

TRURO POLICE DEPARTMENT

RULES AND REGULATIONS MANUAL

The Rules and Regulations for the government of the Truro Police Department is issued by the Select Board, through the Chief of Police, pursuant to the authority contained in Section 97 of Chapter 41 of the General Laws of the Commonwealth of Massachusetts, as amended, accepted by the vote of the Annual Town Meeting of March 7, 1966.

A copy of this Manual was delivered to the Select Board through the Town Manager on April 25, 2019 and was approved by the Select Board at their meeting of June 11, 2019.

The effective date of these Rules and Regulations shall be June 11, 2019 and they shall remain in full force and effect until amended or rescinded.

**JAMIE M. CALISE
CHIEF OF POLICE**

CONTENTS

1.0 – AUTHORITY	7
2.0 – RECEIPT	8
3.0 – INTRODUCTION	9
○ Law Enforcement Code of Ethics	10
4.0 – PROFESSIONAL CONDUCT AND RESPONSIBILITIES	11
○ Rule 4.1 – Privacy and Off-Duty Conduct	12
○ Rule 4.2 – Conduct Unbecoming an Employee	12
○ Rule 4.3 – Membership in Organizations	13
○ Rule 4.4 – Improper Associations	13
○ Rule 4.5 – Undue Influence	14
○ Rule 4.6 – Improper Buying, Receiving or Selling	14
○ Rule 4.7 – Department Correspondence	14
○ Rule 4.8 – Mailing Address	14
○ Rule 4.9 – Interfering with Course of Justice	14
○ Rule 4.10 – Possessing Keys to Private Premises	15
○ Rule 4.11 – Private Benefit from Departmental Association	15
○ Rule 4.12 – Off-Duty Employment	15
○ Rule 4.13 – Political Activities	15
○ Rule 4.14 – Gifts and Gratuities	15
○ Rule 4.15 – Testimonials and Presents	16
○ Rule 4.16 – Unauthorized Transactions	16
○ Rule 4.17 – Use of Official Position	16
○ Rule 4.18 – Badges, Decals, Insignia	16
○ Rule 4.19 – Conflict of Interest Law	17
• 5.0 – DUTY	18
○ Rule 5.1 – Neglect of Duty	18
○ Rule 5.2 – Incompetence	18
• 6.0 – PUBLIC STATEMENTS AND FREE SPEECH	19
○ Rule 6.1 – Public Criticism of The Department	19

○ Rule 6.11 – Criticism and Malicious Gossip	19
○ Rule 6.2 – Disparaging Remarks	20
○ Rule 6.3 – Courtesy	20
○ Rule 6.4 – Recommending Private Services	20
○ Rule 6.5 – Questions of Citizens	20
○ Rule 6.6 – Identification	20
○ Rule 6.7 – Dissemination of Official Information	21
○ Rule 6.8 – Testimony in Civil Cases	21
○ Rule 6.9 – Truthfulness	21
○ Rule 6.10 – Statements Concerning Liability	22
○ Rule 6.11 – Testifying for Defendant in Criminal Cases	22
○ Rule 6.12 – Recommendation for Disposition of Cases	22
○ Rule 6.13 – Use of Department Records, Reports and Communications	22
○ Rule 6.14 – Dealing with Local Officials	22
● 7.0 – ORDERS	23
○ Rule 7.01 – Unlawful Orders	23
○ Rule 7.02 – Conflicting Orders	23
○ Rule 7.03 – Unjust or Improper Orders	23
○ Rule 7.04 – Instructions from Telecommunicator	23
○ Rule 7.05 – Types of Orders	24
○ Rule 7.06 – Insubordination	24
● 8.0 – UNIFORMS AND APPEARANCE	25
○ Rule 8.1 – Hair Styles for Male Employees	25
○ Rule 8.11 – Mustache and Beard	25
○ Rule 8.2 – Hair Styles for Female Officers	25
○ Rule 8.3 – Earrings	25
○ Rule 8.4 – Wearing the Uniform	26
○ Rule 8.5 – Civilian Clothing	26
○ Rule 8.6 – Tattoos and Body Art	26
● 9.0 – ATTENTION TO DUTY	27
○ Rule 9.1 – Professional Image	27
○ Rule 9.2 – Devotion to Duty	28
○ Rule 9.3 – Loitering	28

○ Rule 9.4 – Duty Time Limited to Police Work	28
○ Rule 9.5 – Reporting for Duty	28
○ Rule 9.6 – Sleeping	28
○ Rule 9.7 – Gambling	28
○ Rule 9.9 – Leaving Vehicles Unattended	29
○ Rule 9.10 – Smoking While on Duty	29
○ Rule 9.11 – Awareness of Activities	29
○ Rule 9.12 – Leaving the Community	29
○ Rule 9.13 – Duty Status	29
○ Rule 9.14 – Departmental Communications	30
○ Rule 9.15 – Mutual Protection	30
○ Rule 9.16 – Duties While in Courts	30
○ Rule 9.17 – Reports	30
○ Rule 9.18 – Cooperation with Internal Investigations	30
○ Rule 9.19 – Withholding Evidence	30
○ Rule 9.20 – Testimony	31
○ Rule 9.21 – Report of Rule Violations	31
● 10.0 – GENERAL REQUIREMENTS	32
○ Rule 10.1 – Residency	32
○ Rule 10.2 – Home Address and Telephone	32
○ Rule 10.3 – Defects in Streets or Roadways	32
○ Rule 10.4 – Meals	32
○ Rule 10.5 – Policies and Procedures Compliance	32
○ Rule 10.6 – Payment of Debts/Legal Liabilities	32
○ Rule 10.7 – Warrants for Assault Upon A Police Officer	33
○ Rule 10.8 – Release Without Arraignment	33
○ Rule 10.9 – Incurring Department Liability	33
○ Rule 10.10 – Duties While Suspended	33
○ Rule 10.12 – Civil Disputes	33
○ Rule 10.13 – Civil Suits for Personal Injury	33
○ Rule 10.14 – Immorality	34
○ Rule 10.15 – Criminal Conduct	34
● 11.0 – DEPARTMENTAL PROPERTY AND EQUIPMENT	35
○ Rule 11.1 – Damaged, Defective or Inoperative Property and Equipment	35

○ Rule 11.2 – Care of Department Buildings	35
○ Rule 11.3 – Authorized Equipment	35
○ Rule 11.4 – Surrender of Department Property	35
○ Rule 11.5 – Private Vehicles	35
○ Rule 11.6 – Department Telephones	36
○ Rule 11.7 – Department Vehicles	36
○ Rule 11.8 – Upkeep of Police Manual	36
○ Rule 11.9 – Transporting Citizens	36
○ Rule 11.10 – Responsibility for Department Property	36
○ Rule 11.11 – Care of Department Property	36
○ Rule 11.12 – Items of Identification	37
○ Rule 11.13 – Personal Police Equipment	37
○ Rule 11.14 – Care and Security of Firearms	37
○ Rule 11.15 – Care and Custody of Property	37
○ Rule 11.16 – Evidence/Suspected Contraband	37
○ Rule 11.17 – Responsibility for Vehicle	38
○ Rule 11.18 – Department Notices	38
○ Rule 11.19 – Reporting Accidents	38
● 12.0 – REPORTS	39
○ Rule 12.1 – Filing Reports	39
○ Rule 12.2 – Falsifying Records	39
○ Rule 12.3 – Withholding Evidence	39
○ Rule 12.4 – Feigning Illness or Injury	39
○ Rule 12.5 – Departmental Records/Reports/Citations	39
○ Rule 12.6 – Line-Of-Duty Disability	39
● 13.0 – FITNESS FOR DUTY	40
○ Rule 13.1 – Absence	40
○ Rule 13.2 – Military Leave of Absence	40
○ Rule 13.3 – Sick Leave	40
○ Rule 13.4 – Doctor’s Certificate	40
○ Rule 13.6 – Notification	40
○ Rule 13.7 – Possession/Use of Alcohol	40
○ Rule 13.8 – Smoking Tobacco	41
○ Rule 13.9 – Possession/Use of Controlled Substances	41

○ Rule 13.10 – Intoxicants and Drug Possession	41
● 14.0 – ACCOUNTABILITY AND DISCIPLINE	42
○ Rule 14.1 – Accountability and Discipline	42
○ Rule 14.2 – Commendations	43
● 15.0 - DUTIES AND RESPONSIBILITIES	44
○ Rule 15.1 – Chief of Police	44
○ Rule 15.1.1 – Deputy Chief of Police	47
○ Rule 15.2 – Lieutenant	50
○ Rule 15.3 – Sergeant	51
○ Rule 15.4 – Police Officer	53
○ Rule 15.4-1 – Patrol Supervisor (OIC)	55
○ Rule 15.4-2 – Master Patrolman	55
○ Rule 15.4-3 – Evidence Officer	56
○ Rule 15.4-4 – Detective Sergeant	57
○ Rule 15.4-5 – Part-Time (Special) Police Officer	58
○ Rule 15.5 – Administrative Assistant	60
○ Rule 15.5-5 – Communications Supervisor	61
○ Rule 15.6 – Telecommunicator	62
○ Rule 15.6-1 – Part-Time Telecommunicator	63
○ Rule 15.7 – Matrons	64

1.0 – AUTHORITY

The Rules and Regulations for the government of the Police Department of the Town of Truro Police Department is issued by the Select Board, through the Chief of Police, pursuant to the authority contained in Section 97 of Chapter 41 of the General Laws of the Commonwealth of Massachusetts, as amended, accepted by the vote of the Annual Town Meeting of March 7, 1966.

2.0 – RECEIPT

Employees of the Truro Police Department shall subscribe their names to the following agreement:

I hereby acknowledge receipt of a copy of the Manual of the Rules and Regulations for the government of the Truro Police Department, as amended, on June 11, 2019.

Signature of Employee

Date

Printed Name of Employee

This document shall be placed in the employee’s personnel folder. A copy shall be maintained in the Professional Standards Division.

Issued by Chief Jamie M. Calise

Chief Jamie M. Calise

3.0 – INTRODUCTION

Law enforcement is, at the same time, one of the most demanding, yet one of the most rewarding, professions. The role of police employees in a democratic society is an ever-changing one. The training that an individual receives at the police academy is but a first step in an on-going process of education and training which will span an employee's career. This department is committed to making in-service and specialized training available to its members, consistent with statutory mandates and subject to municipal appropriation. Members are encouraged to pursue degree programs in law enforcement as well. This Manual of Rules and Regulations, including applicable job descriptions, along with the department's policies and procedures manual and general orders, should constantly remind members of what is expected of them.

The quasi-military nature of a police agency is one of its time-tested traditions. A rank structure and a chain of command have proven an essential component, especially in an organization involved in dangerous and even life-threatening activities. The need for camaraderie and teamwork are evident to the experienced law enforcement professional. Our distinctive appearance, including uniforms and grooming standards, helps foster *esprit de corps* and security among members of the department, as well as recognition and confidence among members of the public.

The standard of conduct expected of members of the law enforcement community is higher than that demanded of other municipal employees. We recognize this in accepting appointment to our chosen profession. The needs of public confidence require that we are held to a high ethical standard, which dictates the avoidance of even the appearance of impropriety. Likewise, we acknowledge the need for reasonable restrictions on our off-duty conduct, especially where it reflects on our profession or the department.

The department is aware of its labor relations obligations. It is prepared to bargain with the appropriate representative(s) regarding the impact, if any, which any rules and regulations have on mandatory subjects of bargaining.

This Manual will generally serve as the basis for departmental discipline. It attempts to outline the minimal level of conduct expected of each member. Familiarity with its contents is required. On a more positive note, members are encouraged to use this Manual as part of their overall training experience. Each member should endorse the ethical standards and commit themselves to a code of conduct befitting of members of our noble profession.

References to department members shall include both genders and the singular and plural are interchangeable.

Whenever this Manual refers to such things as permission or approval of the Chief, this will refer to his designee when, from time to time, the Chief authorizes others to act on his behalf in appropriate circumstances. Use of the terms patrol supervisor, shift commander, superior officer, or OIC, may occasionally be used interchangeably.

This manual affects all employees of all classifications of the Truro Police Department, unless specifically noted otherwise.

The Law Enforcement Code of Ethics is a time-honored tradition among members of our profession. Its inclusion in this Manual is meant to make members adhere to the lofty goals and worthwhile objectives, which are consistent with our professional calling.

LAW ENFORCEMENT CODE OF ETHICS

As a Law Enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deceptions, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all individuals to life, liberty, equality and justice.

I will keep my private life unsullied as an example to all; 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 will be kept forever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, 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 constantly strive to achieve those objectives and ideals, dedicating myself to my chosen profession...law enforcement.

4.0 - PROFESSIONAL CONDUCT AND RESPONSIBILITIES

The police are the most visible and most readily accessible representatives of local government. They respond to calls for assistance of a diversified nature and are expected to resolve a wide variety of community problems as they occur. Officers and Telecommunicators are professionals. They are expected to maintain exceptionally high standards in the performance of their duty while conducting themselves at all times, both on and off duty, in such a manner as to reflect favorably upon themselves and the department.

Effective police operations require loyalty to the department and to their associates, maintaining a genuine spirit of cooperation and rendering appropriate assistance to a fellow police officer or citizen exposed to danger or in a situation where danger may be impending.

To accomplish these purposes, the professional responsibilities of police officers within their area of jurisdiction, include the following functions:

- a) The protection of life and the safeguarding of property.
- b) The prevention and control of crime within the territorial jurisdiction of the Town of Truro, including Route 6 and the areas within the National Seashore.
- c) The investigation of crime, the apprehension of criminal offenders and the recovery of stolen property.
- d) The preservation of public peace and good order.
- e) The immediate response to public emergencies.
- f) The creation of a sense of safety and security for the entire community through vigilant preventive patrol and community policing.
- g) The accomplishment of all police objectives within the law and the constitutional guarantees of all citizens.
- h) The performance of such other police related services, duties, functions and responsibilities required of the officer by the department and/or the community.
- i) The advancement of a cooperative relationship with the general public.
- j) The creation of awareness through the implementation of educational programs.

Public scrutiny, and sometimes public criticism, is directed not only at police performance but also at the behavior, both on and off duty, of those who deliver police services. The establishment of proper standards for police behavior must not only meet the expectations of the citizen but also protect the rights of police officers and employees and those who have already violated the law.

The department recognizes that its employees have certain basic personal rights and restricts those rights only when necessary to ensure the integrity of the department and its personnel and that the highest quality of police services are maintained.

RULE 4.1 – PRIVACY AND OFF-DUTY CONDUCT

The department will generally limit its inquiry into an employee's personal matters, off-duty conduct, and outside employment, to situations reflecting upon the department or affecting the employee's ability or fitness for duty. An employee's right to privacy guarantees that disclosure of personal matters can be compelled only if the employer's interest in the disclosure outweighs the employee's privacy interest. When the department determines that inquiry into an employee's private life is legitimate, it will make the scope of the inquiry as narrow as reasonable under the circumstances.

An employee's medical and psychological fitness for duty is a matter of continuing departmental concern. The department is authorized to require employees to submit to medical, drug, and/or psychological examinations on a periodic basis or whenever there is reason to question the employee's fitness for duty. Reports of such examinations will be maintained in a separate file and dissemination of the information will be restricted to appropriate individuals.

The department has a legitimate interest in preserving its public image of trust and respect. An employee's off-duty personal relationships should not bring discredit to the employee or department, impact the employee's ability to perform their job, or result in poor job performance.

The department has the right to regulate the off-duty employment of its employees. The emergency nature of law enforcement, the need to ensure that employees report for work in good physical and mental condition, and the need to prevent conflicts of interest, all combine to provide the department with discretion in regulating off-duty employment.

RULE 4.2 – CONDUCT UNBECOMING AN EMPLOYEE

It is impossible to have detailed rules governing every conceivable situation. However, police employees have come to understand that certain behavior is clearly not in keeping with the good order and proper operation of the department. This rule has been shown to be capable of objective interpretation. It must not be subject to the whim of police administrators. The standard of conduct expected of police employees is learned in a variety of ways, from academy and in-service training to manuals, orders, and various written directives. It is fair to say that conduct unbecoming an

employee occurs when a reasonable employee under the circumstances would be aware that their behavior was inappropriate.

Both on and off-duty conduct may subject an employee to a charge of conduct unbecoming an employee. Employees do not sever their relationship with the department at the end of their shift. An employee's off-duty conduct, especially where there is some nexus or connection to the department or where the employee's status as a police employee is known, may reflect unfavorably on both the employee and department. Employees charged with conduct unbecoming an employee will have the underlying offensive conduct specified in the notice of charges.

Employees shall not commit any specific act or acts of immoral, improper, unlawful, disorderly or intemperate conduct whether on or off-duty, which discredits or reflects unfavorably upon the employee, upon fellow employees, or upon the police department. Employees shall conduct themselves both on and off-duty, in such a manner as to reflect most favorably on the department and its members. Conduct unbecoming an employee shall include that which tends to indicate that the employee is unable or unfit to continue as a member of the department, or tends to impair the operation, morale, integrity, reputation or effectiveness of the department or its members. It shall also include off-duty conduct where there is a nexus or connection between the act or acts committed by the officer and his continued fitness or ability to effectively perform his required duties and responsibilities and/or the impact or adverse effect said conduct may have on the operation, morale, integrity, reputation or effectiveness of the department and ability of the officer(s) not involved in said act to effectively perform their required duties and responsibilities.

RULE 4.3 – MEMBERSHIP IN ORGANIZATIONS

Employees shall not affiliate with or become a member of any organization if such affiliation or membership would substantially interfere with or prevent them from performing their duty or conflict with the department's code of ethics.

RULE 4.4 – IMPROPER ASSOCIATIONS

Employees shall 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 for present involvement in criminal behavior, except as necessary in the performance of official duties, with the knowledge and approval of the Chief or where unavoidable because of an employee's family relationships.

RULE 4.5 – UNDUE INFLUENCE

Employees shall not seek or obtain the influence or intervention of any person, outside or within the department, for the purposes of advancement, preferential assignment, transfer, pecuniary advantage or any other type of preferred treatment or advantage, including the disposition of pending charges or findings in a disciplinary hearing.

RULE 4.6 – IMPROPER BUYING, RECEIVING OR SELLING

Employees shall not buy, receive, or sell anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other personnel involved in any case which has come to the attention of or which arose out of department employment, except as may be specifically authorized by the Chief of Police.

RULE 4.7 – DEPARTMENT CORRESPONDENCE

Employees shall not use department letterhead for private correspondence nor shall they send any written communication about police business to any person, firm or other law enforcement or public agency without the consent of the Chief of Police or his designee.

Employees shall not enter into official department correspondence with anyone or any agency outside the department, except with the approval of the Chief. All official department communications outside of the community without the permission of the Chief is prohibited.

RULE 4.8 – MAILING ADDRESS

Employees shall not use the department as a mailing address for private purposes without the permission of the Chief. At no time will the department be used as a mailing address for the purposes of a motor vehicle license or registration for private purposes.

RULE 4.9 – INTERFERING WITH COURSE OF JUSTICE

Employees shall not interfere with cases being handled by other employees of the department or other law enforcement agencies. When an employee believes that such involvement is necessary, they shall secure permission from a superior officer.

Employees shall not take part in, or be concerned with, either directly or indirectly, any compromise or arrangement with any person whomsoever for the purpose of permitting an accused person to escape the penalty of his wrongdoing or seek to obtain a continuance of any trial or otherwise interfere with the course of justice, except in the normal course of proceedings.

RULE 4.10 – POSSESSING KEYS TO PRIVATE PREMISES

Officers shall not personally hold keys to private buildings or dwellings in their area of patrol without the permission of the Chief.

RULE 4.11 – PRIVATE BENEFIT FROM DEPARTMENTAL ASSOCIATION

Employees shall not use the prestige or influence of their position, or use the time, facilities, equipment or supplies of the department for the private gain or advantage to themselves or another.

RULE 4.12 – OFF-DUTY EMPLOYMENT

Employees shall not engage in any off-duty employment without the knowledge and approval of the Police Chief. This approval is required for purposes of (a) increasing off-duty efficiency and availability, (b) avoiding potential conflicts of interest, (c) protecting the image of the department, and (d) avoiding impairment of on-duty performance.

All personnel engaging in outside employment should clearly understand that their primary obligation is to the Truro Police Department and the community they serve. Prior to accepting any outside employment, an employee must request, in writing, the approval of the Police Chief.

RULE 4.13 – POLITICAL ACTIVITIES

Employees shall not participate in political activities while in uniform or on duty. All actions which could even give the impression that employees are using their official positions to influence the electoral process are to be avoided. An employee shall not be required to solicit or be obliged to make contributions in money, services, or otherwise, for any political purpose.

RULE 4.14 – GIFTS AND GRATUITIES

Employees shall not seek, solicit or accept any gift, gratuity, loan, reward or fee where there is any direct or indirect connection between the solicitation or acceptance and their departmental

membership or employment. Any unauthorized gift, gratuity, fee or reward coming into the possession of any officer shall be forwarded to the Chief, together with a written report of the circumstances involved.

RULE 4.15 – TESTIMONIALS AND PRESENTS

Employees shall not collect or receive any money or things of value from any source for the purpose of making a present to any active officer or employee of the department unless specific permission is granted by the Chief. No employee shall seek or accept such presents without the permission of the Chief. Under the provisions of General Laws, Chapter 268, Section 9A, no personnel shall sell tickets or solicit contributions for a testimonial dinner or similar function for any person in active employment in any law enforcement agency or regulatory body of the state or any city or town.

RULE 4.16 – UNAUTHORIZED TRANSACTIONS

Employees shall not enter into any transactions of material value at substantially lower than fair market value, or the value at which such goods or services are being offered to the general public, when such transaction takes place between themselves and any person involved in any matter or case which arose out of their employment with the department.

RULE 4.17 – USE OF OFFICIAL POSITION

Employees shall not use their official position, department identification cards or badges for (a) personal or financial gain, (b) obtaining privileges from performance of duty, or (c) avoiding consequences of illegal acts. Employees shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief.

Employees shall not authorize the use of their names, photographs, or official titles that identify them as police employees with testimonials or advertisements for any person, commodity or commercial enterprise, without the approval of the Chief.

RULE 4.18 – BADGES, DECALS, INSIGNIA

No member or employee shall purchase, have purchased by some other person, make, or have made, constructed, printed, or created, any badge, insignia, decal, plaque, etc. that depicts the official title of Truro Police Department or purports to be an official facsimile of the department.

Any and all badges and other official insignia issued to or purchased by members and/or employees shall become the property of the Truro Police Department upon the termination of employment subject to the discretion of the Chief of Police.

RULE 4.19 – CONFLICT OF INTEREST LAW

Employees shall not violate Mass. General Laws c.268A. Since the position of a police employee is a public trust, it is important to avoid all situations involving conflicts of interest whether in fact or only in appearance. Areas of concern include certain types of outside employment; financial transactions with units of government or others; memberships in non-police unions; activities in partisan politics; and the use of an official position to secure unwarranted privileges, pecuniary advantage or preferential treatment.

DUTY

5.0 – NEGLECT OF DUTY

Employees are required to be attentive to and not neglect their sworn duty. Employees must not absent themselves from their assigned duty without leave. They must not leave their post or assignment without being properly relieved; likewise, they must take suitable and appropriate police action regardless of whether they are on or off-duty when any crime, public disorder or other incident requires police attention or service. Examples of neglect of duty include but are not limited to: failure to take appropriate action on the occasion of a crime, public disorder or other act or condition deserving attention; absence without leave; failure to report to duty at the time and place designated; unnecessary absence from one's assignment during a tour of duty; failure to perform duties or comply with any rule or regulation, general or special or other order; or failure to conform to department policies and/or procedures.

RULE 5.2 – INCOMPETENCE

Employees shall maintain sufficient competency to perform their duties and assume the responsibilities of their position. Incompetence may be demonstrated by, but is not limited to:

- a) A lack of knowledge of the application of laws required to be enforced;
- b) An unwillingness or inability to perform assigned tasks;
- c) Failure to conform to work standards established for officer's rank, grade or position;
- d) Repeated poor evaluations;
- e) Repeated infractions of rules, regulations, policies, procedures, general or special orders;
- f) Inability to fulfill duties outlined in job descriptions.

6.0 – PUBLIC STATEMENTS AND FREE SPEECH

The rules attempt to balance the employee's right to freedom of expression on matters of public interest with the department's legitimate interest in the integrity and efficiency of its operations. Police employees do not surrender their Constitutional right of free speech upon taking their oath of office. However, courts have recognized that police departments can promulgate reasonable rules to regulate certain types of statements by employees consistent with the mission of a law enforcement agency.

A police department is a para-military organization, which is unique in the public service, and, as such, has a justifiable need for esprit de corps, harmony, discipline and confidentiality. Close personal or confidential relationships are often required. Disrespectful and/or offensive remarks are inconsistent with fostering and maintaining such relationships.

There is a need to maintain chain of command. Statements that undermine the working relationship between employees and superiors are disruptive to the agency's mission. This is especially true when such statements are simply bickering or personal disputes with one's superiors.

Employees should avoid: speech that is knowingly false; statements made as an extension of a personal dispute; statements resulting from a personality conflict; speech promoting or endorsing private services; profanity or name calling; speech which causes significant disruption of morale.

Employees who are the subject of an internal investigation may be instructed not to discuss the subject matter of the investigation with others. Generally, such restrictions would not apply to discussions with an employee's attorney or union representative, or with such employee's spouse.

RULE 6.1 – PUBLIC CRITICISM OF THE DEPARTMENT

Employees shall not knowingly publicly criticize the department, its policies or members. Employees shall not make any unnecessary complaints against another member of the department nor criticize any other employee, except in the line of duty as a superior to subordinate. Employees shall not publicly criticize instructions or lawful orders they have received.

6.11 – CRITICISM AND MALICIOUS GOSSIP

No employee shall maliciously gossip about any other employee, order, policy, procedure, case, or event, nor shall any employee cause to discredit, lower, or injure the morale of the personnel of

the department or that of any individual of the department. To this end, employees shall make maximum utilization of the chain of command and the grievance procedure of the department as described in the applicable contractual agreement.

RULE 6.2 – DISPARAGING REMARKS

Employee shall not speak disparagingly of any minority, race, nationality, gender, religion, sexual preference or a person's marital status on-duty or while off-duty in a public place.

RULE 6.3 – COURTESY

Employees shall not be discourteous or inconsiderate to the public, to their superior officers, to their fellow employees, or to members of other law enforcement or government agencies. They shall refrain from using profanity, derogatory comments, ethnic or racial slurs, or other types of demeaning statements. They shall be tactful in the performance of their duties and are expected to exercise the utmost patience and discretion even under the most trying circumstances.

RULE 6.4 – RECOMMENDING PRIVATE SERVICES

Employees shall not, except in the transacting of personal affairs, recommend or suggest in any manner the employment or purchase of a particular professional or commercial service or product, such as lawyers, bondsmen, undertakers, towing service, or burglar alarm companies.

RULE 6.5 – QUESTIONS OF CITIZENS

Employees shall answer questions from citizens in a courteous manner and if unable to supply an answer, shall make every effort to obtain the answer for the citizen while avoiding argument.

RULE 6.6 – IDENTIFICATION

Employees shall identify themselves when asked while on-duty, except when withholding information is necessary for the performance of police duty, when it could jeopardize a member's safety, or when authorized to refuse by a proper authority. M.G.L. Ch. 41, s. 98D requires that full-time police officers carry official identification cards to be shown upon lawful request.

RULE 6.7 – DISSEMINATION OF OFFICIAL INFORMATION

Employees shall treat as confidential that information which is confided to them personally. They shall disclose such information only as required in the proper performance of their duties. Employees shall neither disclose nor use for personal reasons any confidential information they learn in the course of their duties and shall treat as confidential all matters relating to investigations, internal affairs, and personnel. Employees shall treat the official business of the police department as confidential and shall conform to the following guidelines:

- a) Information regarding official business shall be disseminated only to those for whom it is intended in accordance with established departmental procedures.
- b) Access to departmental files, records and reports shall be limited to those officers and employees authorized by the Police Chief.
- c) Official records or reports shall not be copied or removed from a police facility except in accordance with established departmental procedures.
- d) The identity of a person giving confidential information to an employee in the performance of their duty shall not be divulged except with the approval of the Chief or by operation of law.
- e) No information shall be released, given or issued to the news media or any members of the press concerning department operations without the approval of the Police Chief.
- f) Employees shall not communicate or give police information, which contributes to the destruction, removal or loss of evidence, goods or contraband.
- g) Employees shall not communicate to the public, news media or other agencies or persons departmental information except as authorized by the Police Chief or by statute. Requests for public appearances or speaking engagements concerning departmental operations or policies shall be submitted to the Chief for approval.

RULE 6.8 – TESTIMONY IN CIVIL CASES

Employees shall not testify in any civil case, arising from their performance of duty, unless legally summonsed to do so or until having received permission or order from the Police Chief. When summonsed to testify, an employee shall notify the Police Chief in advance of testifying.

RULE 6.9 – TRUTHFULNESS

Employees shall speak the truth at all times. In cases in which an employee is not allowed by the regulations of the department to divulge facts, they will decline to speak on the subject.

RULE 6.10 – STATEMENTS CONCERNING LIABILITY

Employees shall not make any oral or written statement to anyone concerning liability in connection with the operation of police vehicles or performance of other police duty, unless specifically authorized to do so by the Chief of Police.

RULE 6.11 – TESTIFYING FOR DEFENDANT IN CRIMINAL CASES

Employees shall not testify for a defendant in a criminal case, parole hearing or other judicial proceeding unless legally summonsed to do so or with the advance approval of the Police Chief. In cases which involve the police department or its personnel, employees shall, before testifying, inform the Police Chief of the nature of the testimony intended to be given.

RULE 6.12 – RECOMMENDATION FOR DISPOSITION OF CASES

Employees shall not make a recommendation for the disposition of any case pending in the courts without the consent of the Chief of Police, or without the permission of the Detective Sergeant; or upon the direct request of the Court to the officer.

RULE 6.13 – USE OF DEPARTMENT RECORDS, REPORTS AND COMMUNICATIONS

All communications to municipal officials shall be forwarded through the Chief of Police, unless specifically authorized otherwise.

RULE 6.14 – DEALING WITH LOCAL OFFICIALS

Employees shall not confer with or forward communications to local officials on police matters without first notifying the Police Chief, except as otherwise provided by statute.

7.0 – ORDERS

An order is defined as a command or instruction, oral or written, given by one member of the department to another member of lesser rank. It is essential for a police agency that employees obey all lawful orders. Every department employee shall promptly obey, without reservation, the rules, regulations, policies and procedures of the department and all lawful commands of a superior officer, including commands relayed from a superior by an employee of the same or lesser rank.

7.01 – UNLAWFUL ORDERS

No superior officer shall knowingly issue an order in violation of any law. Obedience to an unlawful order is not a defense for unlawful action, so no employee is required to obey an order that is contrary to federal or state law. Responsibility for refusing to obey an unlawful order rests with the employee to whom the order was given and will be strictly required to justify such action.

7.02 – CONFLICTING ORDERS

Should any order given by a superior conflict with a previous departmental order, the employee to whom such order is given will call attention to the conflict. If the person responsible for issuing said order does not change their order to avoid such conflict, the new order will be obeyed, but the employee obeying such order shall not be held responsible for disobedience of the previous order. It shall later be reported to the Police Chief, through the chain of command, for clarification.

7.03 – UNJUST OR IMPROPER ORDERS

When lawful orders which appear to be unjust or improper are given, the employee to whom the order is given shall notify the superior issuing the order of its impropriety. If the order is not corrected, it shall be carried out. The employee to whom the order was given may then file a written report to the Chief via the chain of command seeking clarification and outlining the reasons for questioning the order. After complying with this section, an employee who obeyed an order found to be unjust or improper will not be held responsible for carrying it out. Unjust or improper orders issued by the Chief are subject to the applicable grievance procedure.

7.04 – INSTRUCTIONS FROM TELECOMMUNICATOR

All messages transmitted over the police radio system by any officer or employee shall be direct and concise and shall conform with all departmental radio procedures and the rules and regulations

of the Federal Communications Commission. No employee shall fail to obey or refuse an official communication (whether via radio, telephone, computer or in-person) transmitted by or conveyed directly from an officer or telecommunicator, unless instructed to do so by a superior officer.

7.05 – TYPES OF ORDERS

Below is a brief description of the types of written directives which may be utilized.

- a) **GENERAL ORDERS.** General Orders are permanent written orders issued by the Chief of Police outlining policy matters which affect the entire department. A General Order is the most authoritative written order that the Chief issues, and may be used to amend, supersede or cancel any previous order. General Orders remain in full effect until amended, superseded or rescinded by the Police Chief.
- b) **SPECIAL ORDER.** Special Orders are temporary written orders issued by the Police Chief or designee outlining instructions covering specific situations. Special Orders are automatically cancelled when their objective is achieved.
- c) **PERSONNEL ORDERS.** Issued by the Police Chief or other authorized command personnel pertaining to assignments, duty change assignments, administrative matters relating to conditions of employment, and employee rights and benefits.
- d) **MEMORANDA.** Written communications (memorandum or memo) issued by the Police Chief or other authorized command officers for the following purposes:
 - i. to issue information or instructions which do not warrant a formal order;
 - ii. to direct the actions of subordinates in specific situations;
 - iii. to explain or emphasize portions of previously issued orders; or
 - iv. to inform officers of actions or policies of other agencies.
- e) **RULES AND REGULATIONS.** A manual of rules and regulations issued by the Select Board of the Town of Truro, through the Chief of Police, which defines required and prohibited conduct and generally outlines the basis for departmental discipline.
- f) **POLICIES AND PROCEDURES.** A manual describing the policy of the department and required procedures to be followed in handling a variety of operational or administrative areas confronting law enforcement officers.

RULE 7.06 – INSUBORDINATION

Employees shall not be insubordinate. Insubordination shall include the failure or deliberate refusal to obey a lawful order (written or oral) given by a superior or as otherwise specified above. It shall also include any disrespectful, mutinous, insolent, or abusive language or action toward a superior whether in or out of the presence of the superior.

8.0 – UNIFORMS AND APPEARANCE

Employees shall wear uniforms, equipment, and insignia of rank as the Police Chief or his designee proscribes. A professional, uniform appearance fosters teamwork and esprit de corps. While on duty, employees shall present themselves with a professional appearance to the public at all times. Since uniforms make an employee identifiable and accessible to citizens, it is vital that employees maintain a neat and clean appearance and that the uniform serves as an appropriate introduction to the members of the community. Exceptions must be authorized by the Chief or designee.

RULE 8.1 – HAIR STYLES FOR MALE EMPLOYEES

Male employees shall keep their hair neat, clean and trimmed and shall present a well-groomed appearance. Hair shall not cover the ears and must 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 cases will the bulk or length of the hair interfere with the proper wearing of any authorized headgear. Sideburns will not extend below the bottom of the earlobe, must be neat and trimmed and will end with a clean-shaven horizontal line. Exceptions to this rule may be granted by the Police Chief.

RULE 8.11 – MUSTACHE AND BEARD

Mustaches must be neat and trimmed and shall not extend above the upper lip or below the lip line. An officer's face will be clean shaven other than the acceptable mustache and sideburns. Beards and goatees are prohibited. Exceptions to this rule may be granted by the Police Chief.

RULE 8.2 – HAIR STYLES FOR FEMALE OFFICERS

Female police officers shall wear their hair so that it does not touch the collar of the shirt. Longer hair will be fashioned up to stay in place and not hang over the eyes. All styles will render a neat appearance. No scarves, headbands or ribbons will be worn in the hair. In no case will the bulk or length of the hair interfere with the proper wearing of any police headgear. Exceptions to this rule may be granted by the Police Chief.

RULE 8.3 – EARRINGS

Officers may not wear earrings or studs while on duty while in uniform. Exceptions to this rule may be granted by the Police Chief.

RULE 8.4 – WEARING THE UNIFORM

Employees shall keep their uniforms neat, clean and pressed. Care should be taken not to wear threadbare or faded items. The uniform cap shall be worn when directed by competent authority. While in uniform, officers shall display their badge on the outermost garment over their left breast. The Police Chief will issue periodic special orders regarding daily or seasonal wearing of uniforms. Employees shall not wear any identifiable part of the uniform outside the limits of the community except while in the performance of official duty, while commuting to and from duty, or with the permission of the Chief of Police.

RULE 8.5 – CIVILIAN CLOTHING

Male officers allowed to wear civilian clothing during a tour of duty, including court appearances, shall wear either a business suit with tie, or sports coat with tie and slacks, subject to seasonal changes as directed by the Police Chief. Female officers allowed to wear civilian clothing during a tour of duty, including court appearances, may wear a dress or skirt and blouse, or blouse and dress pants. Jeans are not considered proper attire for any officer.

The Police Chief may prescribe other types of clothing when necessary to meet particular police objectives. Civilian clothing shall not be worn with any distinguishable part of the police uniform. No shorts, T-shirts or shirts without a collar may be worn. Leather shoes are required (no sneakers/tennis shoes, etc.)

RULE 8.6 – TATTOOS AND BODY ART

Tattoos or body art that is racist, sexist or sexually suggestive, obscene or profane, or that undermines town or department values is prohibited. Tattoos on the arms below the elbow shall be covered. Tattoos on an officer's neck, head, face, ears, and hands are prohibited except for a single tattooed wedding ring. Employees shall not display body pierced jewelry or intentional (decorative) disfigurement while in uniform or on duty.

9.0 – ATTENTION TO DUTY

Employees are expected to be constantly alert and vigilant in the performance of their duties and respond prudently but decisively when police action, functions, responsibilities, duty or service is required. Employees who handle any complaint, assistance call, arrest or other duty, shall attend to such duty with professionalism and courtesy and without unnecessary delay. Employees shall furnish information and render aid to all persons with due courtesy whenever such request is consistent with their duty. Employees shall not withhold information on criminal activity.

Every employee shall familiarize themselves with the geography of the community, including: routes of public transportation; the location of streets, highways, bridges, public buildings and places; hospitals; courts; transportation offices and stations; prominent or important office buildings; large industrial plants or commercial establishments; and such information as may be disseminated by their superior officers from time to time.

Employees shall furnish police assistance to all persons making such request, consistent with their police duties and assignments. They shall assist and cooperate with all law enforcement agencies, provide them any authorized information they are entitled to receive, and submit a report on actions taken.

It shall be the duty of every employee to report to a superior officer any information given to them in good faith by any citizen regarding matters that indicate the need for police action. Officers, regardless of rank or assignment, shall act immediately to protect life, liberty or property; to enforce all laws; to detect the commission of crimes; and to apprehend law violators.

RULE 9.1 – PROFESSIONAL IMAGE

Police employees shall not act in a manner inconsistent with the image of a professional police employee, which shall include, but not be necessarily limited to:

- a) Smoking or chewing gum in uniform when in plain view of the public;
- b) Unnecessary shouting or using obscene language;
- c) Leaning on walls, posts, cars, etc.;
- d) Tardiness in reporting for work;
- e) Conducting personal business on duty;
- f) Taking excessively long meals or refreshment breaks;
- g) Failing to respond promptly to a request for police service;

- h) Failing to return promptly to service after handling a call for police service;
- i) Lack of courtesy to an individual, either on the phone or in person;
- j) Gambling, except when off-duty and at licensed premises.

RULE 9.2 – DEVOTION TO DUTY

While on duty, employees shall devote their full time and attention to the service of the department and to the citizens of the community. They shall remain awake and alert at all times while on duty. Activities that detract from the proper performance of duty are not permitted.

RULE 9.3 – LOITERING

Officers shall not, while on duty, loiter in cafes, saloons, restaurants, theaters, service stations or other public places, except for the purposes of police related activities.

RULE 9.4 – DUTY TIME LIMITED TO POLICE WORK

Employees shall not shop while on duty or devote any of their on-duty time to activities other than that which relates to police work. They shall not perform any police duty in uniform for purposes of private gain.

RULE 9.5 – REPORTING FOR DUTY

Employees shall report for duty promptly at the time and place required or as otherwise directed by proper authority. They shall be properly uniformed and suitably equipped. While on duty they shall avoid any activities not directly related to their police responsibilities and shall not absent themselves from duty without leave. Employees unable to report for duty because of sickness or injury shall notify the station as soon as possible.

RULE 9.6 – SLEEPING

Employees shall not sleep while on duty.

RULE 9.7 – GAMBLING

Employees shall not gamble while on duty, unless to further a police purpose.

RULE 9.9 – LEAVING VEHICLES UNATTENDED

Officers shall not leave vehicles unattended. When leaving a cruiser, the keys shall be removed from the vehicle and the doors secured. When necessary to leave a cruiser running for emergency lights, etc., the kill switch shall be activated.

RULE 9.10 – SMOKING AND TOBACCO USE WHILE ON DUTY

Employees shall not smoke or chew tobacco while on duty. In addition, pursuant to M.G.L. 41-101(A), police officers are prohibited from smoking any tobacco products.

RULE 9.11 – AWARENESS OF ACTIVITIES

Employees shall acquaint themselves before beginning their tour of duty with all important matters affecting their duties that have occurred since their last tour. Upon returning to duty from any period of absence, all employees shall inform themselves about all new orders, regulations, memoranda, and all other important matters governing their assignments. All officers shall familiarize themselves with the laws, statutes, by-laws/ordinances, and regulations necessary for the proficient execution of their duty as police officers.

RULE 9.12 – LEAVING THE COMMUNITY

Officers shall not leave the town limits unless it is necessary in the performance of duty. An officer shall inform the patrol supervisor and the telecommunicator prior to leaving and again upon returning. If an emergency prevents following this procedure, the officer must contact the patrol supervisor as soon as possible. In all such cases, an incident shall be created, which will include the circumstances, the reasons for leaving the community and the period of absence.

RULE 9.13 – DUTY STATUS

Officers shall be considered on duty or available for duty at all times (during assigned hours or while off-duty) for the preservation of the public peace and the protection of life and property and shall be prepared to take all reasonable police action to accomplish this purpose. All serious matters of public concern shall receive appropriate attention, even though an officer is not on duty at the time.

RULE 9.14 – DEPARTMENTAL COMMUNICATIONS

Employees shall transmit all official communications promptly, accurately and completely to other employees of the department as required and shall immediately inform the patrol supervisor of any matter of police importance coming to their attention during their tour of duty, or otherwise. They shall call to the attention of their relieving employees any information regarding unresolved problems or problems which may arise during the next tour of duty.

RULE 9.15 – MUTUAL PROTECTION

Officers shall come to the immediate aid, assistance or protection of fellow officers who, in the performance of their duties, require such aid and assistance.

RULE 9.16 – DUTIES WHILE IN COURTS

Officers concerned with cases before courts, grand juries, etc., shall be punctual in attendance, and shall have a clean and neat appearance.

RULE 9.17 – REPORTS

Officers shall promptly and accurately complete all reports and forms required by the department through its policies, procedures, and general orders.

RULE 9.18 – COOPERATION WITH INTERNAL INVESTIGATIONS

Employees shall answer questions, respond to lawful orders, and render material and relevant statements in internal investigations when such orders, questions and statement are directly related to their job responsibilities. Nothing in the section shall infringe on one's federal or state constitutional rights.

RULE 9.19 – WITHHOLDING EVIDENCE

Officers shall not fabricate, withhold, or destroy any evidence of any kind. Final disposition of evidence shall be in accordance with established departmental policies and procedures and as governed by statute.

RULE 9.20 – TESTIMONY

When testifying, officers and employees will be truthful, accurate, and complete, and will be respectful of all persons involved in the court process.

RULE 9.21 – REPORT OF RULE VIOLATIONS

Employees shall, upon observing or otherwise becoming aware of a violation of the Truro Police rules and regulations, policies and procedures, or other directives or as governed by law, report said violations to a superior officer who will then be responsible for appropriate action, report submission and follow-up.

10.0 – GENERAL REQUIREMENTS

RULE 10.1 – RESIDENCY

Employees shall comply with any residency requirement specified by any applicable statute, by-law/ordinance, or collective bargaining agreement.

RULE 10.2 – HOME ADDRESS AND TELEPHONE

Employees shall have access to a telephone at all times and shall report any changed telephone number or home address to the Chief within twenty-four hours. The telephone numbers or home addresses of department personnel shall not be given out by department members to anyone outside the department without the approval of the Police Chief. In the event of an emergency request, the employee's telephone number will be called with a notification to call the person making the request.

RULE 10.3 – DEFECTS IN STREETS OR ROADWAYS

Officers shall promptly report to the dispatcher any defect, obstruction, or nuisance in the streets, sidewalks or other public areas which may cause a hazard to the general public or create civil liability upon the community. Appropriate notification shall be made by the dispatcher for more immediate remedial action where necessary.

RULE 10.4 – MEALS

Employees shall take meals and breaks as such times as are approved in the discretion of the patrol supervisor who may limit the number of employees who may be off at any one time.

RULE 10.5 – POLICIES AND PROCEDURES COMPLIANCE

Employees shall read and be familiar with and comply with the requirements of the department's policies and procedures manual.

RULE 10.6 – PAYMENT OF DEBTS / LEGAL LIABILITIES

Employees shall not willfully or negligently fail to pay just debts and legal liabilities, especially where creditors solicit the assistance of the Chief of Police in the collection process. Employees

shall not borrow money from or otherwise become indebted to any municipal official or other employee, nor shall they solicit any municipal official or other members or employees of the department to co-sign, endorse or in any way whatsoever guarantee any promissory note, or other loan nor shall they offer to act as co-signor, endorser or guarantor of any promissory note or other loan for any municipal official or other member or employee of the department.

RULE 10.7 – WARRANTS FOR ASSAULT UPON A POLICE OFFICER

Employees shall not make application for a warrant charging that they were assaulted while in the performance of duty without first reporting the facts of the case to a superior officer.

RULE 10.8 – RELEASE WITHOUT ARRAIGNMENT

Employees shall notify a superior officer in all cases where a release without arraignment is to be sought for any person arrested. In no case shall any discharge without arraignment be made without the approval of a superior officer or the court.

RULE 10.9 – INCURRING DEPARTMENT LIABILITY

Employees shall not incur a liability chargeable to the department or town, except with the knowledge and consent of the Chief of Police.

RULE 10.10 – DUTIES WHILE SUSPENDED

Employees shall obey all lawful orders while on suspension. Suspended employees may be required to testify in connection with cases which originated while an employee was on duty or to submit to fitness for duty examinations.

RULE 10.12 – CIVIL DISPUTES

Officers shall take a neutral position in any dispute of a civil nature, acting only to keep the peace and enforce any orders of a criminal nature as issued by a court of competent jurisdiction.

RULE 10.13 – CIVIL SUITS FOR PERSONAL INJURY

Employees shall make any claims for damage to clothing or other personal property that occurs during the performance of duty in accordance with current departmental directives, regulations

and contractual provisions. Employees shall not seek, nor accept from any persons, money or compensation for damages sustained or expenses incurred by them in the line of duty without first receiving approval from the Chief. Employees who have received municipal salaries or have been indemnified or reimbursed for medical bills for illness or for personal injuries sustained off-duty or in the line of duty shall notify the Chief in writing of any intent to seek, sue, solicit, or accept compensation or damages for such injury or illness. Notice shall occur prior to any legal action and must include the claim facts and the defendant's name. The Police Chief shall be kept informed of the case status and the final court determination.

RULE 10.14 – IMMORALITY

Employees shall not engage in immoral conduct or public lewdness.

RULE 10.15 – CRIMINAL CONDUCT

Employees shall not commit any criminal act or violate the criminal laws or statutes of the United States or of any state or local jurisdiction (by-law/ordinance), whether on or off-duty. An employee may be guilty of violating this rule regardless of the outcome of any criminal court case.

11.0 – DEPARTMENTAL PROPERTY AND EQUIPMENT

Equipment and uniforms issued to employees shall remain the property of the department. Employees shall maintain departmental property, uniforms and equipment assigned to them in good condition. Damaged or lost property may subject the responsible individual to reimbursement charges and/or appropriate disciplinary action. If department property is found to have damage not previously reported, it will be considered prima facie evidence that the last person using the property is responsible for the damage unless said evidence is disproven.

RULE 11.1 – DAMAGED, DEFECTIVE OR INOPERATIVE PROPERTY AND EQUIPMENT

Employees shall immediately report to a superior officer any damaged, defective, or inoperative property or equipment. The superior officer shall then submit a report to the Chief detailing the circumstances and order a report by the employee assigned or in control of the property when the damage occurred. The Police Chief shall also be notified of any defects or hazardous conditions existing in any department property or equipment.

RULE 11.2 – CARE OF DEPARTMENT BUILDINGS

Employees shall not mar, mark, or deface any wall, posting, or other general surface in any department building.

RULE 11.3 – AUTHORIZED EQUIPMENT

Officers shall carry, while on duty, only that equipment which is authorized by the Chief and/or departmental policies, procedures, rules, regulations, or general orders.

RULE 11.4 – SURRENDER OF DEPARTMENT PROPERTY

Employees are required to surrender all department property in their possession upon separation from service, or when otherwise ordered.

RULE 11.5 – PRIVATE VEHICLES

Officers shall not drive or utilize a private vehicle while on a duty assignment or otherwise engage in a police service, function, duty, or responsibility without the specific authorization of the Police

Chief or his/her designee. An exception will be made for emergency circumstances requiring immediate police services.

RULE 11.6 – DEPARTMENT TELEPHONES

Employees shall not use department telephones for the transmission of private messages.

RULE 11.7 – DEPARTMENT VEHICLES

Officers must have and maintain an active driver's license. Officers shall not use any unassigned department vehicle without the permission of the Chief of Police or their designee except in an emergency. Department vehicles shall not be used for personal business or pleasure.

RULE 11.8 – UPKEEP OF POLICE MANUAL

Employees who are issued this manual and the department's policies and procedures manual are responsible for their maintenance and knowledge of their contents, inclusive of changes issued by the Police Chief. The manuals shall be readily available for inspection and review when so directed by lawful authority. The manuals shall be considered department property and shall be surrendered to the police department upon separation from service with the department.

RULE 11.9 – TRANSPORTING CITIZENS

Officers shall ensure that only authorized employees drive or are transported in department vehicles. Citizens shall be transported in department vehicles only when necessary to accomplish a proper police purpose and transportation shall conform to department policy and procedure.

RULE 11.10 – RESPONSIBILITY FOR DEPARTMENT PROPERTY

Employees who are the actual custodians or users of any department property shall be responsible for the safe-keeping and proper use of the property during the time that such employee has control of it, and the property shall be returned upon demand of a superior, or when its use is terminated.

RULE 11.11 – CARE OF DEPARTMENT PROPERTY

Employees shall make every effort to conserve the physical resources of the department. Employees shall use department equipment only for its intended purpose, in accordance with

established procedures. They shall maintain all issued equipment in proper order and condition. Negligent use and care of department property, as well as its abuse, misuse, willful or negligent loss or destruction, is not only cause for department discipline, but may also require restitution. Intentional or negligent defacement, misuse, damage or loss of department property is prohibited.

RULE 11.12 – ITEMS OF IDENTIFICATION

Employees shall be responsible for the items of identification issued to them as member of the department, including but not limited to, police badges, name plates, and identification cards. They shall not permit any other person to borrow or use the items of identification issued to them by the department. Loss of items shall be reported immediately by the employee to the Chief of Police together with a written report of the circumstances leading to such loss.

RULE 11.13 – PERSONAL POLICE EQUIPMENT

Officers shall register with the department all personal firearms or police equipment they personally own or carry.

RULE 11.14 – CARE AND SECURITY OF FIREARMS

Officers will maintain their service firearms and authorized off-duty weapons in proper working order. They shall report any damage, loss, or unserviceable condition immediately to a superior officer. Officers are personally responsible for the security and safekeeping of firearms and shall not alter or repair any part of their service firearm without proper approval.

RULE 11.15 – CARE AND CUSTODY OF PROPERTY

Officers shall assure that all personal property, including money, which comes into an officer's custody while on duty, whether lost, stolen, confiscated, abandoned, turned over to the department or taken from a prisoner or detainee, is properly tagged, recorded and turned over to the proper department authority, or placed in the designated place of storage for safe keeping, prior to securing from their shift, in accordance with current department policies and procedures.

RULE 11.16 – EVIDENCE / SUSPECTED CONTRABAND

Evidence or contraband of any kind that comes into the possession of an officer shall be turned over to the evidence/property officer for safe-keeping and/or processing prior to securing from

their shift. This regulation shall be adhered to in all cases, whether or not court action is contemplated, an arrest is made, or the owner of the evidence/suspected contraband is known.

Officers are not authorized to destroy or dispose of evidence or suspected contraband, except at the direction of the Chief of Police or their designee and in accordance with procedures established by law and department policy.

RULE 11.17 – RESPONSIBILITY FOR VEHICLE

Officers assigned to duty as an operator of a department vehicle shall be responsible for checking on the serviceability of the vehicle. Each officer shall inspect the vehicle prior to use and shall submit a written report to his supervisor of any defect, damage, unserviceability, or the presence of unauthorized articles. Officers shall also inspect the vehicle's interior before and after they transport anyone. Responsibility for cleanliness of the vehicle shall be the responsibility of the officer(s) assigned to said vehicle.

RULE 11.18 – DEPARTMENT NOTICES

Employees shall not alter, deface, or remove without permission any posted notice on the department bulletin board or other location where notices are posted. No derogatory, libelous or profane notices shall be posted upon department or union bulletin board(s) or upon any other department location. All notices on the union bulletin board will conform to the requirements of the applicable collective bargaining agreement and will be signed by a union official.

RULE 11.19 – REPORTING ACCIDENTS

Officers involved in an accident with a department vehicle, or when a vehicle is disabled and has been damaged, shall not move the vehicle except in an emergency. A patrol supervisor shall immediately go to the scene and make an investigation and report all particulars to the Chief of Police. The involved officer must promptly submit a written report in accordance with department policies and procedures.

12.0 – REPORTS

RULE 12.1 – FILING REPORTS

Employees shall promptly and accurately complete all reports and forms as required by this manual and by department policies, procedures and general orders.

RULE 12.2 – FALSIFYING RECORDS

Employees shall not knowingly or willingly enter or cause to be entered into a police report, police investigation, or police record any inaccurate, false or improper information.

RULE 12.3 – WITHHOLDING EVIDENCE

Employees shall not fabricate, withhold, or destroy evidence of any kind.

RULE 12.4 – FEIGNING ILLNESS OR INJURY

Employees shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive the department as to the condition of their health.

RULE 12.5 – DEPARTMENTAL RECORDS / REPORTS / CITATIONS

Employees shall not steal, alter, forge or tamper with any kind of police record, report, or citation. Removal of official files or documents from the department, except by process of law or as directed by the Chief is prohibited. Obtaining or duplicating information from department files, sources or reports, other than information to which a member is entitled by law or policy, is prohibited.

RULE 12.6 – LINE OF DUTY DISABILITY

Officers injured in the line of duty may apply for leave as provided in MGL c.41 s. 111F. Any injury, illness or disability incurred on-duty shall be reported in writing to the Chief and will be investigated. A report shall be made prior to the end of the officer's shift unless the seriousness prevents such notice. In that case, immediate notice will be made by a superior officer to the Chief. Departmental and insurance claim forms will be utilized for notification purposes, and with each case of illness, injury or disability incurred in the line-of-duty, the Chief may require that an officer not be returned to duty until his ability for full duty status is certified by proper medical authority.

13.0 – FITNESS FOR DUTY

RULE 13.1 – ABSENCE

Employees shall not be absent from duty without permission. For a proper reason, and only for a limited time, a Sergeant, Lieutenant, Deputy Chief or Chief or Police may excuse an officer from reporting or being present for duty. All unauthorized absences shall be investigated by Professional Standards with report made to the Chief of Police for appropriate action.

RULE 13.2 – MILITARY LEAVE OF ABSENCE

Employees who are members of a reserve component of the United States Armed Forces shall be granted leave, in accordance with Chapter 33, Section 59, of the Massachusetts General Laws and the provisions of any applicable collective bargaining agreement.

RULE 13.3 – SICK LEAVE

Employees shall utilize sick leave for personal illness or physical incapacity only when rendered unable to perform the duties of the officer's position or as allowed by employment contracts.

RULE 13.4 – DOCTOR'S CERTIFICATE

Employees shall provide a doctor's certificate for an absence from duty because of sickness or injury if required by the Chief of Police or as set forth in contract.

RULE 13.6 – NOTIFICATION

Employees shall notify the station when ill and unable to report for work or if there is a change in the employee's physical or mental health that could disqualify them from being employed by the department. The use of sick leave without just cause or furnishing false information to utilize sick leave by any employee of the department is strictly prohibited.

RULE 13.7 – POSSESSION OR USE OF ALCOHOL

Employees shall not possess and/or use alcohol on duty other than in an authorized duty capacity. No employee shall report for duty while under the influence of intoxicating liquor or with an odor

of alcoholic beverage on his breath. No employee shall drink alcoholic beverages so as to render themselves unfit to report for scheduled duty.

RULE 13.8 – SMOKING TOBACCO

Officers appointed after January 1, 1988 shall not smoke tobacco products of any kind whether on or off-duty. Use of tobacco products is grounds for dismissal as specified in MGL C.41, s.101A.

RULE 13.9 – POSSESSION OR USE OF CONTROLLED SUBSTANCES

Employees shall not possess and/or use any controlled substance, whether on or off duty, except with the approval and guidance of a licensed physician and notice to the Chief. At no time may an employee use or be under the influence of a controlled substance that renders them unable or unfit to perform their duties.

RULE 13.10 – INTOXICANTS AND DRUG POSSESSION

Employees shall not bring, place, possess or allow another to bring, place or possess any intoxicant, exhilarant, hypnotic, hallucinogen, or narcotic, into any building, location, or vehicle of the department, except in the strict performance of police duty, or when needed for administration by, or at the direction of, a licensed physician, and then only after approval of a superior officer.

14.0 - ACCOUNTABILITY AND DISCIPLINE

RULE 14.1 – ACCOUNTABILITY AND DISCIPLINE

An effective and responsive system of personal accountability and discipline is essential for maintaining efficient performance and preserving departmental morale. Clear disciplinary policies enable employees to know what is expected of them and to understand that appropriate steps will be taken when required.

Under the provisions of M.G.L. Chapter 41, officers and employees may be disciplined for just cause. This would include any misconduct or unsatisfactory behavior which impairs personnel or departmental efficiency or effectiveness. Disciplinary actions which may be imposed after statutory procedural requirements are observed include, but are not limited to:

- a) Loss of vacation days.
- b) Suspension not exceeding five days.
- c) Suspension exceeding five days.
- d) Lowering in rank and compensation.
- e) Discharge.

* Note: Probationary employees having less than one year's service are subject to discharge without the right to a hearing or appeal.

When any disciplinary action is taken, a complete record will be made of the facts and circumstances and will be retained in the personnel file of the employee involved.

Department standards of conduct and performance will be enforced in a consistent manner and all disciplinary measures will be based upon the seriousness of the charges. When appropriate, other disciplinary measures may first be considered. These include, but are not limited to:

- a) Oral Reprimand - The Chief or a superior officer may reprimand or admonish for minor infractions of department regulations or procedures. At the Chief's discretion, a written record of the same may be entered into the member's personnel file. Each oral reprimand entry shall be deleted from the file after twelve (12) calendar months. However, if new disciplinary action is taken against the employee during the twelve-month period, the oral reprimand may become a permanent part of the member's personnel file.
- b) Written Reprimand - The Chief or superior officer may issue a written reprimand for infractions of department regulations or procedures. All letters of reprimand will

become a permanent part of the individual's record and be included in the personnel file of the department. Written reprimands will be reviewed after two (2) years and may be removed from the permanent record at the discretion of the Chief.

The Deputy Chief, Lieutenant, or a Sergeant may relieve a member under their command from duty with pay for the balance of their shift if the superior officer determines that a member is not properly able to carry out his duties. In all such cases, a written report shall immediately be submitted to the Chief of Police.

Employees will not be subject to unjust, capricious, or frivolous complaints. Complaint dispositions shall be classified according to one of the following:

- a) Sustained: Evidence exists that is sufficient to prove the allegations.
- b) Not sustained: There exists insufficient evidence to either prove or disprove the allegations.
- c) Exonerated: The alleged incident occurred but was lawful and proper.
- d) Unfounded: The allegation was false or non-factual.
- e) Policy failure: The incident was caused by a flaw in departmental policy.

RULE 14.2 – COMMENDATIONS

The department shall maintain a positive program for awarding commendations for outstanding duty performance and providing official recognition for professional accomplishments. The department's commendation process is set forth in the policies and procedures manual and includes categories for consideration by the commendation committee. Specific actions to be considered include, but are not limited to, valor, bravery, exceptional professional skill, meritorious police service to the community or department, and lifesaving measures.

15.0 – DUTIES AND RESPONSIBILITIES

RULE 15.1 – CHIEF OF POLICE

A. SUMMARY

The Chief of Police is the chief executive officer of the department and the final departmental authority in all matters of policy, operations, and discipline. They exercise all lawful powers of their office and issues such lawful orders as are necessary to assure the effective performance of the department.

Through the Chief of Police, the department is responsible for the enforcement of all laws coming within its legal jurisdiction. The Chief is responsible for planning, directing, coordinating, controlling and staffing all activities of the department. They are also responsible for its continued and efficient operation, for the enforcement of rules and regulations within the department, for the completion and forwarding of such reports as may be required by proper authority, and for the department's relations with local citizens, local government, and other related agencies.

The Chief is responsible for training of all members of the department.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of the Chief of Police to:

1. Supervision
 - a. Ensure compliance with all laws which the department or its officers have the authority to enforce.
 - b. Organize, direct and control all resources of the department to preserve the peace, protect persons and property and enforce the law.
 - c. Develop a professional organizational structure for the department.
 - d. Establish a routine of daily duties to be performed by officers. Designate an officer to serve as Commanding Officer in his absence.
 - e. Institute a program of training which is organized and conducted for members and employees of the department.
 - f. Ensure that all members have access to the department's policies and procedures manual.
 - g. Promulgate all general and special orders and issue on the chief's authority orders, written and oral, not inconsistent with their powers, duties, and responsibilities.

- h. Plan and execute police programs designed to prevent and repress crime, to apprehend and prosecute offenders and to recover property. Modify these programs to meet current trends.
 - i. Provide for investigation into all cases of alleged or apparent misconduct by departmental personnel. Enlist the suggestions of department members to ensure maximum relevance and acceptance of all departmental regulations.
 - j. Inform themselves of the affairs of the department to ensure that the duties and responsibilities of their subordinates are being properly discharged.
 - k. Be responsible for the necessary delegation of authority to their subordinate commanders, commensurate with their duties and responsibilities.
2. Reporting and Notification
- a. Submit an annual report to the appointing authority outlining the activities of the department.
 - b. Make an annual report to the state Department of Corrections, on the appropriate forms, indicating the number of arrests and their classification.
 - c. Ensure that the state Department of Public Utilities is notified within twenty-four (24) hours after an accidental death by electricity or gas.
 - d. Promptly report to the appropriate authority knowledge that relates to injuries to persons or property alleged to have been caused by defects, obstructions, or want of repair on any public street.
 - e. Ensure that the Registrar of Motor Vehicles is notified, as required by law, of motor vehicle accidents that occur within the limits of the Town of Truro.
 - f. Be responsible for the preparation and justification of the annual departmental budget and for the control of all departmental expenditures.
 - g. Report to the FBI the appropriate data for the purposes of compiling the National Incident Based Reports (N.I.B.R.S.)
 - h. Maintain a personnel record system that keeps all pertinent information on Department members and employees.
 - i. Submit such other reports as required.
3. Leadership
- a. Plan coordinate, supervise, and evaluate police department operations (in alignment with the department's vision and mission).
 - b. Serve as a member of the Town's senior management team; collaborate and coordinate with other Town Departments.
 - c. Coordinate and supervise the training, assignment, and development of subordinate police officers and department staff.

- d. Maintain good order and discipline as outlined in the departmental rules and regulations.
 - e. Direct investigation of major crime scenes.
 - f. Perform the duties of subordinate personnel as needed.
4. Management
- a. Develop procedures for the Department mandated by law, to ensure efficient operations of the department, and to implement directives from the Town Manager.
 - b. Plan and implement a law enforcement program for the Town in order to better carry out the vision, policies and goals of the Board of Selectmen.
 - c. Review department performance and effectiveness to formulate programs to identify and alleviate deficiencies.
 - d. Coordinate information gathered and work accomplished by various officers; assign officers to special investigations as the needs arise for their specific skills.
 - e. Assure that personnel are assigned to shifts or working units which provide optimum effectiveness in terms of current situations and circumstances governing deployment.
 - f. Manage internal grievance process.
 - g. Review evidence, witnesses, and suspects in criminal cases to correlate all aspects, and to assess for trends, similarities, or for associations with other cases.
 - h. Direct the development and maintenance of systems, records, and legal documents that provide for the proper evaluation, control and documentation of the Police Department operations.
 - i. Prepare and submit periodic reports to the Town Manager upon request, regarding the Department's activities, and prepare a variety of other reports as appropriate.
5. Budget and Finance
- a. Supervise and coordinate the preparation and presentation of an annual budget for the Department; direct the implementation of the department's budget; plan for and review specifications for new or replaced equipment.
 - b. Analyze and recommend improvements to equipment and facilities, as needed.
 - c. Plan and implement law enforcement and staff deployment programs that maximize efficient and effective operations.
6. Community Policing
- a. Maintain effective community relations by being accessible to and visible in the community.

- b. Develop crime prevention programs.
- c. Implement and oversee effective problem-solving strategies that enhance safety, reduce crime, and positively affect quality of life.
- d. Meet with appointed and/or elected officials, other law enforcement officials, community and business representatives and the public on all aspects of the Department's activities.
- e. Attend or designate personnel to attend conferences and meetings to keep abreast of current trends in the field; represent the police department in a variety of local, county, state and other meetings.
- f. Cooperate with other law enforcement agencies as appropriate where activities of the police department are involved.
- g. Coordinate activities with supervisors and other town departments, exchange information with officers in other law enforcement agencies, the District Attorney's Office, court, and other government agencies.
- h. Ensure state and local laws and regulations are enforced and that public peace and safety is maintained.
- i. Participate in various town and/or community committees.

RULE 15.1.1 – DEPUTY CHIEF OF POLICE

A. SUMMARY

The Deputy Chief of Police acts as the Executive Officer and is second in command of the police department. The Deputy Chief of Police performs administrative and supervisory work assisting in directing, coordinating, and controlling the operations of the police department, in the protection of life and property and in the suppression of crime.

Under the direction of the Police Chief, and working from municipal policies and objectives, the Deputy Chief of Police assists in establishing and implementing departmental policies and procedures, rule and regulations, training, operational matters, and community policing. The primary job of the Deputy Chief of Police is of an administrative nature with emphasis on such activities as operational problem solving, personnel and resource allocation and identifying training needs. Planning and projecting future needs of the department in all areas will be of primary importance. Administrative duties include planning functions, directing and organizing the activities of assigned personnel, assistance in the budget process, maintaining harmonious relationships with town departments and other outside departments, state and other law enforcement agencies, and maintaining collaborative relationships with community stakeholders.

B. DUTIES AND RESPONSIBILITIES:

Under general direction of the Chief of Police, the Deputy Chief of Police is accountable for the supervision, coordination and control of the on-going operations and services of the Police Department. The Deputy Chief of Police will:

- a. Conduct periodic staff meetings with the Sergeants, solicit input from the supervisors and advise and inform the Chief of Police in preparation for periodic full staff meetings.
- b. Assist in the preparation of the department's annual budget as directed by the Chief; receive daily, monthly, semi-annual or annual reports from Sergeants or the Lieutenant regarding operational, service and administrative data; prepare and submit annual report of activity to the Chief.
- c. Coordinate with the Lieutenant the continued and required in-service training of department personnel; maintain accurate and complete records of training in process and completed; provide information regarding career training through outside agencies and special programs to department personnel; encourage their off-duty participation in such programs.
- d. Ensure that the department's goals are being pursued, identify the need for additional resources; assure that control is maintained throughout the agency.
- e. Handle grievance procedures according to employment agreements; ensure that established agreements between the Town and bargaining units are strictly adhered to.
- f. Direct, coordinate and control all public information, adhering to accepted and legal policies and procedures regarding dissemination of this information.
- g. When delegated by the Chief of Police, as in the case of serious acts of misconduct, serious infractions, or other rule, regulation, policy or procedure infractions by Department personnel, investigate and recommend in writing appropriate action for approval or decision by the Chief of Police.
- h. As appropriate, establish guidelines for personnel allocation, new job descriptions and classification and assignment to specialized units or positions. Evaluate and monitor performance of subordinate staff as directed by the Chief of Police.
- i. Participate in staff meetings and attend other meetings as appropriate or as required. Participate in community and regional civic and other organizations as well as professional organizations; attend seminars, programs, courses and other events as prescribed by the Chief of Police to remain current on municipal law enforcement and related policies, practices, procedures and trends.
- j. Coordinate with the Lieutenant to recommend new approaches, policies and procedures to effect continual improvement of effectiveness and efficiency of the Police Department and the services provided.

- k. Be accountable for the actions or omissions of those under their supervision, which are contrary to Department policy and which could have been avoided if they had been properly executing supervisory responsibilities.
- l. Meet frequently with the Chief of Police in order to advise and apprise of departmental affairs and developments.
- m. Perform any other related duties or functions assigned by the Chief of Police.
- n. Supervise the Lieutenant and Property Officer in the control of all evidence and property that is held by the Department. Direct inspections consistent with department policy to ensure adherence to departmental procedures and to insure orderly maintenance.
- o. Oversee the maintenance and control of the Department Armory and ensure the development, implementation, and control of on-going department firearms training for all officers of the department, including the schedule for qualifying examinations on an annual basis. Supervise the activity of the trained firearms instructor when they are acting in that capacity.
- p. Ensure that all officers are aware of which department and other mandated forms, records and reports are to be filled out and how they are to be filled out.
- q. Provide for the daily inspection of the Sergeants and Lieutenant and other department members to ensure compliance with department standards of uniforms and equipment.
- r. Exercise supervision of the Sergeants, Lieutenant and Officers assigned to their command.
- s. Exercise supervision of the Detective Division, inclusive of the Court Prosecutor in the District and juvenile sessions, task force members, and investigations.
- t. Take measures through consultation with the Sergeants assigned to Operations and personal observation to see that all officers are properly carrying out their police mission.

RULE 15.2 – LIEUTENANT

A. SUMMARY

Under the direction of the Chief and Deputy Chief, the Lieutenant is responsible for the supervision and direction of all subordinate officers to ensure their efficiency and effectiveness as department members. The Lieutenant is part of the department's management team and performs various functions relating to the administration and operation of the department. The Lieutenant is third-in-command and serves as the officer-in-charge of the Professional Standards Unit.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of the Lieutenant to:

- a. Be familiar with the authority and responsibilities of the Lieutenant's position and all subordinate positions within the Department.
- b. Inform subordinates of their duties, and the current rules, regulations, policies and procedures of the department, as amended from time to time.
- c. Inform subordinates of new developments in federal and state law and regulations, and review the department's rules, regulations, policies and procedures on a regular basis and make appropriate recommendations for revisions.
- d. Supervise subordinates to ensure that all members are informed and prepared to implement all assignments, regulations, policies and procedures of the department.
- e. Take measures to determine that all officers are properly carrying out their assigned duties and conforming to departmental regulations.
- f. Exchange information with superior officers regarding the performance of their subordinates. Where performance is below standard, ensure that appropriate measures are taken promptly to address the situation.
- g. As the Professional Standards officer-in-charge, conduct internal investigations and report to the Chief of Police the results of each investigation and recommend discipline.
- h. Be ultimately accountable for the actions or omissions of those under their supervision.
- i. Ensure that all subordinates properly complete all required records and reports.
- j. Faithfully implement all orders from the Chief of Police and Deputy Chief of Police; including communicating to subordinates the details of any orders, which affect them.
- k. Keep informed of events or developments in law enforcement and advise the Chief of same. Conduct ongoing policy and procedure review, propose changes or revisions as needed, and submit oral or written reports detailing the revisions.

- l. Under the direction of the Police Chief or his designee, coordinate and conduct recruitment for entry level officer police officers as needed. This includes, but is not limited to, developing qualifications statements, drafting advertisements, and implementing testing procedures.
- m. When called upon, serve as the Chief's designee in labor relations matters, including the grievance process; serving on and/or assisting the Town's bargaining team with collective bargaining, including formulating, reviewing and costing out proposals and counterproposals.
- n. Supervise, coordinate and direct incident investigations of the department as needed.
- o. Perform other related duties as required or assigned by the Chief of Police.

C. SELECTION

The Town Manager, after consultation with the Police Chief, will determine the qualifications and selection process for the position as well as make any appointment(s) to the position. (Refer to Truro Police Employees Federation Collective Bargaining Agreement Article 29, Section 8).

D. ESSENTIAL FUNCTIONS/DUTIES

The essential functions/duties for the Lieutenant's position will include those established by the Commonwealth's Human Resources Division.

RULE 15.3 – SERGEANT

A. SUMMARY

A sergeant provides supervision to department members. They are primarily responsible for the proper performance of police officers assigned to duty within the area subject to his supervision. A sergeant is charged with ensuring compliance with the department's policies, procedures, rules and regulations, and will handle minor infractions using sound judgment and report all serious violations to a superior officer.

A sergeant shall be responsible for the efficiency, discipline, conduct, appearance and strict attention to duty of all Police Officers under his supervision.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of a Sergeant to:

1. Supervision

- a. Supervise officers assigned to their shift and be responsible for the officers' effectiveness and performance. Sergeants must be thoroughly acquainted with the duties of police officers in order to assist and instruct them in the proper discharge of their duties.
- b. Be familiar with the current departmental rules, regulations, policies, procedures, developments in the law, and current police practices.
- c. Monitor the performance of departmental members and employees and ensure that it is satisfactory through encouragement, explanation, discipline, referral to superior officer(s) or other methods consistent with departmental policy.
- d. Submit written report(s) as required by departmental policy for any member of the department who commits a serious infraction or who does not respond to informal corrective measures. Some examples of serious infractions include, but are not limited to:
 - i. Flagrant refusal to obey order(s).
 - ii. Commission of any criminal offense.
 - iii. Verbal and/or physical abuse of a member of the public.
 - iv. Excessive use of force with a prisoner or other person.
 - v. Absence without leave.
 - vi. Excessive tardiness.
 - vii. A conflict of interest.
 - viii. Negligent failure by the departmental personnel to discover or act upon a felony or other conditions dangerous to the health or safety of the public.
- e. Seek officers' opinions about their assignments and police policies generally.
- f. Implement orders received from superior officers and explain content of new orders to subordinates.
- g. Request clarification whenever uncertain as to what is expected of them.
- h. Be accountable for the actions or omissions of officers under their supervision.
- i. Respond to emergencies or incidents of a serious nature that occur within their area of responsibility and take command steps consistent with departmental policy.
- j. Ensure all officers receive warrants, summonses, subpoenas or other official papers, and ensure service or delivery is made, or that other duties are fulfilled.
- k. Before beginning their tour of duty, become familiar with all important matters that have occurred since their last tour, and provide officers with this information.

1. Perform the duties and responsibilities of a police officer.
- m. Perform other related duties as required.
2. Reporting and Writing Procedures
 - a. Be familiar with and instruct officers on the proper methods of reporting as set forth in the department's records and reporting system, as well as its policies, procedures, rules, regulations, and general orders.
 - b. Ensure reports are filed on preliminary investigations and periodic reports are made on the status of more in-depth investigations.

RULE 15.4 – POLICE OFFICER

A. SUMMARY

A police officer shall be responsible for the efficient performance of their duties in conformance with the rules, regulations, general orders, policies and procedures of the police department, as well as those imposed by law. These general police responsibilities include, but are not limited to:

1. Identify criminal offenders and criminal activity and, when appropriate, apprehend offenders and participate in subsequent court proceedings.
2. Reduce opportunities for the commission of crime through preventive patrol and other measures.
3. Aid individuals who are in danger of physical harm.
4. Facilitate the movement of vehicular and pedestrian traffic.
5. Identify potential law enforcement problems.
6. Work towards creating a feeling of security in the community.
7. Promote and preserve the peace.
8. Provide other services on an emergency basis.
9. Perform other related duties as required.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of a police officer to:

- A. Exercise authority consistent with the obligations imposed by the officer's oath of office.
- B. Be accountable to superior officers and promptly obeying lawful orders.
- C. Coordinate with other department members to ensure continuity of purpose and maximum achievement of police objectives.

- D. Effectively communicate with superiors and fellow officers' information that is pertinent to achieving police objectives.
- E. Respond punctually to all assignments.
- F. Become familiar with events that have taken place since last tour of duty.
- G. Complete detailed reports on all crimes, motor vehicle accidents, and other incidents that require police attention.
- H. Maintain weapons and equipment in a functional and presentable condition.
- I. Assist citizens who request service, assistance, or other information.
- J. Be accountable for properly handling evidence and property.
- K. Be cognizant and alert to conditions tending to cause crime, take preventive action and inform superiors as required.
- L. Conduct thorough investigations of offenses and incidents within the officer's area of responsibility.
- M. Perform general patrol duties to include, but not be limited to, apprehending persons violating the law or wanted by the police; public assembly checks; building security checks; observation and interrogation of suspicious persons; issuing traffic citations; locating fires; reporting street light and traffic signals out-of-order, street hazards and any conditions that endanger public safety; checks of schools, parks and playgrounds; responding to any public emergency; rendering first aid to persons who are seriously ill or injured;
- N. Preserve the peace at public gatherings, neighborhood disputes and family quarrels.
- O. Serve or deliver warrants, summonses, subpoenas, and other official papers promptly and accurately when directed by a superior officer.
- P. Confer with court prosecutors and testify in court.
- Q. Ensure assigned vehicle is well maintained and kept clean. Inspect the vehicle at the start of the tour of duty for any defects or missing equipment. Immediately report defects and damages to a superior and complete all required reports and forms.
- R. Follow FCC regulations and current departmental procedures when using police radio.
- S. Remain in assigned area throughout their tour of duty except when a superior officer authorizes an absence, or an emergency requires it.
- T. Be alert for nuisances, impediments, obstructions, defects or other conditions that might endanger or hinder the safety, health, or convenience of the public.
- U. Take measures to direct the flow of traffic during periods of congestion.
- V. Keep radio equipment in operation at all times while on duty and be familiar with all departmental requirements concerning use of the police radio.
- W. Enforce traffic laws and parking ordinances as required.
- X. Wear the prescribed traffic safety clothing and equipment as required.

RULE 15.4-1 – PATROL SUPERVISOR (OIC)

A. SUMMARY

A patrol supervisor is the sergeant on duty, who is the most senior sergeant within the chain of command, or in the absence of a sergeant, an officer who has met the qualifications for OIC as set forth in the Truro Police Department Policies and Procedures and applicable contractual agreement. The Chief of Police shall not be the patrol supervisor for a particular shift unless he/she so chooses. In the case of an officer designated as an OIC, said officer is under the general supervision of a sergeant.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of the patrol supervisor to:

1. Take command and assume responsibility when arriving at an incident.
2. Notify a superior officer immediately of all serious incidents.
3. Confer with a superior officer as needed when handling an incident.
4. Ensure that decisions comport with all departmental policies, procedures, rules, regulations, general orders and directives.
5. Perform the duties and responsibilities of a police officer.
6. Perform other related duties as required.

RULE 15.4-2 – MASTER PATROLMAN

A. SUMMARY

A master patrolman acts as a patrol supervisor in the absence of a police sergeant, as set forth as set forth in the Truro Police Department Policies and Procedures and applicable contractual agreement. A master patrolman is an officer who has met the applicable requirements for said position and is under the general supervision of a sergeant. The Chief of Police will not be the patrol supervisor for a particular shift unless he/she so chooses.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of the master patrolman to:

1. Take command and assume responsibility when arriving at an incident when a police sergeant is unavailable.

2. Function as the officer in charge in the absence of the sergeant.
3. Notify a superior officer immediately of all serious incidents.
4. Confer with a superior officer as needed when handling an incident.
5. Ensure that decisions comport with all departmental policies, procedures, rules, regulations, general orders and directives.
6. Perform the duties and responsibilities of a police officer.
7. Perform other related duties as required.

RULE 15.4-3 – EVIDENCE OFFICER

A. SUMMARY

The evidence officer performs departmental functions relating to processing crime scene evidence, collecting and maintaining the department's general identification files, and performing related duties as required by the Chief of Police.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of the Evidence Officer to:

1. Become proficient in the collection, preservation and presentation of all physical evidence.
2. Take fingerprints, maintain fingerprint files on arrested persons, and take palm prints of persons arrested for all capital offenses.
3. Take non-criminal fingerprints and photographs as required for firearm permits or identification purposes.
4. Photograph and process persons taken into custody in accordance with established procedures. Maintain the photography files.
5. Photograph crime scenes, incident locations, and accident scenes as required:
6. Search crime scenes for physical evidence in conformity with established and approved procedures.
7. Process all physical evidence collected/located by an agency member in conformity with established and approved procedures.
8. Preserve for court all documented physical evidence as may be required for presentation in court.
9. Maintain evidentiary chain of custody through receipts whenever evidence is received or transferred to another.

10. Receive, mark for identification, prepare, package, record and forward all evidence that requires further scientific processing.
11. Conduct evidence audits in conformance with departmental policies and procedures.
12. Stay current with improvements in scientific investigative techniques in policing.
13. Maintain the integrity of the property room.

RULE 15.4-4 – DETECTIVE SERGEANT

A. SUMMARY

The detective sergeant will be responsible for the follow-up investigation and prosecution of all crimes and offenses, inclusive of the preparation and presentation of cases on the District Court level. The detective sergeant acts as the department's liaison with the court, to assist with the scheduling of cases and witnesses.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of a Detective Sergeant to:

1. Cooperate to the extent possible with other departmental units and law enforcement agencies with investigations.
2. Become familiar with known criminals and their associates and be alert for information sources.
3. Investigate promptly and diligently all crimes assigned, utilizing available resources.
4. Keep their superiors informed of investigative progress and/or changes in the scope of an investigation, and request additional instructions as needed or required.
5. Submit written reports regarding case activity to the proper authority.
6. Follow-up on all cases to determine appropriate investigative course or disposition. Examples of case statuses include, but are not limited to, closed by arrest, open, closed, suspended, unfounded, and no crime involved.
7. Periodically contact the complainant or victim to give case updates.
8. Keep accurate, up-to-date accounting of expenses incurred when on assignment. Submit to proper authority for approval.

9. Prepare cases for court, inclusive of ensuring witnesses are notified of required appearances and evidence is available.
10. Obtain court dispositions of all cases in which they were involved.
11. Ensure that assigned unit is mechanically maintained and kept clean. Report all vehicle defects or damages to the proper authority and complete all required documentation.
12. Report all information received or known which may affect the safety of other members of the department in the execution of their duties.
13. Maintain an effective working relationship between the court and the department.
14. Cooperate with the District Attorney's Office in the scheduling and presentation of cases to the grand jury or in Superior Court.
15. Be responsible for the preparing and submitting reports on case statuses as set forth in department policy.

RULE 15.4-5 – PART-TIME (SPECIAL) POLICE OFFICER

A. SUMMARY

A part-time special police officer shall be responsible for the efficient performance of their duties in conformance with the rules, regulations, policies, procedures and general orders of the Truro Police Department. These shall consist of, but are not limited to, general police responsibilities necessary for the stability and safety of the community and include:

1. Identify criminal offenders and criminal activity and, where authorized, apprehend offenders and participate in subsequent court proceedings.
2. Reduce the opportunities for crime through preventive patrol and other measures.
3. Aid individuals who are in danger of physical harm.
4. Facilitate the movement of vehicular and pedestrian traffic.
5. Work to create and maintain a feeling of security in the community.
6. Promote and preserve the peace.
7. Provide other services on an emergency basis.
8. Perform other related duties as required.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of a Part-Time Police Officer to:

1. Exercise authority consistent with the legal mandates and obligations imposed through the oath of office.
2. Be accountable to superior officers and obeying lawful orders.
3. Coordinate efforts with other members of the department to ensure teamwork, continuity of purpose and achievement of police objectives.
4. Communicate pertinent information to other department members.
5. Acquire and record information concerning events that have taken place since last tour of duty.
6. Record activity during tour of duty consistent with departmental policies, procedures, rules, regulations and general orders. Submit timely and detailed reports.
7. Maintain equipment in a functional, presentable condition.
8. Assist citizens who request service, assistance, or other information.
9. Be accountable for properly handling evidence and property.
10. Be cognizant and alert to conditions tending to cause crime, take preventive action and inform superiors as required.
11. Conduct thorough investigations of offenses and incidents within the officer's area of responsibility.
12. Perform general patrol duties to include, but not be limited to, apprehending persons violating the law or wanted by the police; public assembly checks; building security checks; observation and interrogation of suspicious persons; issuing traffic citations; locating fires; reporting street light and traffic signals out-of-order, street hazards and any conditions that endanger public safety; checks of schools, parks and playgrounds; responding to any public emergency; rendering first aid to persons who are seriously ill or injured;
13. Preserve the peace at public gatherings, neighborhood disputes and family quarrels.
14. Serve or deliver warrants, summonses, subpoenas, and other official papers promptly and accurately when directed by a superior officer.
15. Confer with court prosecutors and testify in court.
16. Ensure assigned vehicle is well maintained and kept clean. Inspect the vehicle at the start of the tour of duty for any defects or missing equipment. Immediately report defects and damages to a superior and complete all required reports and forms.
17. Follow FCC regulations and current departmental procedures when using police radio.

18. Remain in assigned area throughout his/her tour of duty except when a superior officer authorizes an absence, or an emergency requires it.
19. Be alert for nuisances, impediments, obstructions, defects or other conditions that might endanger or hinder the safety, health, or convenience of the public.
20. Take measures to direct the flow of traffic during periods of congestion.
21. Keep radio equipment in operation at all times while on duty and be familiar with all departmental requirements concerning use of the police radio.
22. Enforce traffic laws and parking ordinances as required.
23. Wear the prescribed traffic safety clothing and equipment as required.

RULE 15.5 – ADMINISTRATIVE ASSISTANT

A. SUMMARY

The Administrative Assistant is responsible for duties that require extensive knowledge of departmental operations and is responsible for the security of department records.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of the Administrative Assistant to:

1. Provide for efficient operation of the office.
2. Prepare and maintain all files for the Chief and a record of attendance for all members of the department, inclusive of personnel files.
3. Prepare payroll, which includes reviewing employee time sheets for hours, differentials, and leave taken for presentation to the Chief and delivery to the Town Accountant. The Administrative Assistant also prepares and submits financial warrants, purchase orders, requisitions, and weekly financial reports.
4. Prepare correspondence as requested by the Chief.
5. Be a certified dispatcher, including maintaining required state certifications to perform dispatcher duties when requested by a patrol supervisor, dispatch supervisor, or the Chief.
6. Prepare invoices to contractors for police details and process payments from same. Maintains a list of all contractors for off duty police details.
7. Assist the Chief in the preparation of the annual budget and prepare and analyze data for projected costs.

8. Maintain security of all records and not divulge information of a confidential nature.
9. Prohibit the removal of any record without specific authorization of the Chief.
10. Create and maintain hard copy and computer files.
11. Research office equipment and office supplies for the department and places order for same.
12. Perform such other duties as the Chief may require.

RULE 15.5-5 – COMMUNICATIONS SUPERVISOR

A. SUMMARY

The Communications Supervisor is responsible for the general handling and security of the communications division and is charged with ensuring compliance with the department's regulations.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of the Communications Supervisor to:

1. Review the operation of the Communications Division to ensure that telecommunicators are performing their assigned duties in accordance with department rules and regulations, policies and procedures, general orders and established practices.
2. Approve requests for time off, and the replacement of same, according to procedures set forth by the Chief.
3. Be responsible for scheduling in-service training of the telecommunicators.
4. Be responsible for the scheduling of training for all new telecommunicators.
5. Ensure that all equipment utilized by the Communications Division is operated in a proper manner and report all deficiencies to the proper authority.
6. Be proficient with the department's procedures relating to radio use and other communications equipment.
7. Act as the emergency medical dispatch manager to meet state requirement for same, and review and perform quality assurance on EMD calls for service.
8. Meet periodically with other EMD managers and medical director.
9. Coordinate the state 911 grant.

10. Perform other related duties as required, including but not limited to, the duties of a telecommunicator as outlined in Rule 15.6 "Telecommunicator".

RULE 15.6 – TELECOMMUNICATOR

A. SUMMARY

The telecommunicator receives all oral communications from the public and law enforcement personnel coming into the police station. By following established procedures and employing common sense, the telecommunicator transmits requests for service to the appropriate location. In general, the telecommunicator has the primary responsibility for initially deploying law enforcement personnel and equipment.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of the Telecommunicator to:

1. Under the direction of the patrol supervisor, assign officers to respond to service requests. Transmit to the officer in the field all calls for help and assistance and log such assignment.
2. Log the time whenever a departmental mobile radio unit goes on the air and the time and location when a unit goes off the air.
3. Be thoroughly familiar with the department's procedures relating to the use of radio and other communications equipment. Periodically announce the call letters of the department as issued by the FCC.
4. Respond to all calls received in a calm and civil manner.
5. Have a thorough knowledge of the location and lay-out of streets, buildings, parks, housing projects, beaches, and other significant community locations to maximize the accuracy and speed of dispatches.
6. Be familiar with emergency procedures in order to be capable of activating them immediately.
7. Keep dispatched personnel fully informed of all facts affecting the safety or efficiency of their response to the call.
8. Inform the patrol supervisor when contact with an officer on patrol cannot be made after a reasonable amount of time.
9. Maintain equipment, especially the emergency calls lines, in working order and immediately report any malfunction or defect to the patrol supervisor.

10. Communicate requests for information by members of the department and other law enforcement agencies as required.
11. Answer all E911 calls and other calls promptly and respond as trained.
12. Perform other related duties as required.

RULE 15.6-1 –PART-TIME TELECOMMUNICATOR

A. SUMMARY

The Part-Time Telecommunicator receives all oral communications from the public and law enforcement personnel coming into the police station. By following established procedures and employing common sense, the telecommunicator transmits requests for service to the appropriate location. In general, the telecommunicator has the primary responsibility for initially deploying law enforcement personnel and equipment.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of the Part-Time Telecommunicator to:

1. Under the direction of the patrol supervisor, assign officers to respond to service requests. Transmit to the officer in the field all calls for help and assistance and log such assignment.
2. Log the time whenever a departmental mobile radio unit goes on the air and the time and location when a unit goes off the air.
3. Be thoroughly familiar with the department's procedures relating to the use of radio and other communications equipment. Periodically announce the call letters of the department as issued by the FCC.
4. Respond to all calls received in a calm and civil manner.
5. Have a thorough knowledge of the location and lay-out of streets, buildings, parks, housing projects, beaches, and other significant community locations to maximize the accuracy and speed of dispatches.
6. Be familiar with emergency procedures in order to be capable of activating them immediately.
7. Keep dispatched personnel fully informed of all facts affecting the safety or efficiency of their response to the call.
8. Inform the patrol supervisor when contact with an officer on patrol cannot be made after a reasonable amount of time.

9. Maintain equipment, especially the emergency calls lines, in working order and immediately report any malfunction or defect to the patrol supervisor.
10. Communicate requests for information by members of the department and other law enforcement agencies as required.
11. Answer all E911 calls and other calls promptly and respond as trained.
12. Perform other related duties as required.

RULE 15.7 – MATRONS

A. SUMMARY

The matron assists female prisoners as directed by the patrol supervisor.

B. DUTIES AND RESPONSIBILITIES

It is the duty and responsibility of the matron to:

1. Search all women prisoners in accordance with departmental policies and procedures when ordered to do so by a patrol supervisor.
2. Under the direction of the patrol supervisor, be responsible for the well-being and safekeeping of all women prisoners.
3. Communicate all significant information to the patrol supervisor.
4. When requested by a patrol supervisor, care for lost children brought to police headquarters.
5. Perform other related duties as required.