

Medina Police Department

Subject: General Regulations		Policy Number: 2000	General Regulations 2000
Reference: Labor Agreement, Medina City Personnel Policy		Pages: 11	
Personnel: Sworn and Non-Sworn Police Personnel			
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2000.1 – GENERAL REGULATIONS

Police personnel comprise a special class of public employee. Because they are conspicuous and visible representatives of government, their conduct is closely scrutinized. When police behavior is found to be excessive, unwarranted, or unjustified, criticism is more severe than it would be for similar conduct by persons in other walks of life. The end result of criticism is lost community support and respect - both necessary ingredients to the department's capacity to perform the police function. Therefore, close adherence to departmental regulations is absolutely essential to guarantee community support and to maintain effective police service.

The purpose of the following general regulations is to outline and prohibit conduct that tends to undermine the policy, goals, good order, and/or efficiency of the department, while providing fair and efficient police service for the community. Further, these regulations are intended to be equitable to those whom are expected to work by them.

These regulations are not designed to make every irregular, mischievous, or improper act a disciplinary offense, but to correct conduct which is prejudicial to good order, discipline, morale, and efficiency, and which tends to destroy public respect and confidence. Any member of the Medina Police Department may be disciplined pursuant to policy 4170 in the event that any of the following regulations, which constitute misconduct, are violated. Discipline will be consistent with departmental policy established in 4170.

2000.2 – PERFORMANCE OF DUTIES

Members of the department shall be held responsible for the proper performance of any and all duties assigned to them, and for the strict adherence to the regulations adopted from time to time for the administration of the department. Actions or omissions, contrary to regulations, will not be excused because a member followed the advice of another member or a person outside the department, except when an employee of higher rank may take the responsibility of issuing orders.

2000.3 – BREACH OF POLICY, ORDER OR PROCEDURE

Members shall not act nor fail to act in such a fashion that constitutes a breach of any policy, order, or procedure outlined in other sections of the manual. They are responsible for knowing the contents of the policy manual issued to them, and for filing in their manual all materials issued by the department for inclusion.

2000.4 – EQUAL PROTECTION

Members of the department shall not act in such a manner as to deprive any member of the community of the equal protection of the laws and shall not evidence bias in the performance of their duties.

This regulation is intended to prohibit omissions, as well as specific actions which are based on citizens' race, color, sex, age, handicap, national origin, sexual orientation, political or fraternal affiliation, or economic status. Equality of treatment requires uniform and fair treatment of all individuals.

This regulation is also intended to prohibit officers from being involved in enforcement decisions, follow-up investigations, assisting in prosecutions, or any other law enforcement functions that involve a family member, relative, friend, or important relationship. The purpose of this regulation is to prevent even the appearance of bias on the part of the officer.

2000.5 – OVERBEARING, OPPRESSIVE, OR TYRANNICAL CONDUCT

Members of the department shall not be overbearing, oppressive, or tyrannical in their relations with members of the community.

This regulation prohibits all clearly recognizable actions which serve to breed disrespect for the department and its members. Actions are clearly recognizable if they constitute gross breaches of the public's support, including:

1. Unreasonable orders given to citizens;
2. Unreasonable warnings to control conduct not within the scope of the member's lawful authority;
3. Threats to use authority not clearly available to the member at the moment.

These examples are only illustrative -- they are not intended to be all-inclusive.

2000.6 - INSULTING, DEFAMATORY, OR OBSCENE LANGUAGE

Members of the department shall not use insulting, defamatory, or obscene language in the performance of their duties.

2000.7 – DISRESPECT FOR SUBORDINATES

Supervisors shall not act so as to exhibit disrespect for subordinate members of the department.

2000.8 – FLAGRANT LAW VIOLATIONS

Members of the department shall pursue flagrant violations of the law which come to their attention through citizen complaints, their own observations, or investigations.

2000.9 – RESPONSE TO CALLS OR CIRCUMSTANCES

Members of the department shall properly respond to radio/ MDC calls or suspicious circumstances, without unreasonable delay.

Proper response to a radio /MDC call dictates that initial response be carried out with necessary and reasonable dispatch. Any member who fails to take appropriate action on matters brought to his/her attention is guilty of dereliction of duty, if the failure consists of willful neglect in the face of obvious conditions warranting investigation or other police action.

2000.10 – ON-DUTY BUSINESS

While on-duty, members of the department shall engage only in activity that pertains to departmental business, unless prior permission has been given to do otherwise.

2000.11 – SUBMISSION OF REPORTS

Members of the department shall submit timely reports which are accurate and complete, and which distinguish between fact, hearsay, opinions, and conclusions.

2000.12 – DESIGNATED ASSIGNMENTS

Members of the department shall not leave their designated assignments unless they inform a supervisor or the dispatcher.

2000.13 – ABSENCE FROM DUTY: ILLNESS OR INJURY

Members shall not be absent from duty without seeking permission from or making notification to the Chief of Police and/or sergeant or senior officer.

In the event of illness or injury, notification is necessary prior to the time designated for reporting for duty and may be made by telephone or by written report. If extenuating circumstances make a timely notification impossible, the notification should be made within a reasonable time. (Timely notification is considered within two hours.)

If, during a work shift, officers require the use of sick leave, members will immediately make the same contact as detailed in paragraph 1.

2000.14 – DUTY RESPONSIBILITY

Members of the department shall not sleep, idle, or loaf while on-duty.

2000.15 – COMMUNICATION WITH THE CHIEF OF POLICE

Any member of the department feeling aggrieved by the treatment or orders of an officer, senior officer, or supervisor, or who wishes to call attention to any matter of police business or who wishes to make suggestions for improvement, shall communicate, in writing, with the Chief of Police.

2000.16 – SUPERVISORY RESPONSIBILITY

Supervisors and/or senior officers shall not knowingly permit members of their command to violate any law, departmental policy, or procedure.

2000.17 - UNTRUTHFULNESS

Members of the department are required to speak the truth at all times and under all circumstances, whether under oath or otherwise.

This regulation prohibits perjury, the withholding of evidence from judicial proceedings, false public statements, untruthful statements made within the department, and any other misrepresentations.

Exception to this clause is during an interrogation or investigation where allowed by current law.

2000.18 – FALSE REPORTING

Members of the department shall not knowingly make false official reports, or knowingly enter or cause to be entered in any departmental book, record, or electronic recording any inaccurate, false, or improper information.

2000.19 – EXCESSIVE USE OF FORCE

Members of the department shall act at all times within the standards for use of force established in the Use of Force Policy.

2000.20 – UNLAWFUL CONDUCT

Members of the department shall not engage in conduct, which would constitute a violation of law in Minnesota, unless the conduct is lawful in the jurisdiction in which it is committed.

2000.21 - WAGERS

No game of chance for stakes or wagers shall be played in any building of the police department.

2000.22 – ACCEPTANCE OF BRIBES, GIFTS, REWARDS, OR FEES

No member shall accept a bribe, reward, fee, or gift for services rendered as a member of the department.

This regulation prohibits acceptance of anything of value which is not available or offered to the general public, such as free meals, coffee, etc., but does not prohibit the receipt of anything of value from another governmental agency or public service organization nor from approved off-duty employment governed by City ordinance and existing labor contracts.

It is the appearance that a member's authority is being misused for personal gain that can undermine the public's trust in the department.

2000.23 - SOLICITATIONS

No member of the department shall solicit money or contributions for any organization or business while on-duty, while dressed in the department's uniform, or while representing him/herself as a member of the department. Also, no member of the department shall solicit anything of value for the department without permission of the Chief of Police.

2000.24 – PRISONER MISTREATMENT

No member of the department shall use force on a prisoner, other than that necessary to restrain said prisoner from doing harm to him/herself, to others, or to property.

2000.25 – UNATTENDED PRISONER

No officer shall leave a prisoner unattended unless monitored by video surveillance.

2000.26 – FIREARMS SAFETY

Members of the department shall strictly adhere to use of firearms guidelines and at no time shall act negligently or in disregard of utmost safety in handling a firearm.

Any unjustified use of a firearm, whether it be excessive use in the line of duty, or simple horseplay which may constitute danger to others, or any disregard for safety required in handling firearms, whether the conduct occurs on or off-duty, is covered by this regulation.

2000.27 – FIREARMS QUALIFICATION

Licensed members of the department, or those members required to utilize a firearm in the course of their duties, shall qualify with the authorized weapons they carry on and/or off-duty, as required by the department.

2000.28 – INSUBORDINATION

Members of the department shall promptly obey lawful orders from any supervisor. Should such orders conflict with a previous order, regulation, policy, or procedure of the department, the ordered member shall respectfully call attention to the conflict. If, however, the last order is not changed, it shall stand and the person obeying the order will not be held responsible for disobedience. If any unlawful order is given to any member of the department, such member will promptly report such fact to the Chief of Police.

2000.29 – DISRESPECT FOR SUPERVISORS

Members shall not act so as to exhibit disrespect for supervisors.

2000.30 – PUBLIC CRITICISM

Members of the department shall not publicly criticize the operations or personnel of the department if such criticism clearly undermines the discipline, harmony, or general efficiency of the department.

The department recognizes that its members retain rights to expression and freedom of speech granted by the Constitution, whether on or off-duty; however, these rights do not allow for conduct which is disruptive to the function of the public's business.

Generally, conduct prohibited by this regulation includes critical public statements or overt actions regarding specific employees, order, or operations, and includes abusive, frivolous, or deliberately constructed false criticism.

2000.31 - INTRA-DEPARTMENTAL CRITICISM

Members of the department shall not speak derogatorily to other members of the department regarding the orders or instructions issued by supervisors; however, if such orders or instructions are inconsistent or unfair members have the right and duty to appeal to higher authority.

2000.32 – COOPERATION WITH INVESTIGATIONS REQUIRED

Members of the department must cooperate in internal investigations of alleged misconduct, illegal activity, or policy violations. Failure to answer questions or submit to proper investigative techniques constitutes insubordination.

2000.33 – STRIKES

Licensed officers are considered essential employees and, therefore, are prohibited from work slowdowns or striking at the workplace as indicated in the collective bargaining agreement.

2000.34 – CRIMINAL ASSOCIATION

Members of the department shall not associate with persons or places known to them as being engaged in criminal activity.

Association consists of more than a single occurrence, more than general contacts, or more than associations that may develop in the line of official police business. If over a period of time, a member continues to frequent an establishment believed to be engaged in illegal activity, or continues to carry on private business with a known criminal, he/she is in direct violation of this regulation.

2000.35 – SOLICITATION FOR PERSONAL GAIN

Members of the department shall not request the aid of any person outside of the department to have them transferred, or restored to an assignment, or promoted.

2000.36 – ATTORNEY RECOMMENDATION

Members of the department shall not recommend to any prisoner the employment of any particular attorney or counsel, with a view to the prisoner's defense; nor shall they directly or indirectly interfere or interest themselves in any manner whatever in the employment of any attorney to aid any potential litigant.

2000.37 – REVEALING POLICE RECORDS

Members of the department shall not divulge the contents of police records to anyone outside of the department without permission from their commanding officer or the commanding officer of the administrative assistant. No member shall divulge any matters relating to official police business without first receiving authorization.

2000.38 – ACCESS TO POLICE RECORDS

Members of the department, only when authorized to do so for a specific purpose, shall have access to the official records obtained through the Medina Police Department.

This regulation prohibits all unofficial use of police records and tampering with records by members of the department as prohibited by policy, State and Federal law.

2000.39 – OPERATING CITY VEHICLES/EQUIPMENT

Members of the department shall drive City-owned vehicles with due safety at all times.

Members of the department are responsible for the good care of departmental property, assigned to their use or keeping, and shall promptly report to their supervisor in writing, the loss of, damage to, or unserviceable condition of such property.

Members of the department assigned to a patrol squad are required to check all equipment and supplies prior to the beginning of their shift. Any deficiencies or needed equipment shall be requested through administration.

Licensed officers will ensure that all instruments and equipment are tested and in working order prior to the beginning of their shift.

Any member found responsible for the destruction or loss of City property, through willfulness or gross negligence, will be required to pay repair or replacement costs.

2000.40 – VEHICLE USE OUTSIDE OF CITY LIMITS

Members of the department may use a departmental vehicle for trips outside the county only with permission of the Chief of Police or supervisor.

2000.41 – COMMUNICATIONS SYSTEM

Members of the department shall use police communications systems for official police business and shall exhibit courtesy during the transmission of all messages.

A limited amount of personal use is allowed as long as this does not interfere with duties and responsibilities.

This regulation includes all uses of any part of the police communications system including, but limited, to cellular phones, portable radios, mobile radios, MDC, electronic mail, and facsimiles.

2000.42 – USE OF CITY PROPERTY

Members of the department shall not use any departmental property for private purposes, unless permission is first obtained from the Chief of Police or supervisor consistent with City ordinance and/or policies.

2000.43 – SEIZURE OF PRIVATE PROPERTY

Members may seize property only as authorized by State, Federal, and Constitutional Law.

2000.44 – PROPERTY HANDLING

Members of the department shall take all precautions necessary to guarantee the proper handling of evidence, and any property seized, received, or found, and shall conform to departmental procedures for their handling.

A written record of the property's disposition after its initial receipt shall be included in the employee's written report.

2000.45 – USE OF INTOXICANTS OR CONTROLLED SUBSTANCES

Members of the department:

- A. Shall not consume intoxicants or controlled substances at any time after reporting for a duty shift unless assigned by a commanding officer with prior approval.
- B. Shall not report for duty, or perform any on-duty work, who have consumed an amount of an alcoholic beverage or any medication that would adversely affect their ability to perform their job duties.
- C. Shall, at the request of any supervisor, be required to submit to a chemical breath, blood, or urine test for the purpose of determining the presence of alcohol or controlled substance. The appropriate test(s) shall be determined and administered at the direction of a supervisor in accordance with Medina Police Department Policy 4200.
- D. Shall not use or consume any intoxicants or controlled substances when armed with a weapon while off-duty.
- E. Shall not use or consume intoxicants or controlled substances in public when they are identified by uniform or other clothing bearing departmental logo.

2000.46 – IMMORAL OR OFFENSIVE CONDUCT

Officers shall maintain a level of moral conduct in their personal and business affairs, which is in keeping with the highest standards of the law enforcement profession. Officers shall not participate in any incident which impairs their ability to perform as law enforcement officers or causes them or the department to be brought into disrepute.

Examples of immoral or offensive conduct are making sexual solicitations, or engaging in offensive or indecent behavior in the presence of a minor and are illustrative and not meant to be all inclusive.

2000.47 – REPORTING SIGNIFICANT VIOLATIONS

Members of the department shall report significant violations of the department's regulations, policies, orders, or procedures to the appropriate supervisor.

2000.48 – WITHHOLDING INFORMATION

Members shall not withhold tips or information with a view to personal achievement.

2000.49 – REPORTING ON-DUTY ACCIDENTS

Members of the department, while on-duty, shall promptly report all accidents with or without damage to any City-owned motor vehicle operated by them or in their charge. On-duty accidents will be reported at the time of their occurrence and the employee involved in the incident shall request that the Chief of Police, supervisor, or designee be notified and an outside law enforcement agency, preferable Hennepin County Sheriff's Department or the State Patrol respond to investigate the accident.

2000.50 – REPORTING OFF-DUTY ACCIDENTS

If an off-duty department employee operating a privately-owned motor vehicle is involved in an accident within the City of Medina, an outside agency shall be requested to investigate and make necessary reports to the Medina Police Department and State of Minnesota.

2000.51 – STATUS CHANGES

Members of the department shall report changes in address, domestic status, or telephone numbers within twenty-four (24) hours after making such changes by submitting information to the Chief of Police. All members of the department shall maintain a personal telephone.

2000.52 – ENFORCEMENT DISRUPTIONS

No members shall interfere with the normal processing of citations or other enforcement actions by members of the department, unless such action is in contradiction with policy, State, or Constitutional law.

If a senior officer orders a change in an enforcement decision and a subordinate feels this constitutes a disruption of enforcement decision, that officer should bring the issue to the Chief of Police.

2000.53 – SEARCH WARRANTS

Members of the department shall not apply for any search warrant or serve any such warrants without the knowledge and approval of their commanding officer, and the notification of the Chief of Police or supervisor.

2000.54 – PERSONAL GAIN VIA MEDIA

Members of the department shall not communicate with the news media members for the purpose of personal gain or advancement.

2000.55 – ACTING POSITION RESPONSIBILITY

A member of the department who is temporarily placed in a position by the Chief of Police as an “Acting” member, shall be held responsible to such position and shall be careful not to countermand any order issued by the member whom they temporarily replace, except when expediency of police business demands.

2000.56 – KEY DUPLICATION

Members of the department are prohibited from making or causing to be made any duplicates of signal box keys or other City/department keys, except squad fleet keys, without the approval of the Chief of Police.

2000.57 – AUTHORIZED EXPENSES

Bills for authorized expenses incurred by members of the department in connection with their official duties shall be promptly submitted and shall include a brief written explanation for the expenses incurred.

2000.58 – DISREGARD FOR SAFETY

Members of the department shall not, by specific action or omission, create a situation of unnecessary risk of injury to themselves, other members of the department, or to any other person.

2000.59 – TOWING SERVICES

Members of the department shall inform the vehicle owner/operator of towing services available. If no preference is indicated, the dispatcher will notify the service used by the City. If they are unable to respond, the next designated towing service will be contacted.

2000.60 – USE OF SAFETY BELTS

Occupants of department vehicles shall use vehicle safety belts/restraint devices consistent with State Motor Vehicle laws. The above does not prevent officers from removing restraint devices when approaching an imminent tactical situation.

2000.61 – UNIFORMS

Members of the department shall wear their appropriate uniform when on-duty, and may wear it when commuting to and from work, when participating in an authorized departmental function, or when working authorized special duty employment in a police capacity.

2000.62 – HANDGUN VISIBILITY

Officers' handguns must be kept visible when wearing the department's uniform or when representing the department in any official capacity, except when the concealment of the weapon is necessary, or the officer is in plain clothes.

2000.63 – ATTENDANCE

Employees shall report to work every day, on time, as scheduled. When a need for time-off arises, it should be arranged as far in advance as possible with the Chief of Police, Sergeant or on-duty officer.

All leave requests must be made 14 days in advance to the supervisor or Chief of Police. Shorter notices will be considered based on circumstances.

2000.64 – OFFICER INVOLVED CRIMINAL ACTIVITY OR DUI

Department personnel shall immediately notify the Chief of Police, supervisor or designee any time they investigate an incident and/or become aware of a law enforcement officer who is a suspect of criminal activity or DUI violations. The officer shall immediately request that the Chief of Police, Sergeant or designee respond to the scene of the investigation.

2000.65 – SERIOUS INJURY OR LINE OF DUTY DEATH NOTIFICATION PACKET

Each sworn department member shall be required to have on file a Serious Injury/Line of Duty Death Notification Packet with the Chief of Police. Packets shall be updated annually.