

	KANSAS CITY MISSOURI POLICE DEPARTMENT	DATE OF ISSUE	EFFECTIVE DATE	NO.
	<b>PERSONNEL POLICY</b>	8/11/2021	8/11/2021	201-12
SUBJECT			AMENDS	
Policy Series 200: Employee Guidelines 201 - Code of Ethics and Rules of Conduct				
REFERENCE		RESCINDS		
RSMo. Chapter 84, and 571.107 PI: "Fiscal Procedures" "Limited English Proficiency" "Response to Resistance" PPBM: 203, "Drug Abuse Testing" 218, "Uniform and Personal Appearance Regulations" 261, "Social Media and Networking" 310, "Discrimination and/or Harassment" 430, "Employee Evaluation Process"		PPBM: 201-11		

## I. INTRODUCTION

- A. The Code of Ethics and Rules of Conduct are mandates for the conduct of all Kansas City Missouri Police Department (Department) members. The Department is a public service organization; therefore, the actions of each of its members are subject to observation and scrutiny.
- B. These Rules of Conduct are neither intended to cover every situation, nor be exclusive of any other department written directive or pronouncement by the Chief of Police, or designee. Members are expected to conduct themselves at all times in accordance with such directives and in a manner that will reflect favorably upon the community, the law enforcement profession, the Department, and themselves.

## II. POLICY

- A. Members are charged with the duty to conduct themselves at all times in keeping with the Code of Ethics, the Rules of Conduct, and the policy statements of the Chief of Police. All activities contrary to this concept, whether or not specifically mentioned or prohibited in these rules, may subject members to disciplinary action.
- B. Supervisors and commanders will carry out all duties and responsibilities imposed upon them by virtue of their rank in an ethical and professional manner. Supervisors and commanders will regularly monitor the relationships and activities of assigned subordinates to ensure that members treat each other and the public with respect and dignity. All activities contrary to this concept may subject supervisors and commanders to disciplinary action.
- C. Sworn members will take appropriate and immediate action in any situation in which they know or should have known their failure to intervene would result in a constitutional violation, excessive response to resistance, or egregious behavior which shocks the conscience.

- D. The Department will not condone or tolerate any retaliation against a member for reporting or intervening in any situation contrary to this directive.

### III. CODE OF ETHICS

All members must be fully aware of the ethical responsibilities of their position and constantly strive to live up to the highest possible standards of professional policing. It is important that members have clear advice and counsel available to assist them in performing their duties consistent with these standards. The Department has adopted the following ethical mandates:

- A. Cooperation with Other Officers and Agencies

Members will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

- B. Confidentiality

1. Members of the public have a right to security and privacy; information obtained concerning them will not be improperly divulged.
2. Members will keep secret what they see, hear, or learn of, which is confidential in nature unless the performance of duty or legal provision requires otherwise.

- C. Discretion

1. Members will responsibly use the discretion vested in their position and exercise it within the law.
2. The principle of reasonableness will guide members' determinations and they will consider all surrounding circumstances in determining whether any action will be taken.
3. Sworn members will not permit personal antagonisms or friendships to influence their exercise of discretion in stopping, questioning, arresting, or releasing members of the public.

- D. Integrity

1. Members will not engage in acts of corruption or bribery, nor will members condone such acts by other members.
2. The public demands that the integrity of all members be above reproach. Therefore, members must avoid any conduct that might compromise the integrity and thus undercut the public confidence in the Department.

3. Members will refuse to accept any gifts, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the member to refrain from performing official responsibilities honestly and within the law.

E. Performance of Duties

1. Members will perform all duties impartially without favor or affection or ill will and without regard to any class of persons, on the basis of race, color, national origin, limited English proficiency, sex, sexual orientation, gender identity, age, religion, disability, or low-income level. All people will be treated equally with courtesy, consideration, and dignity.
2. Members will never allow personal feelings, animosities, or friendships to influence official conduct. Laws will be enforced appropriately and courteously, and in carrying out their responsibilities, members will strive to obtain maximum cooperation from the public.
3. Members will conduct themselves in appearance and demeanor in such a manner as to inspire confidence and respect for the position of public trust they hold.

F. Primary Responsibilities

1. Members act as official representatives of government and are required and trusted to work within the law.
2. Members' powers and duties are conferred by state statute.
3. Fundamental duties of sworn members include: serving the community; safeguarding lives and property; protecting the innocent; keeping the peace; and ensuring the rights of all to liberty, equality, and justice.

G. Private Life

1. Members will behave in a manner that does not bring discredit to themselves or the Department.
2. The character and conduct of members while off-duty must always be exemplary, thus maintaining positions of respect in the community in which they live and serve.
3. Each member's personal behavior must be beyond reproach.

#### H. Professional and Personal Capabilities

1. Members will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.
2. Through study and experience, members can acquire a high level of knowledge and competence that is essential for the efficient and effective performance of duty.

#### I. Use of Force

Members will never engage in the cruel, degrading, or inhumane treatment of any person. Members should refer to the current written directive entitled, "Response to Resistance."

### IV. RULES OF CONDUCT

#### A. Members will:

1. Intervene and/or report any violation of constitutional or civil rights, the Code of Ethics or Rules of Conduct, or Department directive committed in their presence by other members, as it is their duty to intervene.
  - a. Members will determine the appropriate manner, time, and method to intervene based on the totality of the circumstances of the situation.
  - b. When reporting a violation, members will follow protocols and practices established through current written directives addressing the specific violation.
2. Read and sign, acknowledging they have received and reviewed all current department written directives issued to them, e.g., Procedural Instructions, Personnel Policies.
3. Be punctual in reporting for duty and in maintaining assigned work schedules.
4. Be alert throughout their tour of duty/shift and will prepare themselves by having adequate rest and sleep prior to reporting for duty.
5. Be dignified, courteous, cooperative, and respectful with other members of the Department, with officials and members of other government and law enforcement organizations.

6. Promptly and respectfully obey all lawful and proper orders and instructions issued by a supervisor/commander regardless of the manner by which they are transmitted or received. Lawful and proper orders and instructions are those which conform to the policies and orders set forth or provided for in the department written directives.
7. Make an inquiry if they do not understand an order.
8. Treat as confidential the official business of the Department.
  - a. Members will not impart it to anyone except those for whom it is intended, or as directed by their supervisor/commander, or by the requirements of the Department and the law.
  - b. A member may comment upon current news to representatives of the media, upon establishing their identity, providing that the ends of justice are not thereby defeated or otherwise prohibited by the Department's written directives.
9. Obey all municipal ordinances, state, and federal laws.
10. Provide for the proper care, control, and/or use of all clothing and equipment assigned to them for the performance of their duties. For further information, refer to the current written directive entitled, "Uniform and Personal Appearance Regulations."
11. Maintain a satisfactory level of performance during the term of their appointment as members of the Department. For further information, refer to the current written directive entitled, "Employee Evaluation Process."
12. Summon an on-duty officer to handle the situation, unless it is of an emergency nature if a member or any of the member's immediate family becomes involved in a situation requiring police attention.
13. At the direction of the Chief of Police, be required to submit to a polygraph test administered by a competent operator in the interest of clarifying any departmental matter to which the member is a party, or concerning any such matter about which it is believed the member has information of value.

B. Members will not:

1. Be absent from duty without properly authorized leave.
2. Use their off duty time in any manner that renders them unfit for the proper and efficient performance of their duties.

3. Read or write while on-duty to a degree that hinders the proper performance of their duties or in any manner that would tend to bring discredit to or embarrassment upon the Department, except as authorized or required in the performance of duty.
4. Consistent with training, abandon, surrender, or otherwise disregard their duty to defend, protect, or serve in the line of duty in circumstances in which doing so places members of the public or fellow members in immediate threat of physical injury or death.
5. Use uncivil, harsh, profane, or vulgar language, even under great provocation.
6. Engage in or attempt to engage in, or knowingly consent to any form of dishonesty, including deviations from the truth, whether on or off duty.
7. Engage in any illegal, immoral, or indecent conduct, nor in any normally legitimate act which, when performed in view of the public, would tend to reflect discredit upon the Department.
8. Recommend or suggest to any citizen the services of any lawyer, bondsman, funeral services, or tow service.
9. Make a commitment to pay money which is chargeable to the Department, without proper authorization. Liability for such improper or unauthorized actions will rest with the member incurring the debt.
10. Act as surety (bondsman) on any bond for any person arrested by the Department.
11. Accept any other position of public trust or affiliate with any organization which might tend to interfere with the effective and impartial performance of their duties.
12. Join or associate with any organization involved in activities which interfere with the orderly process of justice or government by illegal means or which advocate racism, criminality, or violence.
13. Knowingly associate or have any dealings with people engaged in unlawful activities, nor frequent or operate places in which unlawful activities are conducted while either on or off duty, except when necessary in the official performance of duty.
14. Withhold unfavorable or provide false information concerning a prospective member of the Department.
15. Cheat on any type of exam, process, or assist another person to do so.

RSMo. 84.830.5

16. Directly or indirectly, cause or permit any person outside the Department to make a request or recommendation for them or on their behalf pertaining to promotion, transfer, assignment, proposed, present or future change of status, or any other matter in any way affecting their duties within the Department. This rule will not include applications made on behalf of members of the Department by their duly designated attorneys or agencies in connection with legal proceedings or complaints.
17. While off duty, use alcohol to a degree or in such a manner as to discredit the Department.
18. While in uniform, enter a tavern/nightclub except in the necessary performance of police duty. A tavern is defined as any place that predominately sells intoxicating liquor, deriving more than 50 percent of its annual gross sales from the sale of alcoholic beverages.
19. Solicit services or anything of value, intrinsic or otherwise, for any purpose whatsoever, by acting in a manner or making representations in any form which appears to have the official sanction of the Department but, in fact, does not.
20. Accept awards, gifts, or other compensation as payment for services rendered in connection with their official duties unless approved by the Board of Police Commissioners following a recommendation by the Chief of Police. RSMo. 84.630
21. On or off duty:
  - a. Engage in any conduct or commit any disorder or neglect to the prejudice of good order and discipline of the Department, or
  - b. Engage in any conduct of a nature to bring discredit upon the member or the Department, or
  - c. Engage in any conduct unbecoming a member of the Department.
  - d. Conduct unbecoming a member of the Department will include any conduct which adversely affects the morale or efficiency of the Department and any conduct which has a tendency to adversely affect, lower, or destroy public respect and confidence in the Department or its members.
22. Manufacture, distribute, dispense, possess, or use a controlled substance under Missouri statutes or federal law is prohibited.
23. Discuss the identity and assignment of any member in a confidential assignment unless required to do so as a direct result of their duties.

- 24. Covertly record other members without the prior approval of the Chief of Police unless such is done as a justifiable Whistleblower situation.
- \*25. Carry or use unauthorized weapons while on-duty.
- \*26. Accept or complete, or cause to be completed any form or legal document designed for making claim for rewards, gifts, or other compensation to include a:
  - a. Monetary reward or fee for information leading to the apprehension or arrest of any fugitive.
  - b. Monetary reward, gift, or special consideration in the form of:
    - (1) Service for the recovery of property of any description.
    - (2) Service offered for information, arrest, or conviction of a person(s) in connection of any criminal offense.
  - c. Fee of any kind for:
    - (1) The filing of information on or arraignment of any federal law violator.
    - (2) Appearing in a criminal, civil, or administrative action in the member's official capacity as a Department member.
    - (3) Any warrant, subpoena, court order, or replevin order whether it be issued at the local, state, or federal level.
- C. Sworn members in civilian clothing will identify themselves by displaying their badges and identification cards when the use of official status is being exerted or implied while on-duty or off-duty.
- D. Political Activity
  - 1. Any violation of the listed statutes will constitute grounds for mandatory termination.
  - 2. A member will forfeit and vacate their position of employment and be terminated with the Department unless otherwise allowed by state statute for (RSMo. 84.400):
    - a. Failure to decline a nomination for an office elective by the people publically within five (5) days succeeding such nomination.
    - b. Becoming a candidate for the nomination for any office at the hands of any political party.



- c. Accepting any other place of public trust or emolument (profit, salary, compensation for services).
3. Members will retain the right to vote as they may choose and to express their opinions on all political subjects and candidates so long as such expression does not violate other statutes, other rules or policies of the Department. RSMo. 84.830 and 84.400. Members should also refer to the written directive entitled, "Social Media and Networking."
4. Members will not:
  - a. Permit any solicitation for political purpose in any building, room, or property utilized for the discharge of the official duties of the Department. RSMo. 84.830.1
  - b. Promote, remove, or reduce any other official or member, or promise or threaten to do so, for withholding or refusing to make any contribution for any political party or purpose or club, or for refusal to render any political service. RSMo. 84.830.2
  - c. Directly or indirectly attempt to coerce, command, or advise any other member to make any contribution or render any such service as stated in the preceding section. RSMo. 84.830.2
  - d. Use their official authority or influence to interfere with any election or any nomination for office, or do anything to affect the result thereof, except to express their personal opinion and vote as they choose. RSMo. 84.830.2
  - e. While on-duty or while wearing the Department's uniform (any parts thereof, clothing, or other item containing a logo, mark, patch, badge or insignia of the Department) solicit any person to vote for or against any candidate for public office, or poll precinct, or be connected with other political work of similar character on behalf of any political organization, party, or candidate. RSMo. 84.830.2
  - f. Affix any sign, bumper sticker, or other device to any property or vehicle under the control of the Department which either supports or opposes any ballot measure or political candidate. RSMo. 84.830.3

- g. Directly or indirectly, give, render, pay, offer, solicit, or accept any money, service, or other valuable consideration for or on account of any appointment, proposed appointment, promotion to, or any advancement in, a position in the service of the Department. RSMo. 84.830.6
- 5. It is prohibited to cause any question in any examination relating to political or religious opinions or affiliations. RSMo. 84.830.4
- 6. No appointment, transfer, promotion, reduction, suspension, or removal of a member will be affected by such opinions or affiliations. RSMo. 84.830.4
- \*E. Members may be appointed to serve on any state or federal board, commission, or task force but may not be compensated other than as provided for pursuant to RSMo. 84.400.
- F. Members who are approached by an individual who desires to grant them or the Department a monetary reward, gift, or other compensation should inform the person in a businesslike manner that such gratuities are not accepted by Department members. However, if the individual desires to make a contribution to a Department affiliated not-for-profit organization, they should be advised to make the contribution payable specifically to that organization.
- G. Sworn members and reserve officers who initiate some police function when ethically obligated to do so while off duty will not accept rewards, gifts, or other compensation for services rendered.



Richard C. Smith  
Chief of Police

Adopted by the Board of Police Commissioners this 27<sup>th</sup> day of July, 2021.



Mark C. Tolbert  
Board President

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