recommend, advise or otherwise counsel the retention of any attorney, bail bond services or any other specific service to any person coming to their attention as result of police business.

T. **Acting as Bailer Prohibited:** Department employees cannot act as bailers for any person in custody except relatives.

U. **Personal Associations:** Employees are precluded from developing a personal or financial relationship with individuals associated with criminal activity or who have a history of associating with criminal activity. Employees are not to develop a relationship and/or affiliate with any person or group, which advocates or engages in illicit or illegal conduct. Such relationships are inconsistent with the mission of the department and directly call into question the credibility and integrity of the department and/or the employee concerned, and potentially place the employee and the department in a position in which this agency's operational effectiveness may be compromised.
V. **Personal Telephone:** Each employee will maintain a personal telephone and report any change within 72 hours. No private telephone number or pager number of an employee will be released to any person outside of the Police Department. The employee receiving the call may relay the name and phone number of the caller to the employee. (See also PD 4.11C.02)

W. **Long Distance Telephone Calls, Cellular Telephone Calls, FAX Machines**

**Personal Long Distance Calls:** The use of city telephones and fax machines for personal long distance calls is prohibited except in emergencies. (See also PD 3.1.06)

X. **Voice Mail and E-Mail:**

All employees having City Voice Mail and/or E-mail will check their messages each workday and reply or respond to requests promptly.

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### 2.2.04 CONDUCT ON DUTY

A. **General Responsibilities:** When on duty and within the city, officers will take appropriate action to:

1. Protect life and property;

2. Preserve the peace;

3. Prevent crime;

4. Detect and arrest violators of the law;

5. Enforce federal, state, and local laws and ordinances within department jurisdiction; and

6. Promptly and professionally respond to all requests for police service.

B. **Availability When On-Duty:** Employees when on-duty will not conceal themselves except for a police purpose, and will be immediately and readily available to the public during duty hours.

C. **Cooperation:** Employees will maintain a spirit of cooperation within the department.

D. **Conduct Toward Other Employees:**

1. Employees will be courteous and civil at all times in their relationship with one another.
2. Racial, ethnic, sexual or religious comments directed at or concerning other employees that could reasonably be considered inappropriate are prohibited.

3. In the presence of other employees or the public, employees will refer to other employees by last name, rank or title, as appropriate to the situation.

4. When in the presence of defendants or other members of the public, officers will refrain from addressing magistrates by their first names.
   (See also: PD 2.5, Harassment in the Workplace.)

E. **Assistance:** All officers are required to take appropriate police action toward aiding another officer exposed to danger or in a situation where danger might be imminent.

F. **Duty Responsibilities:**
   1. Employees will respond appropriately to the lawful orders of a superior officer and other proper authorities and to requests for police assistance from citizens.

   2. Employees will obey lawful orders relayed from a superior by an employee of the same or lesser rank. [12.1.3]

   3. If any employee deliberately fails or refuses to obey a lawful order given by a superior, that employee will be guilty of insubordination.

   4. Officers assigned to special duties are not relieved from taking enforcement action outside the scope of their specialized assignment when necessary.

   5. Employees will perform their duties as required or directed by law, department rule, policy or directive, or by order of a supervisor. [12.1.3]

   6. Employees will follow the chain of command in their official dealings.

G. **Activities Prohibited On-Duty:** Employees are prohibited from engaging in the following activities while on-duty:
   1. Sleeping, loafing, idling, and loitering;

   2. Failing to provide prompt, correct, courteous service to others;

   3. Conducting private business;

   4. Carrying any article which distracts from the proper performance of police duty;

   5. Consuming intoxicating beverages.
6. Gambling (unless to further a police purpose);

7. Failing to report back in service immediately on the completion of an assignment;

8. Inattention to duty such as;
   a. Excessive personal visiting with citizens,
   b. Excessive personal visiting with other employees, and
   c. Parking in locations and in such a manner as to serve no useful purpose in preventing crime.

9. Failing to perform assigned tasks; and

10. Misuse of department equipment or supplies.

H. **Saluting:**
   1. Unless performing police duties requiring immediate attention, officers in uniform will hand salute the American flag as it passes during all public occasions, ceremonies, or parades.

   2. When in formation, hand salutes will be rendered on the command, "Present Arms." The hand salute will be returned on the command "Order Arms."

   3. When not in uniform, the right hand (with the hat, if any) will be placed over the heart as the flag passes.

I. **Relief:** Employees will remain at their assignment and on duty, until properly relieved by competent authority.

J. **Fitness for Duty:** Employees will to the best of their ability maintain a good physical and mental condition. When an employee is unable to satisfactorily perform the essential functions of his or her duties and responsibilities due to an apparent mental or physical condition, the police chief may submit a written request to the Personnel Services Department for a fitness-for-duty examination (see AR 6-6).

K. **Intoxicants and Controlled Substances:**
   Employees will not:
   1. Be intoxicated while on-duty.

   2. Be intoxicated in public view on or off-duty.

   3. Consume intoxicants while off-duty to the extent that evidence of such consumption is apparent when reporting for duty, or court, or to the extent that their ability to perform their duty is impaired.
4. Consume intoxicants while in uniform or parts thereof while in public view, whether on or off-duty. For the purpose of this section only, the gun, badge, and identification are not considered part of the uniform.

5. Purchase intoxicants while on duty or in uniform or parts thereof. Exception: employees may purchase and consume alcohol when off duty and in uniform or parts thereof while at the Police Association Hall and out of public view.

6. Purchase or consume controlled substances without a prescription whether on or off-duty.

7. Consume intoxicants within four hours prior to reporting for scheduled duty.

8. Consume intoxicants during breaks or lunch periods, whether compensated or not.

9. Bring into or keep any alcoholic beverages on department premises or in department vehicles except when necessary in the performance of a police task. Alcoholic beverages will be properly identified and stored according to current policy.

L. Smoking While On-Duty:
1. Employees in uniform will not smoke while conducting department business in public.

2. Employees will use discretion when smoking in homes and places of business so as not to do so under conditions that may be detrimental to good conduct or manners.

3. Employees will not smoke while in city vehicles, directing traffic, investigating accidents, at crime scenes, or where smoking is prohibited.

M. Defects of Public Thoroughfares: Officers will observe the conditions of public thoroughfares and public utilities (electric company sites and poles, water company properties, natural gas lines, etc.). They will promptly report hazardous conditions or obstructions on any street, roadway, sidewalk or city property. If necessary, they will promptly barricade or cause dangerous areas to be barricaded. Officers will ensure that the proper agencies (city or public utility) are notified.

N. Eating in Public Dealings: Employees will not consume food while dealing with the public except to serve a police purpose.

O. Meals: Officers may take a meal break within their beats or assigned duty areas, subject to modification by their commanding officer. Officers who are paid for their meal breaks are on duty and subject to call and may not sever radio contact during
meal breaks. All other officers are off-duty during lunch and are not paid; however, if in an emergency officers must take enforcement action they will be compensated with overtime and worker's compensation benefits will apply (Fair Labor Standards Act).

P. Reporting: Employees will promptly submit such reports and other documents as are required in the performance of their duties or by competent authority before the end of their tour of duty, or as directed by their supervisor or commander.

### 2.2.05 CONDUCT OFF DUTY

A. Officers, while off-duty within Alexandria, will take police action in situations involving a felony or immediate protection of public safety, and must notify the Department as soon as possible; except that:

1. Officers may refrain from taking action or from identifying themselves as police officers when doing so would endanger them or citizens in the area; and

2. Off-duty officers who are not armed are not required to take action that would endanger themselves or citizens in the area.

B. Off-duty officers observing or involved in an incident requiring police action, but not involving a felony or jeopardy of public safety, will promptly report the incident to the department for handling by an on-duty officer.

C. Other than felonies, off-duty officers are discouraged from taking any police action. If an officer takes police action, the officer must be prepared to justify that action.

D. Officers are prohibited from making traffic stops while off-duty unless they are driving a marked cruiser and have a radio. Officers will notify Communications when making an off-duty traffic stop.

E. Employees who are off-duty and become involved in any situation of a personal nature which could potentially require police assistance or intervention from an on-duty officer, will only request such assistance via police radio or by phoning the Communications Center. The Communications Center employee will contact an on-duty police supervisor and inform him/her of the circumstances.

F. In any case where an off-duty officer is involved in a situation of a personal nature, which could potentially require police assistance or intervention from an on-duty officer, or in any case where an off-duty officer is the alleged suspect or victim of a crime in the City, an on-duty police supervisor will respond to the scene to conduct the preliminary investigation. The supervisor will interview witnesses, examine any physical evidence and complete the police report when appropriate.
Responsibility for conducting the preliminary investigation and completing the report may be delegated to an on-duty officer, but only in cases where no crime has been committed or where the off-duty officer is the obvious victim of, or witness to a crime. These responsibilities may be delegated only after the on-duty police supervisor has consulted with and received concurrence from the on-duty police Watch Commander.

On-duty employees are prohibited from rendering assistance to off-duty employees in such cases without simultaneous notification of an on-duty supervisor.

2.2.06 SUPERVISORY ISSUES

A. **Manner of Issuing Orders**: Orders from a supervisor to a subordinate will be in clear, understandable language, civil in tone and issued in pursuit of department business.

B. **Questions Regarding Assignment**: Employees in doubt as to the nature or detail of their assignment will seek such information from their supervisors through the chain of command.

C. **Unlawful Orders**: No command or supervisory employee will knowingly issue any order that is in violation of any law, ordinance, city regulation, department rule or order.

D. **Obedience to Unlawful Orders**: No employee is required to obey any order which is contrary to federal or state law, local ordinance or city regulation. Responsibility for refusal to obey rests with the employee and he or she will be required to justify his or her action.

E. **Obedience to Unjust or Improper Orders**: Employees who are given orders that they feel to be unjust or contrary to department or city regulations must call the conflict to the attention of the issuing superior. If not rescinded the order must be obeyed to the best of the ability of the employee. Appeals may be made as provided below in section 2.2.06.G.

F. **Conflicting Orders**: Upon receipt of an order conflicting with any previous order or instruction, the employee affected will respectfully so advise the person issuing the second order. Responsibility for rescinding the original instruction then rests with the individual issuing the second order. If so directed, employees will obey the latter command first.

G. **Unlawful, Unjust, Improper Orders - Reports and Appeal**: Employees receiving an unlawful, unjust, or improper order may at first opportunity report in written memorandum form to the commander of the person who issued the order. The report will contain the facts of the incident and the action taken. Appeals for relief
from such orders may be made at the same time. Any further department action regarding such an appeal will be conducted through the police chief. If the department decision or disposition of the appeal is unsatisfactory, the employee may appeal the matter through the city grievance procedure.

H. **Accountability for Performance**: Supervisory personnel are accountable for the activities of employees under their immediate control. [11.3.2]

I. **Positive/Corrective Disciplinary Action**: Supervisors will take appropriate formal or informal action on observing any violation by a subordinate. This may be in the form of:

1. Supervisory guidance/oral counseling conducted to provide assistance. Such guidance allows the supervisor to bring to the attention of the employee the need to improve performance, work habits, attitude or other behaviors and to serve as a warning against future repetition of unsatisfactory conduct.

2. Training may be employed by itself in a proactive manner or it may be employed in conjunction with other components of the disciplinary system. The purpose is to strengthen the employee’s performance in a positive manner.

3. Supervisors are expected to identify performance deficiencies and insufficient knowledge during the performance evaluation process. When appropriate, supervisors should take the necessary steps to secure such remedial training for the employee. [26.1.4]

J. **Roll Call Procedures and Supervisory Briefings** [41.1.2]

1. Employees will be given guidance as to their assignments by their supervisors on an on-going basis. This may be done at roll calls, or by other means appropriate to their assignment.

2. Patrol Operations Bureau and Investigations Bureau supervisors will also provide the following minimum information on a regular basis:
   a. Assignment for the shift.
   c. Lookouts of a law enforcement nature, if any.
   d. New or amended policies, if any.
   e. Information concerning major crimes, if any.
   f. Training, as needed.
   g. Any information deemed necessary by the supervisor or higher authority.
   h. Weekly personnel inspections to evaluate employee readiness for duties (Patrol only).
2.2.07 COMPENSATION FOR DAMAGES

A. Compensation for Damages Sustained On-Duty: Employees will not seek in any way, nor accept from any person, money or other compensation for damages sustained or expenses incurred by them in the line of duty without first notifying the police chief in writing.

B. Compensation for Damages Off-Duty: Employees who have received salary from the city for injury or illness sustained off-duty will notify the police chief in writing of any intent to seek, sue, solicit, or accept compensation as damages for such illness or injury. This notice will be filed before any action is taken. It will include the fact of the claim and the name of the respondent.

2.2.08 POLITICAL ACTIVITIES

A. Employee Rights - Employees may:
1. Vote in all elections without fear of reprisal, restraint or coercion;

2. Privately express opinions on candidates and issues;

3. Support candidates for political office through contribution of funds or time; and

4. Be candidates for political office subject to the conditions outlined below.

B. Prohibited Activities:

Employees may not:
1. Use city supplies, equipment, or facilities for the purpose of furthering political candidates or causes.

2. Use their city position in any form of endorsement or support of political parties, candidates or political causes.

From City A.R.
“No employee of the City shall solicit political contributions from any employee of the City or any other individual during working hours or at a City work site.”

“No employee shall engage in any form of partisan political campaign activity, including the wearing, display or distribution of buttons, stickers or other political campaign literature or paraphernalia, during work hours or at a City work site. Nor shall any employee engage in any form of partisan political campaign activity when wearing a City uniform or any other item which identifies the City. Political campaign
materials are not to be displayed on or carried in City vehicles. Nothing in this section precludes a City employee from engaging in partisan political activity away from a City work site, during non-working hours, unless wearing a City uniform or other item which identifies the City."

### 2.2.09 CARE OF POLICE PROPERTY

**A. Financial Liability for Equipment:**

1. Employees must immediately report any theft, damage or loss of city property or equipment to their supervisor.

2. Financial liability for loss of or damage to property may be required in addition to any disciplinary action determined by the department. (See Police Directive 6.3, Uniforms, Appearance and Care of Equipment.)

3. Financial responsibility will not apply to damage resulting from police vehicle accidents.

4. As much as reasonably possible, employees will be responsible for the security and care of all issued equipment while on-duty or off-duty. In the event of theft, damage or loss of issued equipment, negligence, if any, will be determined by considering what security or preventive measures had been taken and what other security or preventive measures were available at the time of the theft, damage or loss.

5. Employees are prohibited from leaving equipment in city vehicles, unattended in police buildings, or in open view in privately owned vehicles or city vehicles after the end of the tour of duty or anywhere else it will be susceptible to loss, theft, or damage.

6. Employees are responsible for the security of issued weapons both on and off duty. Officers are issued a security lock with their duty sidearm and are encouraged to use the lock and to keep their duty sidearm, as well as personally owned firearms, locked in a secure place when not in use. Officers are required to secure and lock their duty sidearm if minor children are in their home, full or part-time (See also, VA Code 18.2-56.2). At no time will department portable radios, mobile computers or weapons be left unattended in an unlocked vehicle. Computers and shotguns should be locked in their mounts or security devices when not being used. Portable radios and weapons will not be stored in vehicles overnight unless the vehicle is in a personal, locked garage; except that, weapons may be left in SOT take home cars if all SOT requirements have been met.
7. It is the responsibility of the employee's supervisor to determine through investigation if any theft, damage or loss occurred willfully or through negligence. If it is determined that the employee was responsible, that employee will be held accountable.

8. The administrative remedy herein provided will in no way, or to any extent, limit or otherwise affect any course of action of the city as a result of the theft, damage or loss of city property.

B. Care of Department Facilities:
   1. Facility Surfaces
      Employees will not mar, mark or deface any surface in any departmental facility.

   2. Posted Notices
      a. Employees will not mar, mark, or deface any posted notice of the department.
      b. No material will be affixed in any way to any wall or bulletin board in department buildings without authorization from the commander responsible for the area.
      c. All posted notices must bear the name of the commander who approved the notice, the date posted and the termination date.

   3. Bulletin Boards
      a. Department bulletin boards are maintained to provide employees with information about department, city, and community activities, promotional and employment opportunities, health and workplace issues, and notices required by law.
      b. The Facilities Maintenance supervisor is responsible for monitoring appropriate use of bulletin boards in shared areas. Commanders are responsible for monitoring appropriate use of bulletin boards in their units. ALL employees are responsible for ensuring that items posted conform to department standards and that items not conforming to department standards are promptly removed from any bulletin board on which they are found.
      c. All items posted on bulletin boards will include the date it was posted. Items that are required to be posted permanently, such as OSHA notices, will be labeled “Do Not Remove.”
      d. Employees wishing to bring published newspaper or magazine articles, clippings, or opinion columns to the attention of other employees may forward these to the Media Relations Unit for consideration for inclusion in the daily press package.
      e. Employees will not place items or markings on any bulletin board, marker board, or on any other item, including those in roll call and conference rooms, that disparage or discriminate against any individual or group because of race, color, religion, gender, national origin, age, disability, or sexual orientation.
f. Following are examples of items that may be posted on bulletin boards:

<table>
<thead>
<tr>
<th>Type of Item</th>
<th>Authority to Post</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel information</td>
<td>Personnel and Training</td>
</tr>
<tr>
<td>Mandatory notices</td>
<td>Personnel and Training, Facilities Management</td>
</tr>
<tr>
<td>Administration / official notices (Department, city, or community notices,</td>
<td>Commander or supervisor approval</td>
</tr>
<tr>
<td>correspondence, etc.)</td>
<td></td>
</tr>
<tr>
<td>Announcements regarding department or city events</td>
<td>All employees</td>
</tr>
<tr>
<td>Employee news (Examples: personal items for sale or rent, travel or</td>
<td>All employees, 2 weeks maximum</td>
</tr>
<tr>
<td>recreational opportunities, outside training or job opportunities)</td>
<td></td>
</tr>
</tbody>
</table>


g. Employees who place items on bulletin boards in violation of this order or in violation of city or department regulations may be subject to disciplinary action.

C. **Surrender of Department Property**: Employees are required to surrender all department property in their possession upon separation from service. Suspended officers will surrender their weapon, badge and identification for the duration of a suspension.

**BY AUTHORITY OF:**

Earl L. Cook  
Chief of Police
ATTACHMENT A

LAW ENFORCEMENT CODE OF ETHICS
Department of Criminal Justice Services

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 law enforcement 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 before God to my chosen profession … law enforcement.
2.3.01 POLICY/PURPOSE

The integrity of the Alexandria Police Department depends upon the personal integrity and discipline of each employee. Therefore, it is the policy of this Department to investigate all allegations of misconduct, including anonymous complaints, against the department or its employees, and to take remedial or disciplinary action if needed. All complaints, whether initiated by citizens or department employees, are to be thoroughly and fairly investigated, reviewed and documented.

The purpose of this directive is to establish procedures for investigating and resolving complaints involving department employees.

Formal discipline consists of disciplinary actions as outlined in City AR 6-20, including Oral Reprimands, Written Reprimands, Minor Suspensions/Loss of Leave, Major Suspensions/Loss of Leave, Demotions, and Terminations. Only the Chief of Police has the authority to direct the imposition of formal disciplinary actions against Police Employees.
Counseling and guidance, whether written or oral, unit-level sanction agreements (NIM), Performance Improvement Plans (PIP), training, EAP referrals, etc. are not formal discipline and therefore are non-grievable.

### 2.3.02 SCOPE OF THIS DIRECTIVE

A. The provisions of this directive concern alleged or suspected violations of federal statutes, state statutes, city ordinances, city administrative regulations, departmental directives and oral or written orders.

B. These violations include those reported by the public, either orally or in writing, by telephone or by correspondence to anyone employed by this department. Violations also include any incidents that are observed or known by department employees, or those reported by the City Manager’s Office.

### 2.3.03 AUTHORITY AND RESPONSIBILITIES

A. Responsibility for departmental disciplinary actions rests with the Chief of Police. Except for supervisory responsibilities and emergency suspension, the Chief of Police or designee must approve all formal department discipline. **[26.1.5]**

B. Employees of this department will perform the duties and assume the obligations of their rank or position in the investigation of complaints or allegations of misconduct.

C. It will be the duty of all employees to cooperate fully with investigators assigned to conduct investigations. All employees will truthfully answer all questions directed to them by the investigators, supervisors, or commanders, as well as furnish written statements. In addition, they will give all pertinent information of which they may have knowledge that is related to the investigation in question. Employees will not encourage any other person to withhold information or to provide untruthful information during any investigation.

D. The commander of Internal Investigations will compile an Annual Statistical Summary on complaints received from both external and internal sources. This Summary will be made available to the public and to the employees of this department. **[1.3.13; 52.1.5]**

### 2.3.04 REPORTING OF VIOLATIONS

A. All complaints will be restricted to the specific allegation(s) of misconduct, violation(s) of the law, or of department and other lawful orders and will not include those incidents of differences of opinion relating to matters that are subject to being resolved in court.
B. Department employees receiving complaints against other employees of this
department will immediately notify a supervisor, who will determine the need for a
formal complaint. If necessary, the supervisor will complete a Complaint/Inquiry
Form (APD-67) and submit it through channels to his or her commander, who will
forward it to the Internal Investigations commander. Employees will not advise
complainants that a complaint must be reduced to writing before it will be accepted.
Complaints will be accepted regardless of whether the complainant offers a written
statement.

C. The Internal Investigation commander will notify the complainant that their complaint
has been received. Notification may be made by mail, email or telephone and will be
documented in the file.

D. The Internal Investigations commander will notify the Chief of Police immediately
upon receiving complaints regarding discharge of a weapon other than at an
approved range, allegations of brutality, allegations of criminal activity, allegations of
sexual harassment, and other complaints of a sensitive or controversial nature as
determined by the Internal Investigations commander. [52.1.3]

E. The Internal Investigations commander will, except in those cases where
confidentiality is necessary to the investigation, notify the commander of the
employee and the employee of the complaint as soon as practical.

F. When employees are notified, by being issued an APD-67 by the Internal
Investigations commander or designee, that they have become the subject of an
internal investigation, they will be issued an Employee Rights and Responsibilities
Form (APD-68), relative to the investigation.

G. Internal Investigations will then assign a control number to the form and either
forward the complaint for investigation to the commander of the supervisor who
handled the initial investigation at the scene, or begin the investigation within Internal
Investigations.

A copy of the Citizen Complaint
Procedure (APD-67A) will also be given to the complainant.
I. If, for reasons bearing upon the impartiality of the investigation or the need for secrecy, any person believes that a complaint may not be handled properly if reported through the normal channels as outlined, they may report directly to the Internal Investigations commander, or if necessary, the Chief of Police.

2.3.05 INVESTIGATION PROCEDURES
O. Access to Internal Investigations complaint files will be limited to the Chief of Police, Internal Investigations personnel, and others approved by the Chief of Police. [52.1.10]

2.3.06 NON-INVESTIGATIVE MATTER (NIM) PROCESS

This Department realizes that discipline is a top stress factor among police officers and is committed to implementing a discipline system that utilizes innovative options to correct deficient behavior at the lowest level.
The NIM process has been developed to quickly address and correct certain minor violations of Department policies in lieu of handling the matter through the formal investigative process. Division/section/unit commanders have the authority to offer a NIM disposition once employee eligibility has been determined through the Internal Investigations office.

Training on procedures for handling NIM cases will be conducted by Internal Investigations staff to applicable Department staff.

A. Cases approved for NIM dispositions:
   1. Missing off-duty/extra duty detail.
   3. Certain Rude and Discourteous complaints that do not involve allegations of biased policing.
   4. One vehicle cruiser accident, with the following exceptions:
      • Two vehicle accidents are NIM-eligible if both vehicles are Department owned and there are no injuries; and
      • If a Department vehicle strikes a parked unoccupied vehicle.
   5. The Internal Investigations Section Commander can consider other violations for NIM eligibility on a case-by-case basis.

B. Eligibility.

Employees may be eligible for NIM dispositions if there is no pattern of misconduct and there are no NIMs or sustained complaints for the same offense in the previous 24 months. Division/section/unit commanders reserve the right to not offer a NIM disposition based on unit level concerns.

The benefit of the NIM disposition to the employee is that a full investigation could result in a sustained complaint and a disciplinary sanction, whereas the NIM agreement is a division level sanction that does not result in a sustained complaint.

C. Procedures.

1. Supervisors:

Supervisors of employees that have committed violations that are NIM eligible will, as soon as practical but within three calendar days, contact the Internal Investigations office to determine whether the employee is eligible for a NIM disposition. If the employee is eligible for a NIM disposition, the supervisor will contact their division/section/unit commander to determine whether a NIM will be offered or a formal investigation will be initiated. The division/section/unit commander has the discretion and authority to make the decision on how to proceed.

If the decision to offer a NIM disposition is made, the investigating supervisor will meet with the subject employee and discuss the NIM process as an option. If the employee agrees to the NIM process and acknowledges the violation, then a unit level non-
disciplinary sanction must also be agreed upon. Employees will have five calendar
days from the date of the violation to decide whether they want to proceed with the NIM
process or prefer a formal investigation. Once agreement is reached, the supervisor will
complete an APD 67C, NIM Agreement form which can be located on Microsoft
InfoPath form, and forward it to the Internal Investigations office through channels. **A NIM disposition does not result in a sustained complaint.**

2. **Commanders:**

Upon completion of complaints that are NIM eligible, division/section/unit commanders
will forward the NIM Agreement form and any supporting documentation, such as
vehicle accident packages, copies of counseling memorandums and/or other
documentation of agreed upon sanctions, to the Internal Investigations Section. The
data from the case will be entered and maintained in the Internal Investigations
database. NIM cases are considered in the activation of the Personnel Early Warning System in accordance with Police Directive 4.19, EAP/Early Intervention Program.

Division/section/unit commanders have ten calendar days from receipt date to forward
the completed NIM package to Internal Investigations Section. The NIM documents
should be placed in a folder with no labels.

3. **Internal Investigations Section:**

Internal Investigations staff will be responsible for determining NIM eligibility of
employees by reviewing the Internal Investigations case management software. Once
eligibility is determined, the information will be promptly forwarded to the appropriate
division/section/unit commander.

Internal Investigations staff will review NIM packages and file them appropriately. The Chief of Police will receive a periodic report that includes all cases involving NIM dispositions.

**2.3.07 SUSTAINED COMPLAINTS**

A. Once cases are completed, Internal Investigations will send a Notice of Investigation Results to the affected employee(s).

B. When a commander receives a memorandum from Internal Investigations instructing him or her to impose disciplinary action, up to and including a written reprimand, on an employee within his or her command, the commander will implement the disciplinary action by the due date on the memorandum, or contact Internal Investigations to explain any delay. The commander will return this memorandum (and written reprimand when directed) after the disciplinary action has been implemented, noting the date of completion. If training is involved, the commander will send the original memorandum back noting when training has been scheduled, and send a follow-up memorandum when training has been completed.
C. Discipline can be implemented when the notice is received by the employee, except under the following circumstances:

1. Whenever the employee notifies their supervisor and Internal Investigations within 48 hours of notice that he or she does not intend to accept the discipline, an internal review will be available prior to implementing the discipline. The employee must request the internal review. [26.1.6]

2. Even if the employee decides immediately to accept the discipline at the time of notification, he or she does not waive the right to appeal the action.

3. Whenever the case involves major discipline, which includes termination, demotion, major suspension of more than three days or loss of more than three days of annual leave.

D. When the discipline includes a major or minor suspension, loss of leave, or any action more severe than a written reprimand, the discipline shall only be imposed by Internal Investigations personnel.

E. Records of formal disciplinary actions will be retained in an employee's department personnel file for two (2) years. Records over two (2) years old will be purged from the department personnel files in July of every year. The City's Human Resource Department will retain copies of disciplinary actions in their files until the file is scheduled for destruction after retirement, termination, resignation, etc. [26.1.8; 52.1.2]

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C. When it becomes known that a warrant has been issued in any jurisdiction for an employee, this information will be directed to the on-duty patrol commander who will notify the Chief of Police, Internal Investigations commander, and the commander of the employee.
D. When a warrant has been served on an employee prior to the investigator’s or the department’s knowledge, the employee learning of or serving the warrant will immediately notify the on-duty patrol commander. The patrol commander will proceed as in section C above.

### 2.3.09 ADMINISTRATIVE LEAVE IMPOSED BY THE CHIEF OF POLICE

A. Pursuant to City Administrative Regulation 6-18, where unusual circumstances preclude an employee from fully or satisfactorily fulfilling the duties of his/her position, the Chief of Police, with the approval of the City Human Resources Director, may place an employee on administrative leave. Such leave may be with or without pay, for periods of time not to exceed 90 calendar days on any single occasion. Employees placed on administrative leave are notified in writing.

B. Employees placed on Administrative Leave under this section remain subject to all Department rules, policies and procedures. Sworn personnel may have their police powers temporarily suspended for the duration of the administrative leave period at the discretion of the Chief of Police.

C. When their police powers are suspended, officers will surrender all Department issued police credentials, badge, issued/assigned weapon(s), extra magazines, radio, MDB, access cards, and take-home vehicle (if assigned) to the commander of Internal Investigations or their designee. While in this status, employees are not allowed to operate any Department vehicles or work any extra-duty or secondary employment. They must, however, appear in court on scheduled dates or when lawfully subpoenaed.

D. Employees on Administrative Leave are to remain available to be called Monday through Friday between 0800 hours and 1600 hours and will provide a telephone number at which they can be reached.

E. When placing employees on Administrative Leave, Internal Investigations will notify Personnel and Training, Facilities, and IT staff, as needed.

### 2.3.10 TEMPORARY RELIEF OF DUTY

A. A division commander, the commander of Internal Investigations, or a higher authority may temporarily relieve an employee of duty when it reasonably appears that such action is in the best interest of the department. Such relief of duty may occur when an authority determines, in his or her judgment, that the employee is under a physical or mental condition which might render the employee incapable of adequately performing duties or make it likely that he or she will perform them in such a way as to embarrass or discredit the department or jeopardize the safety of
any person or property. Temporary relief of duty may also occur when there is substantial evidence to believe that the employee has committed an act or omission of such a flagrant nature as to render his or her continued presence on this department a source of embarrassment.

B. Whenever possible upon relieving any employee under this section, the imposing commander will immediately notify the Chief of Police, the commander of the employee, and the Internal Investigations commander, regardless of the time of day.

C. When relieved of duty under this section, the employee will continue to receive normal city pay. Officers will be relieved of all law enforcement functions and will deliver to the imposing division commander all Department issued police credentials, badge, issued/assigned weapon(s), extra magazines, radio, MDB, access cards, and take-home vehicle (if assigned).

D. An employee receiving a temporary relief of duty under this section will be required to report to Internal Investigations, accompanied by his or her commanding officer on the next business day at 10:00 a.m. unless otherwise directed by competent authority. The commanding officer imposing the temporary relief of duty will also report at this time.

By Authority Of:

Earl L. Cook
Chief of Police
2.4.01 PURPOSE AND POLICY

The purpose of this directive is to emphasize the department’s commitment to protect the constitutional and civil rights of all citizens in all cases. Every member of this department is required to treat all persons fairly and equally, with dignity and respect.

All police actions, including but not limited to traffic stops, investigative detention, interrogation, arrest or use of force, must always be based on the proper and equitable application of law.

This department prohibits any form of bias-based policing by any employee. All police actions must be based on the proper application of law and acceptable legal standards. Any employee found to have taken any police action based on personal bias is subject to disciplinary action.

Police actions based solely upon characteristics such as a person’s race, religion, ethnic background, gender or sexual orientation constitute biased policing and may involve improper profiling. These practices are illegal, discriminatory by nature and detrimental to the department, its mission and the community. They also erode the basic foundations of trust and respect that are essential to effective policing. [1.2.9.a]

2.4.02 DEFINITION

**Reasonable Suspicion** – A belief based on objective facts that lead an experienced officer to reasonably suspect that a crime has been committed or is about to be
committed. A reasonable suspicion must be based on the totality of the circumstances, including the officer’s knowledge, training and experience. A reasonable suspicion does not exist unless the officer can articulate the objective factual basis for the officer’s belief.

### 2.4.03 PROCEDURES

A. Stopping and Approaching Persons and Vehicles

1. In the absence of a specific report, individual characteristics (such as racial, ethnic, sexual preference, socioeconomic, age, gender, cultural, or religious) should not be a sole factor in the decision to stop, detain or arrest an individual; such characteristics alone do not justify the investigative stop of an individual or motor vehicle.

2. Officers should take into account the reported characteristics of an individual based on credible information that links a person of those specific characteristics to a particular criminal incident or series of crimes.

3. Traffic or investigative stops will be based on clearly articulable, reasonable suspicion that a crime has been committed or about to be committed.

4. Officers will conduct traffic or investigative stops as necessary to discharge their lawful duties of accident prevention and crime suppression. Officers will release stopped individuals as soon as practical. 

5. Field contacts and recording of information will be conducted pursuant to the provisions of Police Directive 10.37, Warrantless Search.

B. Video Camera

1. If the police vehicle is equipped with a video camera system, it should be operated in accordance with established procedures, including:

2. Circumstance and method by which the camera is to be activated and deactivated.

3. Time periods for retention of recorded materials.


C. Searches

1. Officers will conduct all searches in accordance with constitutional guidelines.

2. Officers will search incident to all arrests and conduct inventories in all appropriate cases.

3. Officers should initiate a search based only on information relevant to any fact, pattern, condition, behavior, or conduct relevant to an unlawful act or omission of the individual.

4. See Police Directives 10.30, Search Warrants, 10.25, Searches Incident to Arrest, and 10.37, Warrantless Search, for further information.
D. Asset Seizure And Forfeiture

1. Asset seizure and forfeiture efforts will not be based solely upon the characteristics of the property owner, such as race, ethnicity, sexual preference, socioeconomic status, age, gender, cultural, or religious preference. [1.2.9.a]

2.4.04 SUPERVISORY RESPONSIBILITIES [1.2.9.c]

A. Supervisors will evaluate their activities and those of subordinates within their control for disparate or unequal treatment and will appropriately intervene to prevent recurrence.

B. Supervisors will familiarize themselves with this policy and take appropriate action whenever it appears that it is being violated. They will pay particular attention to any indication of inappropriate or illegal discriminatory treatment, whether from favorable or unfavorable bias.

C. Supervisors will ensure that all personnel in their command are familiar with the content of this policy.

D. Complaints of racial profiling or other biased policing activity will be processed in the same manner as provided in PD 2.2, Rules of Conduct.

E. If biased policing occurs, corrective action may include supervisory counseling, remedial training, or disciplinary action. If it is determined that disciplinary action is necessary, administrative investigation and action will be in accordance with Police Directive 2.3, Complaints and Disciplinary Action. [1.2.9.c]

2.4.05 TRAINING [1.2.9.b]

The Personnel and Training coordinator will ensure that training of personnel, including non-biased policing issues and legal aspects, is conducted annually.

2.4.06 ADMINISTRATIVE REVIEW [1.2.9.d]

A. The Internal Investigations Unit will conduct an annual administrative review of department practices related to non-biased policing.

1. The review should include the following:

   a. Any citizens’ concerns received, related to biased policing.

   b. Traffic hotline database maintained by Internal Investigations.

   c. Random MDB transmissions.

2. This review will summarize data for each calendar year in a report to the police chief.

   [DWS-02/05/09]
BY AUTHORITY OF:

David P. Baker
Chief of Police
Alexandria Police Department  
Directive 2.5  

Harassment in the Workplace  

Effective Date: 09-23-2009  Updates: 2.5 (1-03-04)  
Changes: none  Next Review Date: 2012  

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2.5.01 PURPOSE AND POLICY  
2.5.02 DEFINITIONS  
2.5.03 RESPONSIBILITIES  
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2.5.01 PURPOSE AND POLICY  

The Alexandria Police Department shall provide a work environment for its employees that respects the diversity of our community, is free from discrimination and harassment, and promotes equal employment opportunity and equitable treatment for all department employees.  

Harassment because of a person’s race, color, religion, creed, gender, sexual orientation, national origin, ancestry, age, disability, marital status, or political ideology, or that of their relatives, friends, or associates is considered by the Department to be employment discrimination. Such harassment may violate City, State, or Federal laws. The Department will not tolerate any form of harassment.  

The Department intends to take positive action to prevent the occurrence of harassment in the workplace. The Department encourages employees to come forward with their concerns and complaints about prohibited workplace harassment. The Department will take immediate action to investigate complaints of alleged harassment. Retaliation against any individual for making a complaint of harassment or cooperating in a harassment investigation is prohibited. Any person who engages in prohibited harassment or retaliation will be subject to appropriate disciplinary action, up to and including termination.
2.5.02 DEFINITIONS

Harassment: Verbal or physical conduct toward an individual because of their race, color, religion, creed, gender, sexual orientation, national origin, ancestry, age, disability, marital status, or political ideology, or that of their relatives, friends, or associates, that:
1. has the purpose or effect of creating a hostile, intimidating, or offensive work environment,
2. has the purpose or effect of unreasonably interfering with an individual’s work performance, or
3. otherwise adversely affects an individual’s employment and/or promotional opportunities.

Harassing conduct: includes, but is not limited to:
1. epithets, slurs, or other verbal action that involves negative stereotyping, including use of language or accents;
2. threatening, intimidating, or hostile acts that relate to race, color, religion, creed, gender, sexual orientation, national origin, ancestry, age, disability, marital status, or political ideology; and
3. written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, creed, color, religion, gender, ancestry, sexual orientation, national origin, age, disability, marital status, or political ideology, and that is placed, posted or distributed on walls, bulletin boards, electronic bulletin boards, e-mail or elsewhere on the employer’s premises, or circulated in the workplace.

Harassment Complaint: An oral or written complaint alleging harassing conduct or a pattern of harassing conduct by an employee, by any supervisor or management representative who suspects that harassing conduct may have occurred in the workplace.

Retaliation: Punitive action taken against an employee because the employee has complained about harassment, given a statement about harassment, or otherwise supported a harassment complaint. Retaliation may potentially include: transfers or discharges; changes in job duties, assignments, privileges, or performance evaluations; continuing or escalating harassing behavior after a coworker has objected to that behavior.

Sexual harassment: Unwelcome advances, requests for sexual favors, and other verbal, or physical conduct of a sexual nature made under circumstances that:
1. imply that submission to such conduct is either explicitly or implicitly a term or condition of an individual's employment,

2. imply that submission to or rejection of such conduct by the targeted individual will be used as a basis for employment decisions affecting such individual, or

3. the conduct has the purpose or effect of unreasonably interfering with the targeted individual's work performance or of creating an intimidating, hostile, or offensive work environment. Sexual harassment may include, but is not limited to, sexual comments, innuendoes, displays or jokes; unwelcome invitations to sexual activity; and unwelcome touches, pinches, or hugs.

### 2.5.03 RESPONSIBILITIES

#### A. Each employee

Each employee of the Department is responsible for assisting with the prevention of harassment through the following:

1. refraining from participation in, or encouragement of, actions that could be perceived as harassment;

2. reporting acts of harassment to an immediate supervisor or to some other supervisor in their chain of command. If reporting the harassment to an employee's supervisor is not practical or possible, i.e., if the supervisor is the alleged harasser, the employee may file a complaint with any commander, with the Internal Investigations Unit, the Chief of Police or with the Director of the Human Rights Office; and

3. encouraging any employee who confides that he/she is being harassed to report the incident(s).

#### B. Supervisors and managers

Supervisors and managers shall assume responsibility for preventing harassment by:

1. educating employees about harassment, and related department and city policies;

2. explaining procedures for resolving such problems;

3. monitoring their commands for signs of harassment or prohibited activity;

4. directing an immediate end of any perceived offensive behavior;

5. taking appropriate intervention; and
6. immediately initiating an inquiry when there is reason to believe that harassment may have occurred or may be occurring. Any action taken in resolving an incident of harassing conduct shall be reported immediately to the Commander of the Internal Investigations Unit.

When an employee reports an allegation of sexual harassment, a confidential investigation by the Internal Investigations Section shall begin immediately. This mandate also applies to cases where an employee tells the supervisor about behavior considered sexual harassment, but does not want to make a formal complaint.

Failure to take action to stop a known act of harassment shall be grounds for discipline.

The Department has an affirmative obligation to investigate the existence of harassment in the workplace whenever it becomes aware of the possibility that harassment might be occurring. The chain of command of an employee who has been accused of harassment shall be responsible for providing assistance and cooperation whenever necessary during the course of an investigation.

2.5.03 COMPLAINT PROCEDURES

A. The employee should promptly file a complaint with their immediate supervisor. If the employee has a complaint against his or her supervisor, or if the employee is uncomfortable discussing the complaint with their supervisor, the employee may contact any police commander, the Internal Investigations Unit, the Chief of Police, or the Director of the Human Rights Office.

B. The employee’s complaint of harassment should be in writing, but may be oral. The complaint should include, when available, the following information: the date(s) incident(s) occurred, names of individuals involved, names of witnesses, and a description of the incident(s).

C. Employees may, at any time, seek redress from an enforcement agency (Alexandria Human Rights Commission or the Equal Employment Opportunity Commission) or through a court of law.

D. The Departmental investigation shall be completed no later than thirty (30) days from the receipt of the complaint or from the time that the supervisor became aware that harassment might be occurring. The time limit for completing an investigation may be extended upon making a determination that additional time is necessary for a full and complete investigation of the
complaint. Should the time limit be extended, the accused will be immediately notified in writing with a courtesy copy sent to the complaining employee. Accurate and detailed records of the investigation shall be maintained in a confidential file. A written summary of the allegations, and findings of the investigation shall be provided to the complainant and to the alleged harasser.

E. Supervisors/managers shall maintain the confidentiality of a harassment complaint to the extent that it does not hinder the investigation or resolution of the complaint and is permitted under law.

F. All records of complaints and their resolution shall be maintained in the Internal Investigations Unit.

G. False accusations of workplace harassment are viewed to be as severe a form of misconduct as harassment itself. Fabrications or false statements made in such cases will be thoroughly investigated and, if sustained, will be met with severe disciplinary action.

By Authority of:

Earl L. Cook
Chief of Police
The purpose of this Directive is to establish the policy and expectations for Department employees concerning personal web pages or sites.

Employees have a right to create and maintain personal web pages or sites. Web sites such as My Space, Facebook, LinkedIn and Usenet Groups allow individuals to express themselves and to communicate with other individuals for personal relationships, friendships, professional networking or correspondence. Police Department employees enjoy free speech rights; however, such rights are subject to certain limitations due to the nature of law enforcement work.

When an identifiable Department employee talks about or refers to the Alexandria Police Department on a personal web page, a web log (“blog”) or an Internet website, the statement can have unforeseen consequences. To protect the Department’s ability to retain public confidence and to carry out its mission, the Department must ensure that statements published on the Internet by Department employees do not discredit or disrespect the Department or its employees, compromise the integrity of ongoing investigations or jeopardize the safety of Police employees.

Directive 2.2 – Rules of Conduct are applicable to conduct using the Internet and/or Social Media.
Employees are also guided by Administration Regulation (10-4) – Electronic Mail (E-Mail) and Internet Use.

### 2.6.03 DEFINITIONS

**Social Networking** – using the Internet and social media such as Facebook, Twitter, MySpace, LinkedIn, Blogs, message boards etc. to communicate with others using the same groups. This includes networking with others on the basis of similar interests, geographical location, skills, profession or occupation etc.

**Social Media** – a variety of online resources that allow individuals to communicate and share digital media.

**Internet** – a computer network consisting of a worldwide network of computers.

**Blog/Blogging** – a series of entries written by an individual or a group similar to a journal. Blogging can entail commenting or creating content on any blog either hosted by the user or others.

**Post/Posting** – an entry onto a computerized forum. The act of commenting, creating or uploading to a social media site. This includes text, photographs and videos.

**Commenting** – a response to a post, blog or other social media entry.

**Electronic Mail (E-mail)** – a method of exchanging digital messages across the Internet.

### 2.6.04 RESPONSIBILITIES

Department employees who (i) have created or maintain a personal web page that can be accessed by the public or by granted permission; or (ii) post or publish written, pictorial or other material on Internet sites that can be accessed by the public or by granted permission, shall *not* do so in a manner that tarnishes the employee’s or police department’s reputation.

Employees shall not identify themselves, directly or indirectly, as an employee of the Alexandria Police Department except when it promotes a professional purpose and is consistent with the mission and ethical standards set by the police department.

#### A. Evidence

1. Employees shall ensure that digital technology used to collect evidence or digital technology that has or may have evidentiary value is treated, collected, stored, and documented as evidence.

2. Evidence collected using digital technology shall not be saved on personally owned digital equipment or in any other manner, even to their assigned server folder, once it has been properly saved and logged as evidence. All pictures, recorded audio, or video collected/captured by any police employee
during their tour of duty relating to any Police Department matter shall not be forwarded or provided to any person without the approval of a supervisor.

3. The release or forwarding of pictures, audio or video recordings to the Commonwealth’s Attorney’s Office is permissible if not associated with an internal investigation. Release of all internal investigation materials is the province of the Internal Investigations Commander.

4. All personnel must be aware that collecting evidence using their personally owned equipment may cause that equipment or its contents to be inspected, seized, or held as evidence as necessary.

B. Criminal Investigations

C. Photography

1. Photographs or other depictions of Department uniforms, badges, patches, marked vehicles and Public Safety Buildings shall not be used on employee Internet postings without the prior written permission of the Chief of Police.

2. Photographs obtained as a personal hobby, keepsake etc. shall be handled in a manner consistent with this policy. E-mailing or posting of photographs to family and friends is allowed, however, employees should recognize that once the picture is distributed the ability to regulate its use is greatly diminished.

3. Officers will be held responsible for the content that appears (including photographs) on their maintained social media or social networking site and will be obligated to remove any posting or material that reflects negatively upon the Department. Employees shall not post any material on the Internet that brings discredit to or may adversely affect the efficiency or integrity of the Department.

4. Any employee who wishes to post content (photographs or comments) about another Department employee who is on-duty or in a departmental uniform must seek approval from the employee before posting. Inadvertent posting of
this type of content will be immediately removed at the request of the affected employee.

D. **Postings**

1. Every Department employee is prohibited from posting on the Internet, in a manner that identifies or suggests the employee’s association with the Department, any material that:
   
   a. could reasonably be anticipated to bring discredit to the Department or its employees, or
   
   b. promotes, whether on-duty or off-duty, behavior that is unlawful or would justify the imposition of discipline by the Department.

2. Posting police reports, internal documents/memorandums, video, photographs of crime scenes, victims, suspects, and/or comments on crimes under investigation are prohibited, regardless of whether the investigation has concluded or the file has been closed.

3. All pictures, audio or video recorded, collected, captured, or stored by an officer during his/her tour of duty is the property of the Police Department whether the employee utilizes departmental equipment or equipment owned by the officer or another person.

4. Employees shall consider, prior to posting any material on an Internet website or blog, the possible adverse consequences of Internet postings. For example, the posting might be used in cross-examination during a criminal trial to suggest that the employee is biased, or to erode the employee’s credibility as a witness. The posting could raise issues about the employee’s thoroughness or fairness in conducting criminal investigations.

5. Employees are encouraged to seek the guidance of supervisors regarding any posting that may adversely reflect upon either the Department or upon the professionalism or integrity of the employee.

6. Any employee who becomes aware of, or has knowledge of, a posting and/or website that violates any of the provisions of this policy shall notify a supervisor immediately for follow-up action.

E. **Inappropriate Sites**

Certain Internet sites, because of the nature of their content, are inappropriate for posts or submissions by Department employees because participation in the website has the potential to erode public confidence in the fairness and ethical integrity of the Department and its employees. Examples of such websites include those that advocate or feature racism, ethnic bigotry or pornography.
An employee who posts material on any sort of Internet site that is deemed inappropriate, whether or not the material posted reveals the employee’s association with the Department may be subject to disciplinary action.

2.6.05 PROCEDURES

A. APPROVAL PROCESS

1. Employees that have a need to use references to the Department on personal web pages or in submissions to Internet sites shall:

   a. Submit a written request for approval to the Chief of Police via the Chain-of-Command.

   b. Describe the proposed reference to the Department and purpose.

   c. Provide a list of media to be used on the web page.

   d. If available provide a printed layout of the entire web page, posting or site.

The employee will receive written approval or denial of the request.

2. No sexually explicit, violent, racist, or ethnically derogatory material, comments, pictures, artwork, video or other reference may be posted along with any Department approved reference.

3. Any changes made to a previously approved web page, site or posting must be submitted for re-consideration.

BY AUTHORITY OF:

Earl L. Cook
Chief of Police
## Contents

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### 2.7.01 Policy/Purpose

The purpose of this directive is to establish policy regarding the use of recording devices (audio/video) by employees and interactions with citizens using recording devices.

Employees may record conversations or images when such recording is appropriate to the proper performance of their duties, where the recording is consistent with Department policy, and the recording is not made outside the limits of state, federal or constitutional law.

Members of the public, including media representatives, have an unambiguous First Amendment right to record officers in public places, as long as their actions do not interfere with the officer’s duties or the safety of officers or others. Officers should assume that they are being recorded at all times when on duty in a public space.

### 2.7.02 Authority

The use of recording devices is governed by the provisions of Va. Code §19.2-63.1 and requires the approval and knowledge of the Chief of Police or designee, prior to use. Unauthorized possession and use of recording devices by employees under Va. Code §19.2-63.1 is unlawful and a class 1 misdemeanor.
2.7.03 DEFINITIONS

**Media** - The storage source for visual or audio recordings, whether by film, analog, or digital means.

**Personal Recording Device** - Any audio or video device, individually owned or possessed, that was not issued by the Alexandria Police Department or the City.

**Recording** - Capturing of images, audio, or both, by means of a video camera, cell phone, iPhone, audio recorder, or other device.

2.7.04 RESPONSIBILITIES/PROCEDURES

A. General

1. Recording devices may be used by employees to accurately document circumstances and/or statements made during the performance of their police duties:
   
a. Employees may use devices issued to them, (i.e., iPhones), by virtue of their assignment and approved for official use.
   
b. The use of personal recording devices is prohibited except in exigent circumstances.
   
c. All CIS interview rooms have been equipped with departmental approved audio/visual recording and visual monitoring equipment.

2. The retention of any recording or image made by employees, in their official capacity, is governed by the provisions of the *Virginia Freedom of Information Act*, the *Virginia Public Records Act*, and rules of evidentiary disclosure in criminal and civil court proceedings.

   a. As such, the status of the employee (not the ownership of the device making the recording) governs the ownership of such recordings. Any recording made or electronic data captured by an employee conducting official law enforcement business, shall be the property of the Department.

   b. No Department recording(s) shall be given, sent, transferred, or transmitted to any other person or entity unless approved by the Chief of Police or his designee.

   c. Recordings of a non-evidentiary nature must be maintained in an unedited format for 30 days in accordance with the *Library of Virginia Records Retention and Disposition Schedule*. Non-evidentiary recordings can be erased, without filing the *Certificate of Records Disposal* form (Rm-3).

   d. Any recording that would be considered evidence shall be maintained in an unedited format and retained following all established rules of evidence.
B. Restrictions on the Use of Recording Devices

1. Surreptitious recording is defined as a covert, clandestine, or secret audio, video, or photographic recording of another person without the knowledge and consent of the person being recorded.

2. Without the permission of the Chief of Police, employees may not surreptitiously record audio, video, or images of any other Department employee, or any City employee or official.

3. Employees are not permitted to use any non-department issued body-worn cameras under any circumstance.

C. Use of Recording Devices

1. Anytime a recording device is used, the employee must document the fact that a recording(s) exists in their incident report, as soon as a report is generated for that event.

2. Whenever possible, employees shall record an entire conversation or contact, unless the contact moves into a restricted conversation.

3. If an employee fails to record an entire conversation or contact, the employee will note the failure, with an explanation, on an incident/investigative report. This will not apply if the contact is a non-reportable incident.

2.7.05 CITIZEN’S RECORDING OF POLICE ACTIVITY

A. Recording of Police Activity

1. When encountering a citizen using a recording device, officers must not threaten, intimidate, or discourage citizens from recording police activities or intentionally block or obstruct recording devices, however, officers are not required to move or position themselves for the convenience of recording.

2. Citizens, who are lawfully in public spaces or locations where they have a legal right to be present, such as their home, place of business, or the common areas of public and private facilities and buildings, have a First Amendment right to record and photograph officers in the public discharge of their duties, subject to legitimate and reasonable legal restrictions.

3. Citizens recording police activities must be conducted in the following manner:

   a. Persons must maintain a reasonable distance from the officer(s) engaged in enforcement or related police duties.
b. Persons engaged in recording activities may not obstruct police actions. For example, individuals may not interfere through direct physical intervention, tampering with a witness, or by persistently engaging an officer with questions or interruptions. However, the fact that recording and/or overt verbal criticism, insults, or name-calling may be annoying, does not in itself justify an officer taking corrective or enforcement action or ordering that recording be stopped, as this is an infringement on an individual's right to protected speech.

c. Persons recording may not unreasonably impede the movement of emergency equipment and personnel or the flow of vehicular or pedestrian traffic.

d. The actions of the recording party must not jeopardize the safety of officers, victims, witnesses, or third parties and cannot violate the law, or incite others to violate the law.

B. Arrests

1. Persons who violate the foregoing restrictions should be informed that they are engaged in prohibited activity and given information on acceptable alternatives, where appropriate, prior to making taking enforcement action.

2. An arrest of a person who is recording officers in public must be related to an objective, articulable violation of the law unrelated to the act of recording. The act of recording does not, in itself, provide grounds for detention or an arrest.

3. An arrest of an individual does not provide an exception to the search warrant requirement justifying search of the individual's recording equipment or media. While equipment may be seized incident to an arrest, downloading, viewing, or otherwise accessing files, absent exigent circumstances, requires a search warrant.

4. A supervisor or commander should be requested at the scene anytime a situation exists where an individual recording police activity is going to be, or will most likely be arrested, or when recording equipment may be seized.

C. Confiscation of Recording Devices and Media
BY AUTHORITY OF:

Earl L. Cook
Chief of Police