


POLICY 118	RULES OF CONDUCT	
	REVISED: 9/99, 03/01, 12/01, 10/09, 03/10, 09/10, 12/11, 03/13, 12/13, 09/14, 10/14, 01/15, 04/19, 12/19, 06/20, 06/21, 9/23	RELATED POLICIES: 118.1
	CFA STANDARDS: CHAPTERS 2, 6, AND 7	REVIEWED: AS NEEDED THIS VERSION PUBLISHED: 10/03/2023

A. POLICY

Citizens are entitled to fair and courteous treatment by all Police Department employees. Proper conduct is not an additional duty imposed on employees but is inherent in the police profession. Since any neglect of or divergence from this standard of conduct reflects unfavorably on the Department and fellow employees, it is the policy of this law enforcement agency that all employees shall conduct themselves both on and off duty in a manner that reflects high ethical standards consistent with the values and mission established by this agency and the expectations of the community it serves. Department employees shall strive to maintain public trust by conducting all law enforcement business in an unbiased, fair, and impartial manner.

The Rules of Conduct contained in this manual are promulgated in addition to the City of Fort Lauderdale Personnel Rules (PSM), and any existing labor agreements. They are adopted for the administration, management, discipline, and disposition of all employees of the Fort Lauderdale Police Department.

The Rules of Conduct of the Fort Lauderdale Police Department, including any subsequent additions, deletions, corrections, or modifications are made applicable to all employees and volunteers of the Department, unless stated otherwise. In the event of a breach of these rules or the engagement in activities that constitute a conflict of interest, it shall be presumed that the employee or volunteer had knowledge of and was familiar with any rule, order, or directive of the Department. Violation of any rule may result in disciplinary action.

B. DEFINITIONS

1. **POLICY:** A "policy" is a definite course or method of action selected from among alternatives, and in light of given conditions, to guide and determine present and future decisions and conduct. It is an overall plan embracing the general goals and acceptable procedures of the Police Department. It is formulated by analyzing objectives and determining through research those principles, which will best guide the Department in achieving its objectives. Policy is based upon police ethics and experience, the desires of the community, and the mandates of the law.
2. **PROCEDURE:** A "procedure" is a method of performing an operation or a manner of proceeding on a course of action. It differs from policy since it requires

that action be taken in a particular situation to perform a specific task within the broader guidelines of a policy.

3. RULE: A "rule" is a specific written prohibition or requirement designed to prevent deviations from policy or procedure.
4. CONDUCT: "Conduct" is the manner in which a person behaves, especially on a particular occasion or in a particular context.
5. DISCIPLINE: Employees may be disciplined for cause involving deficiencies in performance and/or deficiencies in conduct. Discipline may include the following: letter of reprimand, suspension, demotion, and termination.
6. DEPARTMENT: The "Department" is the Fort Lauderdale Police Department.
7. DIRECTIVE: A "directive" is any rule, regulation, procedure, policy, order, statement, or similar instruction, in writing, issued on the authority of the Chief of Police and made applicable to any employee of the Department.
8. SUPERVISOR: A "supervisor" is any officer holding rank above that of police officer, who has authority to oversee the activities of other employees. The term includes any officer appointed to an acting supervisory capacity and any civilian City employee designated as a supervisor.
9. ORDER: An "order" is any lawful instruction or command given by a supervisor of the Department to another Department employee. This includes any order relayed to the employee by another employee of the same or higher rank. The order may be oral or written.
10. CHAIN OF COMMAND: "Chain of command" means lines of authority which provide for a logical flow of policies, orders, reports, and information in an upward direction. In addition to the civilian supervisory structure, the Police Department has a rank structure of Police Officer/Detective, Sergeant, Lieutenant, Captain, Major, Assistant Chief and Chief.
11. COMMAND PROTOCOL:
 - a. The normal day-to-day operations of the Police Department are delegated to members or units within the Department charged with their specific tasks. Each subdivision of the Department shall function within the framework as delineated in the Department organizational chart. The Chief of Police is ultimately responsible for normal day-to-day Department operations.
 - b. When a planned operation involves two or more subdivisions, the subdivision supervising the operation will be determined during the planning stage. The Assistant Chief of that subdivision, or designee, will be in charge of the operation.

- c. In all exceptional or unplanned spontaneous incidents, the ranking member present shall be in charge until relieved by a member of the unit responsible for follow up investigation or conclusion of the case who shall be in charge until relieved by a higher-ranking member of that unit. The member in charge will coordinate with the appropriate divisions and bureaus.
12. UNITY OF COMMAND: All Police Department employees will be assigned and accountable to one supervisor at any given time. All employees still maintain the responsibility to respond to orders issued by any supervisor. (See Conflicting Orders)
13. CHIEF OF POLICE: In his/her absence, the Chief of Police shall designate an Acting Chief of Police. In the event that the Chief of Police is incapacitated and unable to designate a replacement, the Assistant Chief of the Operations Bureau shall assume the position of Acting Chief of Police, until the return of the Chief of Police or a replacement is designated by the City Manager. For the purpose of these rules, the "Chief of Police" shall mean and include the Chief of Police, and any employee acting in the capacity of the Chief during the absence of the Chief.
14. CONFLICTING ORDERS: An employee who has been given an order which is in conflict with a rule, order, or directive shall respectfully inform the supervisor issuing the order of the conflict.
 - a. If the supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. The responsibility for the conflict shall lie with the supervisor.
 - b. The employee shall obey the order and shall not be held responsible for disobedience of the rule, order or directive previously issued.
15. UNLAWFUL ORDERS: Members shall not obey any order which they believe to be unlawful. An employee who has been given an order they believe to be unlawful shall respectfully inform the supervisor issuing the order of the reason they believe the order was unlawful.
 - a. If the supervisor issuing the order does not alter or retract the order, and the member continues to believe that the order is unlawful, the member shall immediately notify a supervisor of higher rank than the supervisor who issued the original order.
 - b. No member will be disciplined for refusing to obey an order that is determined to be unlawful.
16. SUPERVISORY/EMPLOYEE INTERVIEW FORM: A "Supervisory/Employee interview form" is a written record of an employee interview (oral) conducted by a supervisor which can be used to memorialize performance or conduct but shall not be considered disciplinary action, unless identified as such in a current collective bargaining agreement. The interview form has, as its objective,

improved performance, or attitude on the part of the employee. Members will be given written notice of substandard performance prior to the end of the rating period.

17. LETTER OF REPRIMAND: A "letter of reprimand" is a formal, written notice to an employee, containing an account of conduct which is not in keeping with the rules, orders, or directives of the Department and which indicates that an employee, who repeats or persists in such conduct, may face a more severe form of disciplinary action.

C. APPLICABILITY

Employees of the Department, regardless of rank, shall be subject to disciplinary action according to the nature or aggravation of the violation or offense for: failing (whether intentionally, through negligence or incompetence) to perform the duties of their rank or assignment, or for violation of any rule, order or directive of the Department, or for failure to obey any lawful order or directive of a supervisor, for violating and/or failing to obey federal and/or state laws, as well as city and/or county ordinances regardless of whether or not criminal charges are filed, or if adjudication is withheld upon conviction. Disciplinary action will be decided on the merits and circumstances of each case.

D. IMPLEMENTATION PROCESS

1. Disciplinary Process:

Any employee of the Department shall be subject to a written reprimand, suspension from duty with or without pay, demotion, dismissal from the Department, or any one or more of the foregoing actions according to the nature and severity of the violation. Written counseling and discipline shall be administered in the following manner.

- a. Sergeants and Civilian Supervisors are empowered to author and issue Supervisory/Employee Interview forms. Routing process will be via the employee's chain of command, with each command level placing their initials on the form, to the Office of Internal Affairs. The Office of Internal Affairs will then forward the form to the employee's personnel file.
- b. Assistant Chiefs, Majors, Captains, Lieutenants and Civilian Managers are empowered to issue Supervisory/Employee Interview forms and make recommendations to the Chief of Police for written reprimands, suspensions, demotions, and dismissals.
- c. The Chief of Police is empowered to issue Supervisory/Employee Interview forms, written reprimands and make recommendations to the City Manager for suspension, demotion, or dismissal. The Chief shall have the power to veto any disciplinary action of a subordinate.

- d. The City Manager is empowered to issue Supervisory/Employee Interview forms, written reprimands, and order suspension from duty with or without pay, layoff, demotion, or dismissal from the Department (as provided in the Civil Service Rules and existing labor agreement).
- e. A copy of any interview form or record of any disciplinary action shall be delivered to and signed by the employee affected and the issuing supervisor/manager. A signed copy will be routed directly to the Office of Internal Affairs for dissemination and to be placed in the appropriate files.

2. Appeals:

- a. For sworn employees a Supervisory/Employee Interview form may be appealed orally or in writing only two (2) levels in the chain of command above the issuing authority. There shall be no further appeal. Civilian employees shall follow the appeal process outlined in their respective collective bargaining agreements and or the City Policy and Standards and Manual.
- b. A letter of reprimand may be appealed through the chain of command. The Chief of Police will be the final appeal for all letters of reprimand.
- c. An appeal of any suspension, demotion, or dismissal shall be processed through the Civil Service Department as provided in the Civil Service Rules and the City Policy and Standards Manual, and existing labor agreements (See Section P.S.M. 6.7.1).
- d. An informal appeal to the City Manager may be granted for a suspension, demotion, or dismissal if the request is made in writing within five (5) days of written notice to the affected employee of the action to be taken.

3. Relief From Duty or Limited Duty:

- a. An employee may be relieved from duty, with pay or reassigned to limited duty, if a supervisor determines such action to be in the best interests of the city, the employee, or the general public. Examples of why a supervisor may relieve an employee from duty include but are not limited to fitness for duty issues, emotional distress, etc.
 - (1). Any supervisor may relieve from duty, with pay or reassign to limited duty, an employee of lower rank.
 - (2). A supervisor in Internal Affairs may relieve any employee from duty, with pay, or reassign to limited duty any employee, regardless of rank, except for the Police Chief.
 - (3). Relief from duty, or reassignment to limited duty, will be made in writing, one copy of which shall be provided to the employee, and a second copy shall be provided to the Office of Internal Affairs.

- b. Any relief from duty exceeding one (1) week will be confirmed to the employee by the Chief of Police, or his/her designee, in writing. Unless instructed otherwise, the employee shall report to their district or unit supervisor the next duty day for assignment. After being relieved from duty, an employee shall not:
 - (1). Take any official police action.
 - (2). Work any off-duty police employment.
 - (3). Wear a police uniform.
 - (4). Be armed under the authority of their official position.
 - (5). Operate a city-owned vehicle.
- c. Employees reassigned to limited duty may have the same restrictions as employees relieved from duty. The Chief of Police or his/her designee will make the final determination.
- d. Any employee relieved from duty, or reassigned to limited duty, will be responsible for court attendance, if subpoenaed.

E. CONDUCT SUBJECT TO DISCIPLINE

- 1. Department employees shall be truthful in all matters and shall not lie, falsify, conceal, or fail to fully disclose relevant facts associated with any law enforcement business.
- 2. Department employees shall not engage in aiding, abetting, assisting, or soliciting another Department employee in any violation, or to commit a violation of a rule, order, or directive.
- 3. Adherence to laws, regulations, and orders:
 - a. Department employees shall abide by all laws, regulations, agency's policies, rules, and procedures.
 - b. Department employees shall obey all lawful orders including those directed from General Orders, PowerDMS, Information Bulletins or at briefings.
 - c. Department employees who are arrested or come under investigation for any offense in any jurisdiction shall immediately report this fact to their supervisor or the Duty Lieutenant.
 - d. Department employees shall report any police action taken off duty or out of jurisdiction to their supervisor or the Duty Lieutenant.

4. Unbecoming conduct: Department employees shall not conduct themselves in a manner, on or off duty that brings discredit to the employee or the agency or is disruptive to the department.
5. Neglect of duty:
 - a. Department employees shall perform their duties in accordance with all applicable department policies, SOPs and laws and shall take responsibility for their actions and thoroughness in the performance of their duties.
 - (1). Department employees shall not be unfit for regular duty due to consumption of intoxicating liquor or any chemical agent.
 - (2). Department employees shall not consume an intoxicating beverage while in uniform or on duty except in the performance of duty.
 - (3). Department employees shall not unlawfully use any controlled substances including, but not limited to Cannabis.
 - b. Employees shall not engage in unsatisfactory work performance, which may be demonstrated by, but is not limited to, an unwillingness or inability to perform assigned tasks, failure to take appropriate action on the occasion of a crime, disorder, or any other matter deserving police attention, repeated poor evaluations or a written record of repeated infractions of rules, order, or directives of the Department.
 - c. Department employees are expected to be in proper uniform while working on duty or while working an off-duty detail. The uniform shall be clean and well maintained.
 - d. Department employees shall discharge their duties in an expeditious manner to avoid any unnecessary delays to the public in their performance of their duties and activities.
 - e. Each Department employee is required to have a telephone at which he/she may be reached as situations require. This telephone number and his/her correct residential address must be kept on file at the Department and any change in such address and/or telephone number must be reported immediately after making such change. All Department personnel whose primary or collateral assignment is subject to call-out, must have a mobile phone with texting capability.
6. Accountability and responsibility:
 - a. Department employees are directly accountable for their actions, through the chain of command to the Chief.

- b. Department employees shall report for duty, including court and off-duty assignments, at the time and place required.
- c. All on-duty employees and those working off-duty police details shall have their radios on for the district in which he or she is working and shall be attentive to same to assure availability for police service unless directed otherwise by a supervisor.
- d. Department employees shall follow the chain of command, beginning with the immediate supervisor.
- e. Officers have a duty to intervene to prevent or stop wrongdoing by another officer when it is safe and reasonable to do so.
- f. Department employees shall notify a supervisor or the Office of Internal Affairs, as soon as possible, of any misconduct of another employee, to include any violations of law or policy.
- g. Department employees shall cooperate fully in any internal administrative investigation conducted by this or any other authorized agency, and shall not attempt to conceal, divert, or mitigate any culpability of theirs or others by falsehood or omissions.
- h. Department employees shall utilize agency supplies, property, and equipment in accordance with established department rules, policies and procedures and shall not intentionally abuse, destroy, dispose of, or damage these items.
 - (1). Department employees will report any theft, or loss of, or damage to any property owned by the City.
 - (2). Department employees shall not intentionally disconnect, manipulate, alter, or disable the intended function of any Department owned or installed hardware, software or technology or allow another person to do so.
 - (3). Department employees shall not access, use, disseminate, or copy information from law enforcement databases, websites, or databases containing employees' personal identifiable information (PII) that are not related to legitimate business purposes. Examples of official law enforcement sites are DAVID, FCIC, NCIC, DOJ, DJJ etc. This includes, but not limited to idle curiosity and personal use.

7. Conduct toward fellow department employees:

- a. Department employees shall conduct themselves in a manner that fosters cooperation among members of this agency, showing respect, courtesy, and professionalism in their dealings with one another.

- b. Department employees shall not use language or engage in acts that demean, harass, or intimidate other employees.
8. Conduct toward the public:
- a. Department employees shall interact with the public in a civil and professional manner that conveys a service orientation to foster public trust and cooperation and adheres to the concepts associated with procedural justice.
 - (1). Department employees shall treat individuals with courtesy, respect, and dignity.
 - (2). Department employees shall not use language or engage in acts that demean, harass, or intimidate individuals.
 - (3). Department employees shall perform their duties equitably in both the enforcement of laws and the delivery of law enforcement services within the community.
 - (4). Department employees shall provide name, badge, or Computer Control Number (CCN) or both, upon request of any person, unless directed not to do so by a supervisor (i.e., during a disturbance or protest).
9. Abuse of law enforcement authority or position:
- a. Department employees may not accept any goods, services, or discounts not available to the general public, with the expectation to influence or persuade the performance of any official act or duty.
 - b. Department employees shall not use their authority or position:
 - (1). For financial gain.
 - (2). To obtain or grant privileges or favors.
 - (3). To avoid the consequences of illegal acts for themselves or others;
or
 - (4). To barter, solicit, or accept any goods or services, such as gratuities, gifts, discounts, rewards, loans, or fees, whether for themselves or others with the expectation to influence or persuade the performance of any official act or duty.
 - c. Department employees shall not purchase, convert to their own use, or have any claim to found, impounded, abandoned, or recovered property or any property held or released as evidence.

- d. Department employees shall not permit the use of any agency-issued identification, badge, or official document by unauthorized persons.
- e. Department employees are prohibited from using law enforcement sensitive information gained through their position to advance financial or other private interest of theirs or others.
- f. Department employees shall not steal, forge, or tamper with any official law enforcement document. Documents shall not be altered or duplicated unless actions are approved by a supervisor, and for legitimate business purposes.
- g. Department employees shall not take or release photographs capturing sensitive information or images unless authorized to do so.
- h. Officers shall not initiate any investigations or other official action that is not part of their regular duties without first obtaining permission from their supervisor and documenting their actions in an incident report, unless the exigency of the situation requires immediate law enforcement action.
- i. Officers involved with any civil action that arises from acts performed under color of authority shall inform their supervisor.

10. Prohibited associations and establishments:

- a. Officers shall not knowingly commence or maintain a relationship with any person who is under criminal investigation, indictment, arrest, or incarceration by this or another law enforcement or criminal justice agency or who has an open and notorious criminal reputation in the community (for example, persons who they know or should know, or have reason to believe are involved in criminal activity) except as necessary for the performance of official duties or where unavoidable or impractical because of pre-existing familial or marital relationships. In such cases where regular household, physical, or telephone contact is unavoidable, the officer shall inform, their supervisor of the relationship.
- b. Officers shall not knowingly engage in social or romantic relationships with confidential informants, victims, or witnesses involved with active investigations.
- c. Officers shall not participate or interfere in investigations involving family members or persons with whom they have a close personal relationship or business relationship.
- d. Except in the performance of official duties, officers shall not enter any establishment in which the law is knowingly being violated.

11. Public statements, appearances, and endorsements:

- a. Officers shall follow this agency's policy on social media.

- b. Officers shall not, when officially acting as a representative of this agency:
 - (1). Divulge or willfully permit to have divulged any information gained by reason of their position, for anything other than its official, authorized purpose; or
 - (2). Unless expressly authorized, make any statements, speeches, or public appearances that could reasonably be considered to represent the views of this agency.
 - c. Officers shall not solicit or accept contributions for this agency or, as a law enforcement officer of this agency, for any other agency, organization, event, or cause without the express consent of the Chief or his/her designee.
 - d. Officers may not, as an agent of this agency, endorse, recommend, or facilitate the sale of commercial products or services without approval of the Chief or his/her designee. This includes but is not limited to the use of tow services, vehicle repair shops, attorney, bail bondsmen or other technical professional services. It does not pertain to referrals to appropriate governmental community or social services.
12. Political Activity- As a private citizen, employees will not state or imply in any way that their political views represent the Fort Lauderdale Police Department. Employees shall follow applicable laws regarding their participation and involvement in political activities. Where legal mandates are silent on this issue, employees shall be guided by the following examples of prohibited political activities while on duty, in uniform, or otherwise serving as a representative of this department:
- a. Placing, affixing, or displaying any campaign literature or other political paraphernalia in or on city-owned or controlled property, to include offices or vehicles.
 - b. Soliciting political funds from any member of this agency or another governmental agency of this jurisdiction.
 - c. Lobbying or soliciting contributions, signatures, or other forms of support for political candidates, parties, or ballot measures.
 - d. Using of official authority to interfere with any election or with the political actions of other officers or the general public.
 - e. Favoring or discriminating against any person because of political opinions or affiliations.
 - f. Endorsing a particular candidate or political issue in any way.
 - g. Using the name of the Fort Lauderdale Police Department in any campaign literature as endorsement. Police Department equipment,

uniform, or insignia are not authorized to be used in any political campaign.

- h. This section is not intended to preclude the Fraternal Order of Police (FOP) from conducting normal day to day operations.

F. REPORTING POLICE INTERACTION

a. Employee's Duties

- (1). Employees shall advise their supervisor or the Duty Lieutenant, as soon as practical, when they have been the suspect/subject of any police action/investigation while off duty, with the exception of a non-criminal traffic investigation.
- (2). The only information required from the employee is the date, time, location, responding agency and the case number, if available.

b. Supervisor's Duties

- (1). The Duty Lieutenant, when notified of an employee being the suspect/subject of any police action/investigation while off-duty, shall immediately notify the Commander of Internal Affairs and the Bureau Assistant Chief.