

**RULES AND REGULATIONS**

**FOR THE**

**NORTH KINGSTOWN**

**RHODE ISLAND**

**POLICE DEPARTMENT**



**Patrick Flanagan**  
**Chief of Police**

Revised February 2020

**RULES AND REGULATIONS FOR THE GOVERNMENT  
OF THE POLICE DEPARTMENT OF THE TOWN OF  
NORTH KINGSTOWN, RHODE ISLAND**

**AUTHORITY**

Rules and Regulations for the government of the Police Department of the Town of North Kingstown are adopted by the Director of Public Safety and the Chief of Police.

The effective date of these Rules and Regulations shall be February 12, 2020 and they shall remain in full force and effect until amended or rescinded.

A handwritten signature in black ink, appearing to read "Patrick Flanagan", is written over a thin red horizontal line.

**Patrick Flanagan  
Chief of Police  
Town of North Kingstown, RI**

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## **I. INTRODUCTION**

### **A. INTRODUCTION**

The Rules & Regulations in this manual are adopted as a guide for the discipline and government of the North Kingstown Police Department.

It cannot be expected that any set of rules & regulations will cover all situations or emergencies that arise. In a role as complex as that of a police officer, intelligence and discretion will often be the only available guidelines.

There is a need for standards of conduct and general rules in any organization, especially one in an area as important as law enforcement. This is particularly true in a police agency because the reputation of the organization is fundamentally dependent upon the personal conduct and professional competence of its individual officers. These rules & regulations are formulated to meet the needs of the agency.

Department members and employees are required to read and be familiar with the contents of this manual.

The purpose of this manual is to improve the effectiveness of the police department by making clear to all officers and employees what is expected of them and what they can expect of fellow officers and employees.

It is anticipated that from time to time this manual will need revision. Times, attitudes, collective bargaining agreements and policies change. This manual will be available in hard copy and electronic format.

### **B. SEVERABILITY**

These Rules & Regulations shall become effective on the date of issuance and shall remain in full force and effect until amended or rescinded. If any part of these regulations is rendered inoperable or declared illegal by any court or tribunal of competent jurisdiction, the balance of the entire manual will remain in full force and effect.

## **C. DEPARTMENT STATEMENTS**

### **Vision Statement**

We envision the North Kingstown Police Department as the benchmark of professionalism and leadership, not only in Southern Rhode Island, but statewide.

### **Mission Statement**

The mission of the North Kingstown Police Department is to ensure that police services are delivered in an effective and efficient manner - providing a quality of life for all residents and visitors that are free from the threat or fear of crime impacting their lives. This mission is accomplished by employing contemporary methods and techniques, while remaining ever vigilant of the need to operate with the utmost regard for customer service.

### **Values Statement**

These values are what make a North Kingstown Police Officer what he or she is. They are simple yet very important and are the foundation upon which the North Kingstown Police Department stands to provide – professional service to all.

- Honesty - The single most reliable mark of an officer's value. Honesty is dealing in a straightforward and open manner with all members of the public and the department.
- Integrity – the integration of outward actions and inner core values. A person of integrity is the same on the outside and on the inside. Such a person can be trusted because he or she never veers from inner core values.
- Professionalism - Being professional means being punctual, courteous, prepared and well groomed. It also means having and showing respect for every person/officer encounter.
- Dedication – spending whatever time or energy is necessary to accomplish the task at hand, complete and wholehearted devotion.

## **D. DEFINITIONS**

**All definitions will be interpreted using the collective bargaining agreement.**

<b><u>Acting</u></b>	Serving temporarily in a position to which the member is not ordinarily assigned, usually in a position of higher rank. All authority, responsibilities and duties of the officer in the higher position devolve upon the acting member.
<b><u>Annual Leave</u></b>	Vacation granted annually to members. The Chief of Police may cancel or deny leave in an emergency.
<b><u>Area</u></b>	A particular geographic route or beat to patrol.
<b><u>Assignment</u></b>	A specifically established or prescribed police duty.
<b><u>Bereavement</u></b>	The period of time which a member is excused from duty by reason of death within his/her immediate family.
<b><u>Chain of Command</u></b>	The unbroken line of authority extending from the Chief of Police to the Officer in charge (OIC).
<b><u>Chief</u></b>	The Chief of Police, executive officer of the Police Department.
<b><u>Civilian Personnel</u></b>	Employees (non-sworn) of the town who work in the police department who do not have police powers.
<b><u>Commanding Officer</u></b>	An officer assigned to command and direct any functional unit or subdivision of the department.
<b><u>Days Off</u></b>	Time and manner of excusing members from duty shall be determined by the Chief of Police.
<b><u>Department</u></b>	The Police Department, a division of the Department of Public Safety as provided by the Town Charter.
<b><u>Deputy Chief</u></b>	The Deputy Chief of Police, assistant executive officer of the Police Department.
<b><u>Detail</u></b>	Member or members of the department, sometimes from more than one organic unit, grouped together for accomplishment of a specified purpose. When not engaged in a continuous operation the detail is called a special detail.

<b><u>Discharge</u></b>	Dismissal. The act of terminating the services of a member. All members shall hold office during good behavior but may be removed by the Chief of Police for cause.
<b><u>Discipline</u></b>	A standard of orderly conduct based upon obedience and conformity to a set of rules and regulations.
<b><u>Division</u></b>	A subdivision of the department which encompasses groups or units.
<b><u>Duty</u></b>	The obligation to perform police action or service.
<b><u>Force</u></b>	The sworn officers of the Department possessing police powers.
<b><u>General Order</u></b>	A permanent written order issued by the Chief of Police not relating to a specified circumstance or situation but affecting or of concern to the entire membership. General orders are issued to each member of the department and are incorporated as part of this manual.
<b><u>Headquarters</u></b>	The Police building from which the Chief of Police administers and directs the department and its personnel.
<b><u>Immediate</u></b>	This term is to be construed to mean “As soon as possible.”
<b><u>Incompetence</u></b>	Being incapable of the satisfactory performance of Police duties, diligence, sound judgment, ability to take decisive action or any other trait which demonstrates incapacity or ineptness in the performance of assigned tasks.
<b><u>Insubordination</u></b>	The willful disobedience of any order lawfully given or Issued by a superior officer, or any disrespectful, mutinous, insolent or abusive language toward any superior officer. Ridiculing a superior officer or his/her orders whether in or out of his/her presence is considered insubordination.
<b><u>Late for Duty</u></b>	Failure to report for duty at the time and place indicated.
<b><u>Leave of Absence</u></b>	An extended period of time during which an officer is excused from duty and he/she may or may not receive pay.
<b><u>Length of Service</u></b>	The length of time an officer has been engaged in the actual performance of police duty inclusive are; authorized leave of absence, sick leave and time served in the Armed Forces recognized by law as active duty.

<b><u>Manual</u></b>	The Police Manual of the Department.
<b><u>Member</u></b>	A duly appointed and sworn Police Officer in the Department.
<b><u>Memorandum</u></b>	A record of any proceeding or communication of any kind.
<b><u>Mission</u></b>	Goals and objectives or specified work of the department.
<b><u>Neglect of Duty</u></b>	Failure to give suitable attention to the performance of duty. Examples include; the failure to take proper action on an occasion of a crime, disorder or other act or condition deserving police attention, absent without leave, failure to report for duty, unnecessary absence from his/her beat, patrol area or post during his/her tour of duty, failure to perform duties prescribed within the rules and regulations, failure to conform to departmental operating procedures and conducting private business while on duty.
<b><u>Officer</u></b>	A sworn member of the Police force having the power and authority of a Police Officer.
<b><u>Off Duty</u></b>	The state of a member during the hours of the day, his/her days off and annual leave when the member is not working.
<b><u>Officer-in-Charge</u></b>	A Commanding Officer (highest ranking officer) of a shift or the Commanding Officer of any gave situation.
<b><u>Official Channels</u></b>	The Department chain of command.
<b><u>On Duty</u></b>	The state of a member during the hours of the day, (shift) when he/she is actively engaged in the performance of his police duties. Technically, a police officer is on duty and subject to be called into work at any time.
<b><u>Organization</u></b>	The organic structure of the department's separate units.
<b><u>Organic Unit</u></b>	Member of the department regularly grouped together under one head for the purpose of accomplishing a specific police purpose.
<b><u>Orders</u></b>	Commands or instructions, oral or written, issued by the Chief of Police or a ranking officer.
<b><u>Patrol</u></b>	An area assigned to an officer for patrol purposes.

<b><u>Patrol Cruiser</u></b>	A vehicle used to transport patrolmen from one assignment to another, in the performance of general patrol duties.
<b><u>Patrol Officer</u></b>	A duly appointed and sworn member serving at the entry level of the Department structure.
<b><u>Squad</u></b>	The personnel of an organic unit assigned to one shift and headed by a Patrol Commander
<b><u>Policy</u></b>	A statement either written or oral which embodies the thinking, philosophy and interest of the Chief of Police.
<b><u>Post</u></b>	A fixed point or location to which an officer or employee is assigned for patrol purposes.
<b><u>Probationary Status</u></b>	Probationary status shall be regarded as a phase of the examination process and shall be utilized for closely observing an employee's work, for securing the most effective adjustment of a new employee to his / her position and for eliminating any probationary employee whose performance does not meet the required standards of work. The normal probation period will be one year from appointment to the North Kingstown Police Department or promotion.
<b><u>Procedure</u></b>	The official method for with any given situation prescribed by general order, special orders, etc.
<b><u>Promotion</u></b>	A permanent change in the employment status of a member to a position of greater responsibility and higher pay classification.
<b><u>Promulgated</u></b>	The act of making known officially.
<b><u>Proper Authority</u></b>	The right or power to command when such right is specifically delegated.
<b><u>Ranking Officer</u></b>	The Officer having the highest rank or grade on duty at a particular time.
<b><u>Relieved from Duty</u></b>	The official act of temporarily removing an officer from street or field duty, with or without pay, for a specific purpose.
<b><u>Report</u></b>	A written communication, unless otherwise specified relating to police matters.

<b><u>Rules and Regulations</u></b>	Written directions issued by the Chief of Police, which define the police purpose, and the duties, responsibilities and conduct of all members.
<b><u>Shall</u></b>	Indicates mandatory action by members.
<b><u>Shift</u></b>	A regular tour of duty, unless otherwise ordered by the Chief of Police.
<b><u>Senior Officer</u></b>	A member in any given rank with the longest service in that rank, unless otherwise designated by the Chief of Police or department policy.
<b><u>Special Duty</u></b>	This term shall apply to the assignment to private concerns requiring service of a police officer, athletic events, highway construction, etc.
<b><u>Suspension</u></b>	The official act of temporarily removing an officer from all police duties, with or without pay for a specified period of time, for violation of Department rules, regulations, orders or directives.
<b><u>Table of Organization</u></b>	A table showing the number and rank of officers and civilian employees assigned to each unit.
<b><u>Tour of Duty</u></b>	A regularly established work period.
<b><u>Uniform of the Day</u></b>	The Police uniform specifically designated by the Chief of Police to be worn by all uniformed officers at particular times and occasions.
<b><u>Workday</u></b>	The workday begins at midnight and ends twenty-four hours later.

## **E. PROFESSIONAL RESPONSIBILITIES**

Police officers are professionals, and as such are expected to maintain exceptionally high standards in the performance of their duties.

Effective and efficient performance of his / her duty requires that a Police Officer maintain the cooperation and respect of the community. This requirement dictates that the conduct of all police officers will be above reproach in all matters both within and outside the Department.

General professional responsibilities include taking 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 all laws coming within departmental jurisdiction;
6. supervise public functions (such as parades and dances) where public order requires police presence;
7. respond to all public emergencies;
8. endeavor to maintain good community relations;
9. perform such other police related services required by the community;
10. create a sense of safety and security for the entire community through vigilant preventive patrol;
11. accomplish all police objectives within the law and the constitutional guarantees of all citizens.

### **RESPONSIBILITIES OF ENFORCING LAWS**

Upon appointment and commission by the Chief of Police each officer shall be charged with the responsibilities of enforcing the laws of the State of Rhode Island and the Town of North Kingstown, and shall be fully vested with the authority to do so.

#### **F. AUTHORITY AND DISCRETION**

Concurrent with his/her authority, each officer is vested with the discretion to exercise the benefits of his/her reason, experience and expertise in the daily performance of his/her duties. Where policy, law, rule or regulation dictates his/her course of action, he/she shall be fastidious in his/her compliance. Where discretion may be exercised, he/she shall always act in the best interests of justice and the citizens from whom he/she derives his authority.

### **PROBABLE CAUSE / DISCRETION**

An officer who has probable cause to believe a person has committed a crime has the authority to detain arrest and incarcerate that person. An officer also has the discretion to exercise alternatives to arrest or incarceration, including summons and release, referral,

informal resolution or release for arrest later. Each decision to arrest, incarcerate or release shall be clearly articulable, and based on the safety and good order of the community, the safety of any victim, and the likelihood of a continuation of the offense.

## **G. LAW ENFORCEMENT CODE OF ETHICS**

**All sworn officers shall display the integrity required by the Law Enforcement Code of Ethics:**

**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 persons 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 in both my personal and official life, I will be exemplary in obeying the laws of the land 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 the police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. 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.

## **H. OATH OF OFFICE**

All persons selected for appointment as a police officer for the North Kingstown Police Department shall take and subscribe to the following oath of office prior to commencing their duties:

State of Rhode Island and Washington County,

### **Oath**

In North Kingstown, in said County and State on this \_\_\_\_\_ A.D. 20\_\_\_\_ personally appeared the above named \_\_\_\_\_ and made oath as follows :

I \_\_\_\_\_ solemnly swear (or affirm) that I will support the Constitution of the United States of America and of the State of Rhode Island and will obey the laws and of the United States and of the State of Rhode Island that I will in all respects, observe the provisions of the charter and ordinances of the Town of North Kingstown and will faithfully discharge the duties of the office of Police Officer;

\_\_\_\_\_ for the ensuing term, or until he is legally discharged there from.

Before me, \_\_\_\_\_, Notary Public

## **II. ORGANIZATION**

The North Kingstown Police Department will consist of the police force and the necessary civilian support employees. The civilian employees shall include but not limited to Animal Control Officers, Harbormaster, Assistant Harbormaster, Community Service Officers as well as the necessary clerical and facilities support staff. The department shall be further organized with such divisions, bureaus, squads and offices as may be deemed necessary by the Chief of Police.

### **A. Chief of Police**

The Chief of Police shall be the Executive Officer of the North Kingstown Police Department and subject to these rules and regulations.

Authority - The Chief of Police will have authority over all personnel within the North Kingstown Police Department.

### **B. Superior Officer and the Officer-in-Charge (OIC)**

Superior Officers and Officers-in-Charge are responsible to every officer and under employee under his/her command. Subject to the approval of the Chief of Police, Superior Officers and Officers-in-Charge may establish minor regulations as deemed necessary for discipline of the members of his/her immediate control and for the satisfactory control of the operation.

Authority – Every Superior Officer and Officer-in-Charge, by law and regulation, has sufficient authority to perform his/her assigned mission and any Superior Officer or Officer-in-Charge who is directed to act in a capacity of rank above his/her ordinary or usual rank shall for that time to possess the authority of that rank.

### **C. Police Officer**

Every officer, regardless of his/her assignment will be responsible for carrying out the mission of the North Kingstown Police Department. Namely: protection of life, liberty and property; enforcement of the Rhode Island General Laws and the North Kingstown Town Ordinances; preservation of peace and public order; prevention and repression of crime; detection of violations of law; and, the apprehension of violators of the law.

Authority – All police officers have the vested authority to carry out his/her mission by town ordinance, state statute and the power granted to them by the Chief of Police.

### **D. Community Service Officer (CSO)**

A Community Service Officer is a civilian employee whose sole responsibility is to assist the North Kingstown Police Department with traffic control, public events and special details of a non-police nature.

### **E. Civilian Employee**

All those who are non-sworn personnel employed by the North Kingstown Police Department.

## **III. CODE OF CONDUCT**

### **A. Required Conduct**

1. Authority of Orders – All General Orders, directives, memorandums, or other orders signed by the Chief of Police will have the force and effect of a department regulation. All officers and civilian employees will be familiar with the regulations and the provisions thereof.
2. Knowledge of Orders – All officers and civilian employees are responsible for knowing and understanding all department regulations, policies and directives. It is the responsibility of the officer or employee to seek clarification of any order or material, which is not clearly understood.

3. Report for Duty – All officers and civilian employees will report for duty, including special details and be present at the time and place specified by his/her OIC or Special Detail Officer. All officers will be properly equipped with the regulation duty weapon, approved equipment and the prescribed uniform or business attire. All civilian employees will be equipped and attired with proper attire for the function they are performing.
4. Identification Cards – Identification cards will be issued.
5. Security of Duty Weapon – All officers are responsible for the safety and securing of his/her duty weapon at all times and to also include all department issued weapons.
6. Condition, Loss or Damage to Firearms – All officers will maintain his/her duty weapon in serviceable condition. Unserviceable, damaged or lost weapons will be immediately reported to the OIC and to the department armorer.
7. Duty to Obey – All officers and civilian employees will obey all North Kingstown Police Department Rules and Regulations, General Orders, Directives and Lawful Orders from a Superior Officer.
8. Respect – On or off duty, in uniform or out of uniform, all officers and civilian employees will extend the proper courtesy and respect.
9. Unjust or Improper Orders – Lawful orders that appear to be unjust or improper will be carried out. After carrying out the orders, the officer to whom the order was given may file a written report to the Chief of Police or his/her designee. This report will include the circumstances for questioning the order along with a request for a clarification of the departmental policy.
10. Conflicting Orders – Any order that may appear to be conflicting to a previous departmental order will be brought to the immediate attention of a Superior Officer or OIC. In any event, all orders will be carried out and if the order falls within the guideline of “Unjust or Improper Orders,” those protocols will be adhered to.
11. Instant Action – All officers will act instantly to protect life, liberty or property; to enforce all laws and to detect the commission of crime; and to report the crime or apprehend the law violators when appropriate.
12. Assistance to Fellow Officers – A officers are expected to be firm and calm in their actions and will aid all fellow officers to protect each other from danger as well as the for the restoration of peace.
13. Rendering Assistance – All officers and civilian employees will render assistance to all persons who request it that is consistent with their duties. All officers and civilian employees will cooperate with all other law enforcement agencies affording them the necessary aid and authorized information.

14. Interaction with Citizens – All officers and civilian employees will assist and answer citizens in a courteous manner. All officers and civilian employees will give their name and/or badge number to any citizen who may request it.
15. Request for Department Reports, Records and Communications – All written or oral communication will be released as set forth in General Order 520.01, Release of Police Information and Media Relations
16. Truthfulness – All officers and civilian employees will truthfully state the facts in all reports as well as when he/she appear before any judicial, departmental or other official investigation, hearing, trial or proceeding.
17. Trials and Hearings – All officers and civilian employees participating and/or attending any trial, hearing or proceeding will conduct himself/herself in an appropriate and professional manner. All officers and civilian employees will be punctual and present a clean, neat appearance.
18. Attention to Duty – All officers and civilian employees who have the occasion to handle a complaint, investigation, arrest or any other call for service will do so in a professional, efficient a courteous manner without any unnecessary delay.
19. Duty to Report Information – It will be the duty of all officers and civilian employees to report to a Superior Officer or OIC any information given to him/her in good faith by any citizens regarding a matter that would indicate a need for police action.
20. Awareness of Activities – All officers and civilian employees who have been absent from duty will familiarize himself/herself with all new regulations, general orders, policies and all matters that concern his/her assignment.
21. Knowledge and Performance – All officers and civilian employees will familiarize himself/herself with all laws, statutes, ordinances and regulations necessary for the proficient execution of his/her duty.
22. Knowledge of the Town – All officers and civilian employees will familiarize himself/herself with geographical routes within the town as well as the location of all public buildings.
23. Police Radio Communications – All messages transmitted over the police radio system will be clear, direct, civil and concise and conform to all rules and regulations of the Federal Communications Commission.
24. Bearing – All officers and civilian employees will carry himself/herself in a professional manner.
25. Identity of Superiors Officer or OIC – It will be the duty of all officers and civilian employees to know the identity of his/her Superior Officer or OIC.

26. Police Details – All officers and employees (which includes Community Service Officers) will be familiar with guidelines and protocols as set forth in the department's General Orders.
27. Telephone Requirement – All officers and civilian employees will be required to maintain a telephone, landline and/or cellular at his/her residence. Employees are required to call the Superior Officer or OIC back if a message is left.
28. Change of Address – All officers and civilian employees will be required to immediately notify his/her Superior Officer or OIC of any change of address.
29. Off-Duty Conduct – All officers and civilian employees shall immediately notify his/her Superior Officer or OIC of any off-duty action per General Order 100.04.

**B. Prohibited Conduct**

1. Criminal Conduct – All Officers and civilian employees will not participate in any activities, which may violate any federal, state or local law and will not commit any act or wrongful misconduct (malfeasance).
2. Conduct Unbecoming an Officer – All officers and civilian employees will not conduct himself/herself in a way, which reflects discredit upon himself/herself or fellow employees or upon the police department.
3. Insubordination – All officers and civilian employees will not refuse to obey a lawful order issued by a Superior Officer or OIC or commit any act or omission contrary to good order or discipline.
4. Neglect of Duty – No officer or civilian employee will fail to give suitable attention to the performance of his/her duty or fail to perform an act that is either an official duty or a legal requirement (nonfeasance).
5. Unlawful Orders – No officer or civilian employee will knowingly issue an order in violation of any law or department regulation. A subordinate who is issued an order, which he/she knows to be unlawful, will not obey that order. The officer or employee to whom the order was given will notify the ordering officer of the illegality of his/her order. Responsibility for refusal to obey rests with the officer to whom the order was given. He/she will be strictly required to justify his/her action.
6. Criticism and Malicious Gossip – All officers and civilian employees will not criticize any other officer or civilian employee, except in the line of duty as a Superior Officer or OIC to subordinate, nor will an officer or civilian employee gossip about any superior, order, policy, procedure, case or event that should remain police information nor will an officer or civilian employee cause to discredit, lower, injure the morale of the personnel of the department or that of any individual of the department.

7. Impaired Condition – No officer or civilian employee will permit another officer or civilian employee to commence or continue his/her duties when that officer or civilian employee is not fit to do so by reason of physical, mental, emotional or impaired condition. All such observations will be immediately reported to a Superior Officer or OIC.
8. Interfering with Course of Justice – All officers and civilian employees are forbidden to take part in, or be connected with, either directly or indirectly, any compromise or arrangement with any person for the purpose of permitting an accused person to escape the penalty of his/her wrongdoing; or seek to obtain a continuance of any trial or otherwise interfere with the course of justice. Information or any negotiations between the accused or his/her representative and the accuser of any witness, will be disclosed to the proper superior or to the presiding officer of a court or hearing.
9. False Information on Records – All officers and civilian employees will not make false official reports or knowingly or willingly enter or cause to be entered into any department books, records, or reports, any inaccurate, false or improper police information or material matter.
10. Misappropriation of Property – All officers and civilian employees will not appropriate for his/her own use any lost, found, stolen, or town property nor convert to his/her use any property held as evidence.
11. Marking, Defacing or Altering Department Notices – All officers and civilian employee will not mark, alter, mar, or deface any printed or written notice, memorandum, general order, or directive relating to police business. All officers and civilian employees will not mark, alter, mar or deface any notice posted on any bulletin board or black board maintained by the department. All notices of a personal nature and/or of a derogatory character regarding any officer or civilian employee or unit of the department are prohibited. All officers and civilian employees shall not create, post, reproduce, or disseminate documents that are defamatory, derogatory, prejudicial, or otherwise offensive to any employee, organization, or person.
12. Mishandling of Evidence – No officer or civilian employee will not fabricate, withhold, or destroy any evidence of any kind. All evidence shall be collected and released in accordance with department policy or protocol.
13. Statement Concerning Liability – All officers and civilian employees will not make any oral or written statement to anyone concerning the liability in connection with the operation of police vehicles or performance of other duties, unless specifically authorized to do so by the Chief of Police or his/her designee.
14. Divulging Information – All officers and civilian employees will not divulge to any unauthorized employee, in or out of the department, i.e., one who does not have an official “need to know,” any information, to include criminal records history, concerning the business of the department and will not talk, be interviewed, make public speeches on police

business, or impart information relating to official police business unless authorized by the Chief of Police or his/her designee.

15. Disparaging remarks – All officers and civilian employees will not make any disparaging remarks (oral or written) against any race, religion, national origin, sex, age, disability, or sexual preference of any person or group.
16. Testimony in Civil Matters – All officers and civilian employees must have permission from the Chief of Police or his/her designee or be legally summonsed, prior to testifying in any civil matter involving police actions or police business. Upon being summonsed, all officers and civilian employees will immediately notify the Chief of Police or his/her designee.
17. Release of Telephone Numbers – No officer or civilian employee will release to the public or any public agency the home or personal telephone number of any officer or civilian employee without authorization of the employee.
18. Possession of Intoxicants, Drugs or Controlled Substances – All officers and civilian employees will not bring, place or permit to be brought or placed, or allow to be kept in any building, location, or vehicle within the department any intoxicant, exhilarant, hypnotic, hallucinogen, or narcotic, except in the strict performance of police duty as required by regulations or orders. Medications prescribed by a physician for an officer or civilian employee are exempt.
19. Use of Intoxicants – All officers and civilian employees will not drink intoxicating beverages or use intoxicants in any other manner while on duty or in uniform, nor will any officer or civilian employee report for duty, remain on duty or be in uniform while in an impaired or intoxicated state. When off-duty, all officers and civilian employees will not drink intoxicating beverages to an extent that would bring discredit upon himself/herself or the North Kingstown Police Department.
20. Use of Drugs – Use of illegal exhilarants, hypnotics, hallucinogens, narcotics or any other toxic drug, by any officer or civilian employee is strictly prohibited.
21. Improper Associations - All officers and civilian employees will not knowingly establish or maintain relationships with persons engaged in unlawful activity, except in the discharge of official duty. An officer or civilian employee will not consort with known criminals or others who may cast a negative image upon the North Kingstown Police Department.
22. Business Transactions – All officers and civilian employees will not invest or participate, directly or indirectly, in business, which may create a conflict of interest with his/her official police duties.
23. Borrowing – No officer or civilian employee will borrow from any other officer or civilian employee any money, security, or property, or obtain credit or guarantee of credit.

24. Prohibited Places – Except in the line of duty, all officers and civilian employees will not visit or loiter near any bar, tavern, tap, lounge or other establishment known by the North Kingstown Police Department as being a place of actual or probable law violations.
25. Use of Official Position – All officers and civilian employees will not use his/her official position, department identification card, or badge to gain personal privileges of any kind or misidentify their official position or employment capacity.
26. Distribution of Cards, Button, Emblems, etc. – All officers and civilian employees either individually or representing police organizations, are prohibited from issuing to persons other than officers (active or retired), any card, button, emblem or other device which assumes or implies to grant that person such credentials any special privilege or consideration so far as the business of the police department is concerned, and any distribution is prohibited unless authorized by the Chief of Police or his/her designee.
27. Political Activities – All officers and civilian employees will not participate in political activities while in uniform or on-duty. All actions, which could give the impression that an officer or civilian employee is using his/her official position to influence an electoral process, are to be avoided.
28. Contributions – All officers and civilian employees will not seek or be obliged to make contributions in money, service, or otherwise, for any political purpose.
29. Picketing in Uniform – All officers and civilian employees who desire to peacefully demonstrate, or picket, will not wear his/her uniform or part thereof while exercising this privilege without the Chief of Police's or his/her designee's approval.
30. Soliciting Petitions for Promotion or Change of Duty – All officers and civilian employees will not solicit a petition for his/her promotion to a higher rank or change in duty status, or for the promotion or change of duty status for any other officer or civilian employee or for the appointment of anyone to the department; nor will an officer or civilian employee support or cause to support any political influence to effect such an end.
31. Seeking or Accepting Gifts – All officers and civilian employees will not seek nor accept, directly or indirectly, any gift, present, or gratuity from any person, firm, group of persons, relatives, friends or employees of the same, on the basis of membership in the North Kingstown Police Department.
32. Rewards – All officers and civilian employees will not seek nor accept money, gift, gratuity, reward, or compensation for a service rendered or expense uncured in the line of duty without the written consent of the Chief of Police or his/her designee.
33. Membership in Organizations – All officers and civilian employees will not affiliate with or become a member of any organization if such affiliation or membership would in any way interfere with or prevent them from performing his/her duty.

34. Not to Recommend Services – All officers and civilian employees will not recommend or suggest to anyone the employment or name of any attorney, towing service, bondsman, alarm company, funeral home, or other tradesman; or to inform any such person in any situation wherein their services might be sought, except nothing herein contained will be construed as restricting the rights of officers and civilian employees from handling their own private needs or prohibiting authorized official notifications in such cases.
35. Duty Time Limited to Police Work - All officers and civilian employees will not shop while on-duty nor devote any of his/her on-duty time to any activity than that which relates to police work and will not perform any police duty while in uniform for the purpose of private gain, unless properly authorized.
36. Sleeping – All officers and civilian employees will not sleep while on-duty or on a special detail and will always remain alert.
37. Loitering – All officers and civilian employees will not loiter in liquor establishments, businesses, or public place unless assigned to that location or performing official business.
38. Smoking – All officers and civilian employees will not smoke or use any tobacco products in public view while on duty.
39. Gambling – Officers or civilian employees will not participate in any illegal game of chance or card playing, or any type of illegal gambling in any police building, station, or elsewhere.
40. Discourtesy – All officers and civilian employees will not be discourteous, rude, or insolent to any member of the public or fellow officers and employees of the department. All officers and civilian employees will be courteous and tactful in the performance of his/her duties and will control his/her temper, exercising the utmost patience and discretion, even in the face of extreme provocation.
41. Department Letterhead – Use of department letterhead for private correspondence or sending official correspondence will not be allowed without the permission of the Chief of Police or his/her designee.
42. Use of Private Vehicles – All officers and civilian employees while on-duty will not drive a private motor vehicle to their post or assignment; or patrol or cover their assignment with a private motor vehicle unless he/she is authorized to do so by a Superior Officer or OIC.
43. Incurring Department Liability – All officers and civilian employees will not incur a liability chargeable to the Town of North Kingstown unless with the knowledge and consent of the Chief of Police or his/her designee.
44. Abusive Treatment – All officers and civilian employees will not use any indecent, profane, or unnecessarily harsh language nor abuse the dignity of any citizen or fellow officer or employee.

45. Gross Incompetence – Officers or civilian employees will not perform any act or duty in such a manner as to be construed as blatantly incompetent or the performance of an official duty in an improper or unlawful manner or with an improper or corrupt motive (misfeasance).
46. Absence from Duty – Officers or civilian employees will not be absent from duty or an assigned post without proper relief or authorization.
47. Improper Intercession – All officers and civilian employees will not intercede nor cause another person to intercede with a superior officer in the North Kingstown Police Department for preferential treatment on their behalf; neither will a member intercede with superior officers on the behalf of another officer or civilian employee.
48. Conduct Prejudicial to Public Peace or Welfare – All officers and civilian employees will not purposely commit an act to disrupt the public tranquility or safety without just cause.
49. Prohibited Fraternization – All officers and civilian employees will not engage in personal and/or intimate relations with persons entrusted to them or assigned to other employees of the North Kingstown Police Department. “Persons” may include volunteers, interns, advocates, civilian employees of the department, or probationary officers assigned to the Field Training Evaluation Program (FTEP).
50. Use of Cellular Phones – Employee use of cellular phones, either hands on or hands free, or similar electronic devices, for town business purposes related in any way to the Town of North Kingstown or personal business while driving is prohibited. This prohibition of cell phone or similar electronic device use while driving includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to e-mail, checking for phone messages, or any other purpose related to your employment; the business; our customers; our vendors; volunteer activities, meetings or civic responsibilities performed for or attended in the name of the Town of North Kingstown; or any other Town related activities not named here while driving. You may not use your cellular phone or similar electronic device to receive or place calls, texting messages, surfing the Internet, checking for phone messages, or receive or respond to e-mail while driving if you are in any way doing activities that are related to your employment. You are required to stop your vehicle in a safe location so that you can safely use your cell phone or similar electronic device. Engaging in town business using a cellular phone or similar electronic device while driving is prohibited. Engaging in town business on a cellular phone or similar electronic device that is supplied by the Town of North Kingstown, while driving or operating a Town supplied vehicle is prohibited.

### **C. Operation of Department Vehicles**

1. Authority to Operate – All officers and civilian employees will not operate a departmental vehicle unless authorized by a Superior Officer or OIC entitled to give permission. A valid operator’s license will be required for all operation.

2. Responsibility for Vehicle – All officers and civilian employees, who are assigned to duty or off-duty (take-home car) as an operator of departmental vehicle will be responsible for the serviceability of the vehicle assigned to his/her use. Each officer and civilian employee will inspect the vehicle when it is turned over to him/her and will file a written report to his/her Superior Officer or OIC of any defect or unserviceability.
3. Safe Driving of Police Vehicles – The operator of any departmental vehicle will operate said vehicle in a reasonable and safe manner, exercising due caution and judgment. He/she will operate the vehicle in compliance with Rhode Island General Laws and North Kingstown traffic ordinances. He/she will also strictly adhere to department policy and state law when operating under emergency response.
4. Riders – No person will be permitted to accompany a police officer or a civilian employee in a departmental vehicle, without the permission of the Chief of Police or another Superior Officer or OIC. Those who receive permission will sign a letter waiving liability.
5. Unattended Police Vehicles – The operator of a departmental vehicle will remove the key and lock all doors when the vehicle is left unattended. Also, no department vehicle is to be left unattended idling.

#### **D. Departmental Property and Equipment**

1. Issued Property and Equipment - Equipment issued to officers and civilian employees will remain the property of the North Kingstown Police Department. All officers and civilian employees will maintain departmental property and equipment assigned to them in good condition.
2. Responsibility for Items of Identification – Each officer and civilian employee will be responsible for the items of identification issued to him/her, such as photographic identification cards, badge and other related property and will not permit any other person to borrow or use such items. Any loss of such items will be immediately reported to a Superior Officer or OIC.
3. Police Rules and Regulations Manual – All officers and civilian employees will be provided with access to, or upon request, a copy of the current North Kingstown Police Rules and Regulations.
4. Lost or Damaged Property and Equipment – All officers and civilian employees will report any lost, worn or damaged departmental property or equipment assigned to them. A Superior Officer or OIC will be notified of any defects or hazardous conditions that exists with any departmental equipment. The Superior Officer or OIC will also investigate the circumstances of any departmental property or equipment that is either being reported as lost, damaged or that is reported as defected or hazardous.
5. Care of Town Property – All officers and civilian employees will make every effort to conserve the physical resources of the North Kingstown Police Department. Culpable

negligence in the use or care of town property may not only be cause for punitive measures; it may also require restitution. Officers and civilian employees will not loan out departmental equipment without the approval of a Superior Officer or OIC.

6. Reporting Accidents or Damage – Accidents involving personnel and departmental property and/or equipment must be immediately reported to a Superior Officer or OIC.

## **E. Uniforms and Appearance**

Officers shall wear such uniforms and insignia or rank as the Chief of Police may, from time to time, prescribe. They should always present a good personal appearance and reflect a positive image as police officers and as representatives of the Town. The police uniform identifies officers and makes them readily accessible to the public. It is important, therefore, that officers maintain a neat and clean appearance, and that the uniform serve as an appropriate introduction to the members of the community.

1. Civilian Clothing – Officers permitted to wear civilian clothing during a tour of duty, shall wear either a business suit or sport coat and slacks, along with a dress-style shirt with tie shall be worn. The Chief may prescribe other types of clothing. Employees permitted to wear civilian clothing shall conform to standards normally required of office personnel in private business firms. Civilian clothing will not be worn with any distinguishable part of the police uniform.
2. Hair Styles for Female Officers – All sworn female officers shall conform with the following criteria:

Hair will be clean, neatly arranged and styled consistent with the type of duty performed. Hair will not be worn in any style longer than shoulder length and must not be worn in a style that prevents the proper wearing of a uniform hat or cap. Hair ornaments such as ribbons will not be worn.

3. Hair Styles for Male Officers – Hair will be neat, clean, trimmed, and present a well-groomed appearance. Hair shall not cover the ears and will be trimmed in back and on the sides so that it does not extend over the collar. Hair in front will be groomed so that it does not fall below the band of properly worn headgear. In no case will the bulk or length interfere with the proper wearing of any authorized headgear.
4. Wearing the Uniform – Uniforms shall be kept neat, clean, and pressed. The dress and patrol hats shall be worn out of doors unless otherwise directed by competent authority. While in uniform officers shall display their badge on the outermost garment over their left breast. The Chief of Police shall periodically issue special orders pertaining to daily or seasonal wearing of the uniform.
  - a. Facial Hair - The face will be clean shaven. Beards, mustaches and goatees, or the like, are prohibited. Exceptions to this rule may be granted by the Chief of

Police for medical conditions with a physician's note or as part of a special assignment or special order.

- b. Wigs - Wigs or hair pieces may be worn on duty for cosmetic reasons to cover natural baldness or physical disfiguration. When worn they shall be of good quality, consistent in styling with these rules and regulations, and shall not interfere with the wearing of any required headgear.
- c. Jewelry – On duty officers both male and female shall not wear any earrings. Visible body piercing is prohibited for uniform, investigative, administrative and non-sworn employees while on duty. No uniform officer, both male and female will wear a necklace outside of the uniform shirt. Female employees on investigative or administrative assignments may wear one necklace outside their clothing. Investigative personnel may be allowed to wear earrings/jewelry when appropriate for a particular assignment and with the authorization of the Chief of Police.
- d. Tattoos- Visible tattoos are prohibited by all employees while on duty, other than those existing at their time of employment to the department or those in existence before the enactment of these rules and regulations.

#### **IV. MISCELLANEOUS REGULATIONS**

##### **A. Discipline**

- 1. Duty to Obey – All officers and civilian employees have the duty to obey the rules and regulations set forth in this manual, all general orders and the lawful orders of Superior Officers. The Chief of Police or his/her designee have the authority to investigate and discipline any sworn police officer in accordance with the procedures set forth in the Law Enforcement Officers' Bill of Rights as well as the policies and protocols set forth in General Orders 130.01 and 130.08. Civilian employees will be investigated and disciplined in accordance to the policies and protocols set for in General Orders 130.01 and 130.08.
- 2. Superior Officers - Duty to Report – All Superior Officers and OICs must report all offenses and violations of the department's rules and regulation, general orders and lawful orders under their command to the Chief of Police or his/her designee.
- 3. Violations of Rules, Regulations and Orders – All officers and civilian employees have a duty to obey all rules, regulations and orders of the North Kingstown Police Department. They also place themselves under the jurisdiction of the North Kingstown Police Department and assume the consequences for any violations of the same rules, regulations and orders.

4. Knowledge of Rules, Regulations and Orders – All officers and civilian employees are required to be familiar with all rules, regulations and orders, and failure to be aware of a specific rule, regulation or order will not constitute a defense.
5. Punishable Offenses – Any violation of any rule, regulation or order by an officer or a civilian employee will be considered a punishable offense and will be subject to disciplinary actions set forth in the Law Enforcement Officers’ Bill of Rights and/or General Order 130.01 Internal Complaint Review.
6. Internal Investigations – The object of departmental internal investigations is to find the truth in order to protect the integrity of the North Kingstown Police Department and the reputation and interests of each of the department’s members.
7. Conduct of Internal Investigations – Departmental internal investigations will be conducted in accordance with the procedures set forth in the Law Enforcement Officers’ Bill of Rights as well as the policies and protocols set forth in General Orders 130.01 and 130.08.
8. Charges and Specifications – A “charge” is an accusation of a violation of any rule, regulation or order governing the North Kingstown Police Department. A “specification” is a detailed description of the action, which constitutes the violation. Every violation will be provided to the officer or civilian employee in writing and will contain the “charge” and “specification.”

Example:

Charge I

Violation of Section \_\_\_\_\_ of the Rules and Regulations of the North Kingstown Police Department, which reads in whole or in part:

Specification I

In that on or about \_\_\_\_\_, Officer \_\_\_\_\_ of the North Kingstown Police Department, \_\_\_\_\_ (narrative)

9. Correction and Admonition – All Superior Officers and OICs have the duty to administer timely correction and/or admonition to subordinates under their command when and where it is necessary to maintain discipline, efficiency, and good order. Such correction and/or admonition will not be construed as punitive in nature, and imposition of the same will not be a bar to future investigations. Properly administered, it is intended to prevent the necessity for later and more severe corrective measures. The Superior Officer or OIC should make an entry into Guardian Tracker regarding the incident.
10. Official Reprimand – Superior Officers of all divisions may, without formal hearing, recommend official reprimands for minor violations of rules, regulations and orders. Official reprimands will be administered by the Chief of Police or his/her designee and

will be entered into that officer's or civilian employee's personnel file and Guardian Tracker. A copy of this official reprimand will also be given to the officer or civilian employee.

11. Duty to Report – All Officers and Civilian Employees – Any officer or civilian employee having knowledge that another officer or civilian employee has been guilty of any offense set out in the Regulations hereof, has a sworn duty to, and will make a written complaint to the Superior Officer of the member accused or to the Chief of Police or his/her designee.
12. Right to Appeal Disciplinary Action – Employees against whom disciplinary action is taken have the right to the appeals process afforded to them by the applicable Law Enforcement Officers' Bill of Rights, General Order 130.07 Grievance Procedure and/or the respective Collective Bargaining Agreement between the Town of North Kingstown and the employee.
13. Suspension Provisions – An officer or civilian employee who is suspended will not wear the uniform and/or insignia of the North Kingstown Police Department and will surrender all police identifications, badge, keys to the station and weapon.
14. Intercession Forbidden – An officer or civilian employee under investigation or under suspension will not cause or procure any person to intercede or to interfere, either personally or by communications, with any member of the department, or with any person who may be a witness against them.

## **B. Absence, Leave and Injuries**

1. Absence – No officer or civilian employee will be absent from duty without permission. All unauthorized absences will be investigated by the Superior Officer or OIC and will be reported to the Chief of Police or his/her designee.
2. Absence – Chief of Police – The Chief of Police when absent for an extended period of time, shall designate a Superior Officer to assume all duties and responsibilities for the office of the Chief of Police. The Superior Officer will assume this temporary command until the Chief of Police returns to duty.
3. Leave of Absence – All requests for Leave of Absence must be in writing addressed to the Chief of Police and shall set forth the purpose for which the leave is requested.
4. Military Leave of Absence – All officers and civilian employees, who by reason of membership in Active Reserve Forces of the United States or as members of the Rhode Island National Guard, are ordered by proper authority to full-time active duty to attend full-time training will be entitled to all rights, privileges, and guarantees afforded by Federal Law, State Law, Town Ordinance as well as what is afforded to members of Local 473 and prescribed the Collective Bargain Agreement.

5. Reporting of Sick Leave or Injuries – Any officer or civilian employee unfit for duty because of sickness or injury will immediately report, or cause to be reported, this fact to his/her Superior Officer or OIC. Each Superior Officer or OIC will investigate, if necessary, the reasons behind this requested leave. Any officer or civilian employee who is or will be absent from duty for more than two (2) days, will provide a doctor's note as proof of this sickness or injury and/or his/her anticipated return to duty.
6. In the Line of Duty Injury – Any officer or civilian employee, who receives an injury while in the performance of his/her duty, will immediately report to his/her Superior Officer or OIC the facts and circumstances for this reported injury. Each Superior Officer or OIC will immediately investigate these facts and circumstances, and execute the necessary and proper forms and documentation. Notification will then be made to the Chief of Police or his/her designee.
7. False Sick Claim – Willful violation of the provisions of this section or the willful making of any false claim for sick leave/pay or family sick leave/pay shall subject the member to disciplinary action and shall be sufficient cause for dismissal.

### **C. Honors, Courtesies, and Ceremonies**

**Salutes** – All Officers from the rank of Sergeant and above shall be saluted under the following conditions:

1. When a superior officer is seated or standing, officers shall salute and deliver the message.
2. A salute shall be given to a superior officer when he/she arrives at any incident or scene unless an emergency is present, or safety reasons prohibit it.
3. Superior officers will be greeted with a salute during the first encounter of the day.
4. Superior officers shall be saluted at functions such as funerals, public gatherings and other occasions while in uniform.
5. Chiefs of Police from other agencies as well as other commissioned officers, (Captain and Lieutenant) should be saluted by all members of this department.
6. Officers in cars or on motorcycles are not required to salute superior officers however; officers on foot post shall salute superior officers driving in cruisers.
7. A hand salute will be rendered to the Governor and the Attorney General of the State of Rhode Island in the same manner as a salute is rendered to a member of this department.
8. When an officer is present during the raising or lowering of the United States flag, he/she will render a salute. The salute will be held until the flag is completely raised or lowered and/or the National Anthem is over. Examples; football games, beach areas, graduations, or other functions.

## **D. Commendations**

As essential as it is for a police department to have an effective internal disciplinary process, it is equally important to have a positive program of awarding Department Commendations for outstanding duty performance. It is also equally important to have a positive program awarding Division Commendations for performance that have some notoriety. This is the means by which deserving officers can receive official recognition for their accomplishments.

### **LEVELS OF REGOGNITION**

1. **Division Commendation:** Recognition of a favorable notice of an act or achievement that goes above and beyond the normal scope of an officer's duty.
2. **Department Commendation:** An extraordinary event that may involve heroism, individual effort or significant action that results in the protection of life or property and results in the successful prosecution of a case or in a positive conclusion.

### **Personnel Eligible for Awards**

1. Police Officers of all ranks
2. Dispatchers
3. Civilian Personnel