

101 GENERAL ORDERS

1. Obedience to Orders

Members shall be governed by the following general orders. Violation by any member of the Department of any of these orders may be considered sufficient cause for dismissal, demotion, suspension, or other disciplinary action.

- A. Members of the Department shall abide by the laws of the United States and the State of Minnesota, and Ordinances of the City of Breckenridge, and the General Orders of the City of Breckenridge Police Department.
- B. The failure or deliberated refusal of any member to obey any lawful order given by any superior officer shall be deemed insubordination. Flouting the authority of any superior officer by obvious disrespect or by disputing his order shall likewise be deemed insubordination.
- C. Orders from superior to subordinate shall be in clear understandable language, civil in tone, and issued in pursuit of departmental business.
- D. Employees shall not publicly criticize or comment derogatorily to anyone about instructions or orders they have received from a superior officer.
- E. Should any order conflict with any previous order or instructions issued by another superior officer, or with any general order, the member to whom the order is given shall respectfully call attention to the conflict, and if the superior officer giving the second order does not change the same so as to obviate the conflict, his order shall stand and the responsibility shall be his. If he so directs, the latter command will be obeyed first. Orders will be countermanded, or conflicting orders issued only when reasonably necessary.
- F. No member is required to obey an order which is contrary to the Laws of the United States, Statutes of the State of Minnesota, or the Ordinances of the City of Breckenridge. Such refusal to obey, however, is the member's responsibility and he shall be strictly required to justify his action.
- G. Members shall perform all lawful duties as may be required of them by competent authority, whether or not such duties are specifically assigned to them in any list of duties or responsibilities or Policy manual.

2. Relationships

- A. Members, whether on or off duty, shall be governed by the ordinary and

reasonable rules of good conduct and behavior, and shall not commit any act tending to bring reproach or discredit upon themselves and the Department.

- B. Members shall serve the Public by direction, counsel, and in other ways that do not interfere with the discharge of their police responsibilities.
- C. Impartial Attitude - Members, while being vigorous and unrelenting in the enforcement of the law, must maintain a strictly impartial attitude toward complainants and violators. Members shall at all times consider it their duty to be of services to anyone who may be in danger or distress, regardless of race, color, or creed.
- D. Members shall at all times be courteous, kind, patient, and respectful in dealing with the public, and shall strive to win the approbation of all law-abiding citizens by an impartial discharge of their official duties. When addressed, they shall assume a position of attentiveness. They shall avoid answering questions in a short and abrupt manner, and shall not use harsh, coarse, violent, profane, insolent, indecent, suggestive, sarcastic, or insulting language. They shall maintain an even, cheerful temper, regardless of the provocation, remaining cool and collected at all times. Members shall avoid actions, conduct, or mannerisms which tend to annoy others, and if that is not enough they shall abide by the "Golden Rule."
- E. Members shall politely give their names, badge numbers, and other pertinent information to any violators or other persons when requested to do so, unless such action is likely to jeopardize the successful completion of a police assignment.
- F. Members shall treat other members of the Department with respect and response due them as fellow officers. They shall be courteous, civil, and respectful of their superior officers and associates, and shall not use threatening and insulting language, whether on or off duty. Respect to superior officers shall not be confined to duty, but shall be extended on all occasions. In public, reference to fellow members should be by their title.
- G. Members shall cooperate, support, and assist each other at every opportunity and shall not publicly criticize the work or the manner of performance of duty of any other member.
- H. Members shall cooperate with all agencies engaged in the administration of criminal justice and other public departments, giving to each all aid and information that they may be entitled to receive.

- I. Members shall act together and protect one another in time of danger or under circumstances where danger might reasonably be impending.
- J. Members wishing to make suggestions for the improvement of the police service, shall reduce the suggestion to writing and direct the suggestion to the Chief of Police.

It is anticipated that professional officers at whatever level in the chain of command will understand the necessity for such free flow of communications and will not abuse this policy or use it in any way not in keeping with the high professional standards of this Department.

- K. Members are required to speak the truth at all times whether under oath or not, in giving testimony, or in connection with any legal official order received, or in connection with official duties.

3. Attention to Duty

- A. Members Always Subject to Duty - Although certain hours are allotted for the performance of duty, members are held to be always on duty. They shall at all times respond to the lawful orders of superior officers and to the call of citizens in need of police assistance. The fact that they may be technically off duty shall not relieve them from the responsibility of taking prompt and proper police action in any matter coming to their attention. Members shall at all times be attentive to their duties and by their alertness and observation, demonstrate their interest in their work.
- B. Members are required to take prompt and effective police actions conforming to departmental policy with respect to violations of law and ordinances coming to their attention or of which they have knowledge. Members shall promptly and punctually perform all official duties.
- C. Members unless otherwise directed shall report for duty or present themselves at the time and place specified. They shall be properly uniformed or dressed, and equipped.
- D. Members shall remain at their post or place of assignment until properly relieved by another member or until officially dismissed by a superior officer. Members shall take leave from their duties only when authorized in conformity with regulations, or when permitted to do so by their superior officers.
- E. No member when on duty shall conceal himself except for some policy purpose. Members shall keep themselves immediately and readily available at all times when on duty.

- F. Members shall respond without delay to all calls for police services from citizens or other members. Calls shall be answered in compliance with normal safety precautions and vehicular driving laws.
- G. Whenever any member is ordered to appear in court on any matter in which his presence is required, he shall attend punctually. If unable to attend, he must notify the prosecutor and/or the court in advance. The City or County Attorney is authorized to grant overtime under those conditions as provided in the contract.
- H. Members shall be attentive to and take suitable action on complaints by private persons. Members shall respond to proper requests for information or assistance. Members shall avoid giving the impression that they are evading the performance of their duties or that they are not interested in the problems brought to their attention. Members shall not belittle a seemingly trivial request, complaint, or piece of information, but shall invariably thank the complainant or informant regardless of the value of the information received.
- I. Members on duty shall be directly available by normal communication or shall keep the office or superior officer informed of the means by which they may be reached when not immediately available. Members sent on a call shall immediately upon the completion of the task notify the dispatcher of their return to service.
- J. Members observing on the streets, sidewalks, or in public places anything of a dangerous or hazardous nature that might occasion public inconvenience, or that seems irregular or offensive, shall take proper action and report the matter to the dispatcher. Such reports shall then be forwarded to the appropriate Department as soon as possible, or in extreme cases, to the appropriate individual of the Department.
- K. Members shall report all crimes, violations, emergencies, incidents, and other information of concern to the Department that comes to their attention. Members shall not conceal, ignore, or distort the facts of any such incident. Members receiving or possessing facts or information relative to a criminal offense shall not retain such facts or information through ulterior motives, or desire for personal credit or aggrandizement; but shall report the facts through official channels.
- L. Members shall be responsible for the prevention and suppression of all forms of commercialized vice and racketeering, including all illegal gamins, operation of gambling establishments, prostitution, sex deviations, the illegal sale, distribution, or use of narcotic drugs, or the illegal sale, manufacture, or distribution of liquor.

- M. Members shall make an immediate written report to the Chief of Police of any bribe offer.
- N. Members shall make reports promptly, accurately, and in conformance with specifications of the Department. Members shall make necessary reports before going off duty, unless a superior officer feels that the report can be made during the next tour of duty without inconvenience to the Department.
- O. Members shall immediately report all traffic accidents in which they are involved; all personal injuries received in the line of duty, or when not in the line of duty, those which are apt to interfere with performance of duty; all property damage or injuries caused to other persons by accident or otherwise while in the performance of duty. These reports will be submitted on forms provided for that purpose.
- P. Any employee who, when so directed by competent authority, refuses to answer questions or render statements, materials, and so forth, relevant in any Department personnel investigation, shall be subject to disciplinary action.
- Q. Members who are injured whether on or off duty, or who become ill, shall promptly report such fact in conformity with general orders.
- R. Members shall learn and thoroughly understand the laws and ordinances they are charged with enforcing, and all orders and rules manuals published by the Department. They shall be especially well informed concerning the duties and procedures governing their specific assignments.
- S. Members shall study and familiarize themselves daily when on duty, and immediately on return from an absence, with the contents of the daily bulletin, with all notices, orders, instruction, wanted circulars, or other directives. They shall seek information pertaining to cases and areas of crime, incidence, and matters of concern to the Department and to the performance of their duties.
- T. Members who are in doubt as to the nature or detail of their assignment shall seek such information from their immediate superior officer.
- U. Members will carry their official identification on their person at all times.
- V. Any member who has lost, damaged, or destroyed any equipment issued to him by the Police Department will be required to make restitution if the loss or damage is the result of negligence on the part of the member.
- W. Members shall maintain offices, lockers, and desks used by them in a neat, clean, and orderly condition. They shall not throw cigarettes or trash on floors in the offices. Members shall act in a professional manner and refrain from playing what is commonly call, "Grab Ass".

- X. Members shall act promptly and with energy, firmness, and decision at the scene of crimes, disorders, accidents, disasters, or other situations that require police attention, and in dealing with suspects and in disposing of their assignments. When the police purpose might be jeopardized by delay, immediate action shall be taken even though the incident would ordinarily be dealt with by some other officer or bureau. Members shall not give evidence or indecision or lack of confidence by their actions, facial expressions, words, or tone of voice.

4. Restrictions on Activities

- A. Membership Prohibited - Members shall not join any organization that:
 - a. Attempts to interfere with the administration;
 - b. Might, in any way, exact prior consideration and thus interfere with efficient and effective police operation; or
 - c. That advocates the violent overthrow of the government.
- B. Members are forbidden to solicit petitions, influence, or intervention of any person outside the Department for purposes of personal preferment, advantage, transfer, advancement, promotion, or change of duty for themselves, or for any other member.
- C. No officer or employee of the Breckenridge Police Department will be allowed to accept any reward, gratuity, gift, or any like consideration, for any service or services performed as a result of or in conjunction with his duties as an employee of the Breckenridge Police Department, whether the service is performed in an on-duty or off-duty status. This does not preclude the acceptance of a salary or honorarium earned by virtue of services rendered through officially approved extra-job employment, or the acceptance of awards sanctioned by the Chief of Police. Individual members shall not solicit any gift, gratuity, loan, present, fee, or reward for personal gain. With approval of the Chief of Police, some recognized and sanctioned forms of soliciting funds or goods for a benevolent or charitable cause by members will be permitted. Any reward, gratuity, or monetary gift received by an employee will be submitted forthwith to the Chief's office for transmittal to the Breckenridge Police Officers Association. Other gifts will be returned to the sender.
- D. Members shall not suggest, recommend, advise or counsel the retention of any attorney or bondsmen to any person coming to their attention as a result of a police business, except in the case where a relative is seeking such legal services

or bail bond.

- E. Any member subpoenaed to testify for the defense in any trial, or against the City of Breckenridge or interest of the Department in any hearing or trial, shall forthwith notify his commanding officer.
- F. Members shall not serve civil process nor render assistance in civil cases except as required by law where they may be personally involved or to prevent or abate a breach of peace or any crime in such cases.
- G. Members shall not volunteer to testify in civil actions nor shall they testify unless legally summoned.
- H. Members shall not use their official positions as a means of forcing or intimidating persons with whom they are engaged in civil controversy to settle the case in their favor.
- I. Any member who has a damage suit filed against him by reason of an act performed by him in the line of duty shall forthwith notify the Chief of Police in writing, furnishing a copy of the complaint together with a full, accurate account of the circumstances in question.
- J. Should an officer, after having complied with these notification requirements, decide at some later date to obtain counsel other than the attorneys from the City of Breckenridge Legal Department, he will immediately notify the Chief of Police, in writing, of his intentions to use private counsel.

Members shall not conduct themselves in an immoral, indecent, lewd, or disorderly manner, or in a manner that might be construed by, or observed as immoral, indecent, lewd, or disorderly.

- K. Members shall not drink any intoxicating beverages while on duty and shall not drink any intoxicating liquor prior to going on duty. The exception will be for a member to accomplish a police assignment or mission.
- L. Members shall not at any time be intoxicated while on duty. Members should not be intoxicated in public view whether on or off duty. No member while off duty should drink intoxicating beverages to an extent which renders him unfit to report to duty.
- M. Members on duty or in uniform shall not enter or visit any place, bar, lounge, parlor, or club where liquor is sold or served except in the line of duty. No member in uniform or on duty shall enter any liquor store for the purpose of purchasing intoxicating liquors.

- N. Members shall not smoke on duty while engaged in direct contact with or serving the public. Members are permitted to smoke at times which shall be as inconspicuous as possible.
- O. Members shall not consort with otherwise fraternize with known gamblers, prostitutes, drunkards, or other persons of bad character or ill repute, except to accomplish a police assignment or mission.
- P. Members on duty or in uniform shall not engage in any game of cards, billiards, pool, dominoes, checkers, or other games in a public place.
- Q. Members are required to be alert throughout their tour of duty. Sleeping while on duty is forbidden. If a member is unable to remain awake he shall so report to his superior officer, who shall determine the proper course of action. Superior officers shall report promptly any subordinate found violating this section. Failure to make such report will be considered neglect of duty by the superior officer.
- R. Members shall not address public gatherings nor release for publication, any written material or photographs concerning the operations, policies, or administration of the Department unless authorized by the Chief of Police.
- S. Members shall not divulge any police information or make information contained in police records available to any person or agency, except as provided by Department procedure, by law, or by competent authority. Members shall treat as confidential the official business of the Department.
- T. Except as provided by law or as otherwise directed by competent authority, members shall not divulge to anyone the name or identity of any complainant, witness, or other person known to the department.
- U. Members of the Department are forbidden to have or use personal cards showing their connection with the Department, which bear information or data not directly pertaining to their work as police officers.
- V. Officers on-duty shall not carry any equipment which does not conform with Department specification.
- W. When a member's badge is lost or damaged, he shall report the fact in writing to the Chief of Police. The cost or replacement or repair will be charged to the member, unless he can show that such loss or damage was not incurred through personal negligence.

- X. No member shall read a newspaper, book, or magazine on duty and in view of the public unless such reading has been assigned by a supervisory officer.