


New Berlin Police Department Directives Manual		Directive Title: Code of Ethics, Code of Conduct and Rules of the New Berlin Police Department			
Issue Date: 12/18/14	Published Date: 01/01/20	Next Review Date: 01/01/23	Total Pages: Page 1 of 8	Directive Number: 1202	WILEAG Standards: 1.2.2, 1.2.3

Code of Ethics

The following Code of Ethics is adopted by the New Berlin Police Department as a standard of conduct for all of our members:

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 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 to my chosen profession...law enforcement.

Code of Conduct- Rules of the New Berlin Police Department


The following rules establish the code of conduct for all personnel of the New Berlin Police Department, including all sworn and civilian personnel, whether paid employees or volunteers:

- 1202.01 **Violation of Rules, Directives and Code of Ethics:** Department personnel will not commit any acts or omit any acts which constitute a violation of any of the rules, directives or orders of the department. In addition, personnel will strive to abide by the Code of Ethics at all times.
- 1202.02 **Unbecoming Conduct:** Personnel will conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department. Unbecoming conduct will include that which brings the department into disrepute or reflects discredit upon the employee as a member of the department, or that which impairs the operation or efficiency of the department or employee.
- 1202.03 **Immoral Conduct:** Personnel will maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Personnel will not participate in any

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incident involving moral turpitude which impairs their ability to perform as law enforcement personnel or causes the department to be brought into disrepute.

- 1202.04 **Conformance to Laws:** Department personnel will obey all laws of the United States and of any state and local jurisdiction in which they may be present. A conviction for the violation of any law or local ordinance will be prima facie evidence of a violation of this section. Department members who have contact with law enforcement during their off-duty hours in which they are a suspect, or have been arrested or cited, must immediately report the contact to the Chief of Police.
- 1202.05 **Reporting for Duty:** Department personnel will report for duty at the time and place required by assignment or orders and will be physically and mentally fit to perform their duties. They will be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoenas will constitute an order to report for duty under this section.
- 1202.06 **Neglect of Duty:** Personnel will remain alert and awake while on duty. In addition, personnel will not engage in any activities or personal business which would cause them to neglect or be inattentive to duty.
- 1202.07 **Fictitious Illness or Injury Reports:** Personnel will not feign illness or injury, falsely report themselves ill or injured, intentionally cause themselves to be injured or otherwise deceive or attempt to deceive any official of the department as to the condition of their health.
- 1202.08 **Meals:** Personnel may have meals during their tour of duty, subject to immediate recall at all times. Officers are allowed 30 minutes for meals. Officers may not have their meals at locations that serve alcohol as a primary business or where the officer's presence will bring the officer or department into disrepute.
- 1202.09 **Unsatisfactory Performance:** All personnel will maintain sufficient competency to properly perform their duties and assume the responsibility of their positions. Personnel will perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the department. Unsatisfactory performance may be demonstrated by lack of knowledge of the application of laws relevant to the duty assignment; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the duty assignment; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention; or absence without leave. In addition to other indications of unsatisfactory performance, the following will be considered prima facie evidence of unsatisfactory performance: Repeated poor evaluations or a written record of repeated infractions of rules, regulations, directives or orders of the department.
- 1202.10 **Employment Outside of the Department:**
- A. Personnel may engage in off-duty employment subject to the following limitations:
 - 1) Such employment will not interfere with assigned duties within the department;
 - 2) Personnel will submit a written request for off-duty employment to the Chief, whose approval must be granted prior to engaging in such employment.
 - B. Approval may be denied where it appears that the outside employment might:
 - 1) Render personnel unavailable during an emergency;
 - 2) Physically or mentally exhaust personnel to the point that their performance may be affected;

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- 3) Require that any special consideration be given to scheduling regular duty hours for personnel;
- 4) Bring the department into disrepute or impair the operation or efficiency of the department or any of its personnel.

- 1202.11 **Alcoholic Beverages and Drugs in Police Installations:** Personnel will not store or bring into the police facility or any department vehicle any alcoholic beverages, controlled substances, narcotics or hallucinogens except those which are held as evidence. Personnel may possess and bring into the police facility prescribed medications.
- 1202.12 **Possession and Use of Drugs:** Department personnel will not possess or use any controlled substances, narcotics, or hallucinogens except when prescribed for treatment by a physician or dentist. When controlled substances, narcotics, or hallucinogens are prescribed, personnel will notify their supervisor.
- 1202.13 **Use of Alcohol on Duty or in Uniform:**
- A. Personnel will not consume intoxicating beverages nor have any odor of intoxicants on their breath while in uniform or on duty except in the performance of duty and while acting under proper and specific orders from a supervisor.
 - B. Personnel will not report for duty with any odor of intoxicants on their breath, nor with a blood alcohol concentration greater than 0.000 (absolute sobriety), except while acting under proper and specific orders from a supervisor.
 - C. Personnel in uniform or on duty will not enter into any place where intoxicating liquor is sold or furnished, as a primary business of that establishment, except in the performance of duty.
- 1202.14 **Use of Alcohol off Duty:** While off duty, personnel will refrain from consuming intoxicating beverages to the extent that it results in obnoxious or offensive behavior which discredits the department or renders any personnel unfit to report for their next regular tour of duty.
- 1202.15 **Use of Tobacco Products:** When on duty, personnel will not use tobacco products or electronic smoking devices:
- A. In a public place;
 - B. When in direct contact with citizens;
 - C. When they have to leave their assignments or post for the sole purpose of doing so;
 - D. When they are in formation;
 - E. Within any city facility or vehicle.
- 1202.16 **Insubordination:** Personnel will treat their supervisors with respect and will promptly obey any lawful orders of a supervisor. This will include orders relayed from a supervisor by personnel of the same or lesser rank or position.
- 1202.17 **Conflicting or Illegal Orders:**
- A. Personnel who are given an otherwise proper order which is in conflict with a previous order, rule, regulation or directive will respectfully inform the supervisor issuing the order of the conflict. If the supervisor issuing the order does not alter or retract the conflicting order, the order will stand. Under these circumstances, the responsibility for the conflict will be upon the supervisor. Personnel will obey the conflicting order and will not be held responsible for disobedience of the order, rule, regulation or directive previously issued.

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B. Personnel will not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, personnel will request the issuing supervisor to clarify the order or to confer with higher authority.

- 1202.18 **Gratuities:** Employees will not accept nor solicit individual gratuities or donations that personally benefit the employee. The department may accept food items from businesses and individuals brought in to the department who wish to recognize all of our employees. Employees will not accept any gratuity or donation that would either cause or appear to cause a conflict of interest or be provided in the context of an expectation for special treatment.
- 1202.19 **Use of Position:** Personnel will not authorize the use of their names, photographs, or official titles which identify them as police department employees in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief.
- 1202.20 **Endorsements and Referrals:** Personnel will not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, ambulance, towing service, etc.). When such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, officers will proceed in accordance with established department procedures.
- 1202.21 **Identification:** Sworn officers, when not in uniform, will carry their badge and identification card with them while on duty. Department members shall not identify themselves with their official identification card or badge to avoid civil or criminal charges.
- 1202.22 **Citizen Complaints:** Department personnel will courteously and promptly refer any citizen wishing to file a complaint against any member of the department to a supervisor. Personnel will never attempt to dissuade any citizen from lodging a complaint against any member of the department. Personnel will follow established departmental **directive 1901** for processing complaints.
- 1202.23 **Courtesy:** Personnel will be courteous to the public and to all other department members. Personnel will treat all people with respect and will be tactful in the performance of their duties. Personnel will control their tempers, exercise the utmost patience and discretion, and will not engage in argumentative discussions even in the face of extreme provocation. Personnel will not express any prejudice concerning sex, race, color, religion, age, political preference, national origin, lifestyle or similar personal characteristics.
- 1202.24 **Associations:** Department personnel will avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or within the department for involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships.
- 1202.25 **Visiting Prohibited Establishments:** Personnel will not knowingly visit, enter, or frequent a house of prostitution, illegal gambling house, or establishment wherein the laws of the United States, the state, or the local jurisdiction are regularly violated except in the performance of duty or while acting under proper and specific orders from a supervisor.

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1202.26 **Gambling:** Personnel will not engage or participate in any form of prosecutable gambling at any time, except in the performance of duty and while acting under proper and specific orders from a supervisor.

1202.27 **Public Statements and Appearances:**

A. Department personnel will not publicly criticize or ridicule the department, its policies, or other department personnel by speech, writing, or other expression, where such speech, writing, or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.

B. Personnel will not address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents to a newspaper or a periodical, release or divulge investigative information, or any other matters of the department while holding themselves out as representing the department in such matters without proper authority.

1202.28 **Political Activity:** Department personnel will not engage in any political activity while on duty or otherwise acting in an official capacity.

1202.29 **Payment of Debts:** Personnel should make every effort to maintain financial responsibility. Supervisors will not solicit or permit a subordinate to co-sign a loan.

1202.30 **Residence:** Sworn officers will establish and maintain residency in accordance with the provisions of the New Berlin Professional Police Association contractual agreement.


1202.31 **Telephone:** All personnel will have and maintain a functioning telephone and will report their current phone number and address to the Chief. Personnel will immediately report any change in address or phone number to the Chief.

1202.32 **Use of Information Gathering Services and Dissemination of Information:** Department personnel will use department-provided information gathering resources and services only for official purposes. Anything learned through department-provided information gathering services will not be disseminated outside of the department for anything other than official reasons. In addition, personnel will treat the official business and records of the department as confidential. Information regarding official business and records will be disseminated only to those for whom it is intended, in accordance with established departmental **procedure 10101**. Personnel may not copy or remove official records from the department except in accordance with established departmental procedures. Personnel will not divulge the identity of persons giving confidential information except as authorized by proper authority.

1202.33 **Intervention:**


A. Personnel will not interfere with cases being assigned to another officer of the department or by any other governmental agency unless:

- 1) Ordered to intervene by a superior officer, or
- 2) An officer believes beyond a reasonable doubt that a manifest injustice would result from failure to take immediate action.

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B. Personnel will not undertake any investigation or other official action not part of their regular duties without obtaining permission from a supervisor unless the exigencies of the situation require immediate police action.

- 1202.34 **Departmental Reports:** Personnel will submit all necessary reports on time and in accordance with established **directive 10101**. Personnel will not knowingly enter or cause to be entered any inaccurate, false, or improper information, or wrongfully alter, conceal, destroy, mutilate, obliterate, remove or steal any record of the New Berlin Police Department.
- 1202.35 **Processing Property and Evidence:** Property or evidence which has been discovered, recorded, gathered or received in connection with Departmental responsibilities will be processed in accordance with established **directive 11101**. Personnel will not convert to their own use, copy, manufacture, conceal, falsify, destroy, remove, tamper with or withhold any property, recordings or evidence in connection with an investigation or other police action, except in accordance with established departmental procedures.
- 1202.36 **Abuse of Process:** Officers will not make false charges whether criminal, civil, municipal or traffic, against anyone.
- 1202.37 **Use of Department Equipment:** Personnel will utilize department equipment only for its intended purpose, in accordance with established **departmental directive 2304**, and will not wrongfully abuse, damage, neglect, dispose of, or lose department equipment. All department equipment issued to personnel will be maintained in proper order. Employees are responsible for promptly reporting to their supervisor whenever they lose, damage or discover department equipment missing. Sworn officers are responsible for the routine cleaning and lubrication of their primary service handgun. Personnel will use safety devices provided for the protection of their own lives and well-being, such as auto safety belts, motorcycle crash helmets, and other such safety devices as may from time-to-time be provided.
- 1202.38 **Operation and Care of Department Vehicles:** Personnel will operate department vehicles in a careful and prudent manner, and will obey all laws and all departmental orders pertaining to such operation. Officers are responsible for the equipment in their assigned squads and will ensure that equipment is in good working order at the start of each shift. Officers are responsible for the cleanliness of their squad and promptly reporting any missing equipment or any need for vehicle maintenance. Officers will not leave the engine running on a department vehicle parked in the department parking lot. Loss or suspension of an officer's driver's license will be reported immediately to the Chief. Each shift will perform a monthly squad check, logging the inspection on the Monthly Vehicle Inspection Report. Squad checks will rotate monthly between each patrol shift.
- 1202.39 **Carrying and Safekeeping of Firearms and Equipment:** Sworn personnel, whether on or off duty, shall be responsible for the safekeeping of their department-issued and personally-owned weapons and equipment. Sworn personnel shall take reasonable steps to ensure that department and personally owned weapons and equipment are not accessible to non-authorized personnel.
- 1202.40 **Truthfulness:** Upon the order of the Chief, the Chief's designee or a superior officer, officers will truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department which may be asked of them. Department personnel will not make any false official statements.

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1202.41 **Use of Truth Verification Devices, Medical Examinations, Photographs and Lineups:**

A. Truth Verification Examinations: Upon order of the Chief, personnel will submit to truth verification examinations when the examinations are specifically directed and narrowly related to a particular internal investigation being conducted by the department. Whenever a complaint from a citizen is the basis for the investigation, the matter is non-criminal, and no corroborating information has been discovered, personnel will not be required to submit to a truth verification examination unless the citizen also submits to the same examination which is specifically and narrowly related to the complaint.

B. Medical Examinations, Photographs and Lineups: Upon the order of the Chief or the Chief's designee, personnel will submit to medical, ballistics, chemical or other tests, photographs, or lineups. All procedures carried out under this subsection will be specifically directed and narrowly related to a particular internal investigation being conducted by the department.

1202.42 **Notification:** In the event of serious injury or death of any member of the police department, the supervisor will immediately notify the Chief of Police by the most expeditious means.

1202.43 **Off Duty Responsibility in New Berlin:**


A. Although certain hours are allotted for the performance of duty, sworn officers must be prepared at all times to act immediately. Off-duty officers will have the discretion to take either direct appropriate police action, or notify the police department and assist an on-duty officer whenever feasible. Any officer who is unable to take direct action as a result of not being appropriately equipped will not be subject to discipline for failure to take such action.

B. Personnel may be recalled for 'Emergency Duty' during their 'off hours' at the discretion of the Chief of Police or any commander or supervisor, depending upon the urgencies of the service and the individual employee's fitness for duty.

1202.44 **Misconduct Observed by Police Department Personnel:** Whenever any department employee observes or is informed of the conduct of another officer or civilian employee which constitutes a violation of any of these rules, the employee will report the incident immediately to his/her supervisor who will take necessary action according to established department procedures and forward it to the Chief of Police (except for counseling actions) via the chain of command. In the event the misconduct observed was committed by a supervisor, the officer will forward a report of same to the Chief of Police via sealed envelope.

1202.45 **Harassment and Sexual Harassment:** Department personnel will not engage in any verbal, written, visual, or physical act which creates a hostile work environment or interferes with another department member's work performance. Nor will department personnel engage in any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature which creates a hostile work environment or interferes with another department member's work performance.

1202.46 **Recording Devices:** It is department policy to protect the integrity of our operation and the privacy of employees and citizens. Employees are prohibited from using personal or department-owned recording devices to capture images or audio recordings for personal use while on duty.

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Revision Notes:

- 02/02/16: Changed 1202.18 from “Employee’s may accept gratuities that do not exceed \$5” to “Employees will not accept nor solicit gratuities or donations that personally benefit the employee. The department may accept food items from businesses and individuals brought in to the department who wish to recognize all of our employees...” Changed 1202.46. Added “All personnel are prohibited from using personal audio or visual devices for official, duty related purposes during their tour of duty.”
- 02/23/16: Under 1202.39, added “personally owned” to the requirements for safekeeping of weapons. Changed 1202.11 to add personnel may possess and bring into the police facility prescribed medication.
- 03/29/16: Under 1202.22, changed wording to indicate that department personnel will courteously and promptly refer a person wishing to file a citizen’s complaint to a supervisor. Under 1202.38, added the requirements for monthly squad checks and link to squad check form.
- 12/05/16: Under 1202.37, added employees are responsible for reporting lost or damaged department property or when they discover department property missing. Under 1202.38, added employees are prohibited from leaving their vehicles running while their department vehicle is parked in the department lot.
- 06/04/18: Under 1202.32, added language to include department information sources. Language added to 1202.21 regarding use of official identification and badges. Under 1202.04, added language regarding notification to Chief of Police regarding off-duty police contact.
- 07/23/18: Under 1202.46, language changed to restrict use of recording devices for personal use while on duty.
- 03/26/19: Removed links added book marks.

By Order of: _____
Jeffrey Hingiss



Chief of Police