



Standards of Conduct

Section: 1.900
Effective Date: February 25, 2011
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1.900 Standards of conduct

1.902 Applicability of directives

- A. Directives contained in this Manual are applicable to all agency employees.
- B. Agency employees will comply with all applicable agency directives even when off-duty or outside jurisdiction when;
 - 1. In uniform;
 - 2. Identifying themselves as employees of the agency; or
 - 3. Taking police action.

1.904 Courtesy

- A. The practice of courtesy in all official contacts encourages understanding and appreciation. While the urgency of situations may preclude normal social amenities, discourtesy under any circumstance is indefensible. Employees will treat citizens, campus members, supervisors, subordinates, and peers with courtesy and respect at all times.
- B. Officers will be referred to by their rank when on duty and particularly in the presence of community members.

1.906 Compliance with orders

- A. The agency is an organization with a clearly defined hierarchy of authority. This is necessary because the obedience of lawful commands issued by supervisors is essential for the safe and prompt performance of police operations. All employees will perform their duties as required or directed by law, rule, regulation, policy, or by order of supervisors.
- B. Employees will be considered "insubordinate" by deliberately failing or refusing to obey lawful orders or instruction by supervisors
- C. Orders from supervisors must be clear, understandable, civil, and issued in keeping with agency business. Orders *relayed from* supervisors, including orders *relayed from* supervisors by employees of the same or lesser rank, will be followed as if issued by supervisors directly.
- D. Supervisors will not knowingly issue unlawful orders.
- E. Employees are not required to obey unlawful orders. Responsibility for refusing to obey orders rests with employees who will be required to justify their actions.

- F. Employees receiving orders believed to be unlawful, will at first opportunity, report (verbally or written) the incident facts and the unlawful order believed issued, to the supervisor of the individual who issued the order.
- G. Upon receipt of orders conflicting with previous orders, employees affected will advise persons issuing second orders of these facts. Responsibility for countermanding original orders rests with individuals issuing second orders. If so directed, latter commands will be obeyed first. Orders will be countermanded or conflicting orders will be issued only when reasonably necessary for the good of the agency.
- H. Employees in doubt as to the nature or details of orders or assignments will seek clarification from supervisors by going through the chain of command. Questions will receive a timely response.

1.908 Abuse of position

- A. Employees will not seek or accept personal advantages which might reasonably be interpreted as attempts to influence them in the conduct of their university duties. Such personal advantages may be gifts, personal loans, advances or accommodations, financial or other, not readily available to other persons on similar terms.

1.908.02 Improper Transactions

- A. Employees are prohibited from buying or selling anything from or to complainants, suspects, witnesses, defendants, detainees, or others involved in cases which have come to their attention or which arose out of their agency employment except as may be specifically authorized in writing by the Captain.

1.908.04 Acceptance of Gifts, Gratuities, Loans, Fees, Rewards, Bribes, etc.

- A. Agency employees will not solicit nor accept any gifts, gratuities, loans, fees, rewards, or other considerations benefiting employees or the agency, if it may be reasonably inferred that the actions were made to:
 - 1. Influence actions of an official nature;
 - 2. Affect the performance or non-performance of official duties; or
 - 3. Affect directly or indirectly the interests of the persons, organizations, or businesses involved.
- B. Bribery, as described in Maryland Criminal Law (CR 9-204 a-c), is prohibited conduct for agency employees and punishable by law.

1.908.06 Disposition of Unauthorized Gratuities, Rewards, etc.

- A. Unauthorized gifts, gratuities, loans, fees, rewards or other items in these categories and coming into possession of employees will be forwarded to the Captain augmented with written reports explaining the circumstances connected therewith.

1.908.08 Personal Influence

- A. Employees will not seek the influence or intervention of persons outside the agency for purposes of obtaining preferential treatment, advantage, transfer, or advancement.

1.910 Testimonials and endorsements

- A. Employees will not use their official positions, official identification cards, or badges for identification as agency employees in connection with testimonials or advertisements of commodities or commercial enterprises without prior approval of the Captain.
- B. Agency uniforms, vehicles, equipment, facilities, and on-duty personnel will not be used for commercial purposes without approval of the Captain.

1.912 Associations

- A. Employees will avoid associations or dealings with persons that would bring discredit upon the agency or with persons involved in criminal behavior, except as may be necessary in connection with official duties or where unavoidable because of other personal relationships.

1.914 National colors and anthem

- A. Uniformed employees will render full military honors and employees in civilian dress will render proper civilian honors to the national colors and anthem at appropriate times.
- B. Employees in uniform will render military salutes to the flag when it is carried by color bearers in marching formations or when being hoisted or lowered from flagstaffs during ceremonies.
- C. During the rendition of the national anthem, employees in uniform will face the flag and render military salutes at the first note of the anthem and retain their position until the last note. Employees in civilian clothes will place their right hand over their heart at the first note of the anthem and retain this position until the last note.

1.916 Relief

- A. Employees are to remain on duty and at their assignments until properly relieved by other employees or until dismissed by competent authority.**

1.918 Regular work period

- A. The regular work period shall consist of fourteen (14) consecutive days beginning immediately after 12:00 midnight, Wednesday through 12:00 midnight the following Wednesday. At an employee's request, temporary schedule changes may be approved by the Captain or his/her designee.

1.920 Intoxicants, drugs, and narcotics

1.920.02 Prohibited Conduct

- A. Consistent with the University's Employee Drug and Alcohol Abuse Policy, employees are prohibited from:
1. Abusing alcohol or drugs;
 2. Committing a controlled dangerous substance offense;

3. Committing an alcohol driving offense;
 4. Working under the influence of alcohol;
 5. Working under the inappropriate influence of prescription drugs or over-the-counter drugs; and
 6. Working under the influence of a controlled dangerous substance.
- B. Employees will not drink intoxicating beverages on-duty except in performance of police duties, and then only in context of police duties and with specific consent of the Captain.
 - C. Employees will not be under the influence of intoxicating beverages while on-duty without specific consent of the Captain.
 - D. Employees, whether on-duty or off-duty, will not purchase or consume intoxicating beverages while in uniform, or recognizable parts of issued uniforms.
 - E. Unless authorized by the Captain, employees will not store or bring into any police facility or vehicle intoxicating beverages, controlled substances, narcotics, or hallucinogens except those items which are to be held as evidence or are to be used in the course of authorized police business.
 - F. Employees will not operate agency vehicles after consuming alcoholic beverages while on duty or in uniform unless such consumption is necessitated by the nature of duty assignments. Employees will not operate agency vehicles after consuming alcoholic beverages to the point of impairment or intoxication.
 - G. Use of intoxicating beverages on property owned, operated, leased, or under control of UB will be consistent with state law, agency directives, and university regulations.
 - H. Employees will not possess any narcotic, hypnotic, amphetamine, barbiturate, hallucinogenic drug, tranquilizer medication, or other controlled dangerous substance except in the performance of their lawful duties or if prescribed by licensed health care practitioners.
 - I. Use of any narcotic, hypnotic, amphetamine, barbiturate, hallucinogenic drug, tranquilizer medication, or other controlled dangerous substances by agency employees is prohibited unless uses are in accordance with lawful prescriptions obtained from licensed health care practitioners.
 - J. Employees are responsible for the timely notification of their shift supervisor whenever they are taking prescription or over-the-counter medications that have the potential for rendering them unable to perform their assigned duties and responsibilities.
 - K. Shift supervisors/OIC's are responsible for making notifications to the Lieutenant or Captain if employees are not physically or mentally fit for duty.

1.920.04 Impaired Employees

- A. While in agency facilities, employees will neither have contact with the public nor be within public view while under the influence of intoxicating beverages or controlled dangerous substances.
- B. Unless ordered by supervisors or forced to act in defense of self or others, employees under the influence of intoxicating beverages or controlled substances, whether on-duty or off, will not utilize agency equipment or exercise police powers. In such cases, the standard of conduct will be the authorized and allowed behaviors of non-impaired employees. Impairment will not be a defense of employees' actions.

- C. University employees learning of or suspecting that other employees have violated laws, policies, or directives relating to controlled dangerous substances or alcohol will refer same to appropriate supervisory or administrative ranked employees for further investigation and appropriate actions.
 - 1. University employees may voluntarily submit to breath or blood analysis for administrative investigation purposes.
 - 2. Consistent with LEOBR, supervisors may order other officers to submit to breath or blood analysis for administrative investigation purposes.

1.920.06 Evidentiary Presumptions

- A. Evidentiary presumptions are consistent with CJ 10-307.
- B. Persons are presumed to **not** be under the influence of alcohol if, at the time of testing, persons tested have less than 0.05% Blood Alcohol Content (BAC).
- C. *Prima facie evidence of impairment.*- If at the time of testing a person has an alcohol concentration of at least 0.07 but less than 0.08, as determined by an analysis of the person's blood or breathe, it shall be prima facie evidence that the person was driving while impaired by alcohol
- D. If at the time of testing a person has an alcohol concentration of 0.08 or more, as determined by an analysis of the person's blood or breath, the person shall be considered ***under the influence of alcohol*** per se as defined in § 11-174.1 of the [Transportation Article](#).

1.922 Presence at unauthorized places

- A. Employees will not be present at any place while on-duty except for legitimate purposes. Employees will not use master keys to access areas except in the normal course of duties or with permission of controlling agents of facilities. Mere presence in unauthorized places or areas is *prima facie* evidence of a violation of this section.
- B. Employees will comply with university regulations governing the use of university facilities. However, it is recognized that the agency maintains exceptions with other university components relating to the use of certain facilities. Use of facilities in these situations must be in accordance with written agreements or permission from controlling agents of the facilities.

1.924 Address & telephone numbers

- A. Employees are required to have a working telephone service, whether it is a land line at their residences or cell phone. As such, employees will ensure their notification information is updated within 24 hours of changes in addresses, telephone numbers, or emergency notification information.

1.926 Use of agency address

- A. Employees will not utilize the agency mailing address as a private mailing addresses, addresses for purposes of motor vehicle registrations, or addresses on their driver's licenses. Nor will they use the agency address for insurances or any other mail which is not university or agency related.

1.928 Reporting for duty

- A. Employees will report for duty at times and places designated by assignments or orders and will be physically and mentally fit to perform their duties.
- B. Employees reporting for duty will be equipped for the proper performance of their duties and in the approved uniform of the day.
- C. Judicial subpoenas and administrative notices constitute orders to report for duty.

1.930 Identification

1.930.02 Sworn vs. Security

- A. All agency personnel are issued an official agency photo identification card and shall carry their photo identification cards on their persons at all times while on duty.
- B. Sworn police officers are to be armed with their issued weapon, ammunition and spare magazines, as well as having their badge and MPTSC certification cards and UB Police identification cards, at all times when on duty, except when impractical or inconsistent with duty assignments.
- C. All agency personnel will provide their photo identification card when requested, unless such actions would likely jeopardize a police operation or assignment.

1.930.04 Providing Name and Identification

- A. Employees will politely provide their name, rank, Unit Number, and supervisors' names to persons, on request, unless such action would likely jeopardize a police operations or assignments.

1.930.06 Unauthorized use of Identification

- A. Employees will make every effort to ensure the security and safekeeping of their police identification and badge at all times. Employees will not lend to other persons their identification cards, badges, or other forms of police or security identification, or permit them to be photographed or reproduced without the approval of the Captain.

1.932 Recommending attorneys & bondsmen

- A. Police employees will not suggest, recommend, advise, or otherwise counsel another in the retention of a specific attorney or bail bondsmen.

1.934 Neglect of duty

- A. Employees will not engage in any activities or personal business which would cause them to neglect or be inattentive to their duties.
- B. Employees will remain awake while on duty. If unable to do so they will contact supervisors who will determine a proper course of action.

1.936 Injury or illness report

- A. All employees will immediately report to their supervisors any health conditions which might adversely affect employees' abilities to perform their duties. This includes notifications of prescription or over-the-counter medications which might adversely affect employees' performance.
- B. Employees will not feign illness or injury, falsely report themselves as ill or injured, or otherwise deceive or attempt to deceive the agency as to the condition of their health.

1.938 Performance level

- A. Employees will maintain competence to perform their duties and to assume responsibilities of their assignments. They will perform their duties commensurate with standards established by the agency.
- B. Unsatisfactory performance may be demonstrated by lack of knowledge, unwillingness or inability to perform assigned tasks, failure to conform to established requirements for positions or ranks, or by failure to take appropriate actions when required.
- C. Unsatisfactory evaluations or a record of repeated infractions of agency orders or directives will be *prima facie* evidence of unsatisfactory performance.
- D. Actions taken as the result of unsatisfactory performance levels will be consistent, as applicable, with agency directives, University HR regulations, and LEOBR.

1.940 Loitering

- A. Employees are not permitted to loiter while on-duty.
- B. Off-duty employees will not disrupt the activities of on-duty personnel.

1.942 Public statements & appearances

- A. Employees will not address public gatherings, appear on radio or television, prepare articles for publication, act as correspondents to publishers, or otherwise appear in public or present themselves as representing the agency without the approval of the Captain or a designee.
- B. Employees are prohibited from using their official capacities, titles, or positions to endorse products, organizations, programs, or services without the permission of the Captain or a designee.
- C. Employees are prohibited from representing themselves in official capacities, either in or out of uniform, before hearing or licensing boards, when their appearances before such boards are not official acts required of them as employees of the agency or authorized by the Captain or a designee.

1.944 Political activity

- A. Employees retain all rights and obligations of citizenship provided in the Constitution and laws of the State of Maryland, and in the Constitution and laws of the United States of America.
- B. Participation in politics or political campaigns and free expression of political opinions by employees of this agency is not prohibited. However, with respect to political activities, employees will not:
 - 1. Engage in political activities while on-duty;
 - 2. Advocate overthrow of the government by unconstitutional and violent means;
 - 3. Be obligated to contribute or render political services; or
 - 4. Indicate they are representing the agency, the university, or the state.

1.946 Civil actions

- A. Employees will not volunteer to testify in civil actions relating to their employment with the agency and will not testify unless properly subpoenaed or when directed to do so by the Captain.
- B. If subpoenas arise out of agency employment or if employees are informed that they are parties to civil actions arising out of agency employment, they will immediately initiate notification to the Office of the Captain along the chain of command.
- C. Employees will not enter into financial understandings for appearances as witnesses prior to trials except in accordance with other directives or law.
- D. Employees will confer with the Office of the Captain before giving depositions or affidavits in civil matters arising from job performance.
- E. Employees will inform the Office of the Captain when filing civil actions arising out of job performance or affiliation with the agency or the university.

1.948 Truthfulness

- A. Employees will be truthful when answering questions relating to their duties or employment which are asked of them except in the furtherance of a bona fide police duty.
- B. Employees will not knowingly or deceptively make any false statements, reports, or records relating to their employment except in the furtherance of bona fide police duties.
- C. Employees will not misrepresent fact by submitting inaccurate or improper statements, reports, or records relating to their duties or employment except in the furtherance of *bona fide* police duties.

1.950 Conflict of interest

- A. Conflicts of interest arise when employees' private interests, whether of financial natures or otherwise, conflict with employees' impartial conduct of official duties and responsibilities.
- B. Personal activities or associations of officers that create apparent or real conflicts of interest with conduct of official duties are prohibited.
- C. Employees will notify supervisors when they receive assignments involving persons or groups with whom employees have had social, business, or other relationships that might impair or give appearances of impairing employees' impartiality or independence in the conduct of assignments.

1.952 Agency information

- A. Employees will treat official business, evidence, records, documents, and photographs of the agency as confidential. Information regarding official business will be disseminated in accordance with directives.
- B. Employees will not divulge identities of persons giving confidential information except as authorized by proper authorities or release items of evidence, documents, photographs, etc., to news media or others outside the criminal justice system without the expressed written permission of the Captain.

1.954 Harassment

- A. Agency employees will not engage in any illegal harassment that has the effect of unreasonably interfering with persons work performance and/or creating an intimidating, hostile, or offensive work environment.
- B. All agency employees are responsible for compliance with the UB and USM polices governing harassment. Campus policies and procedures include, but are not limited to:
 - 1. Prohibition of improper discrimination in the work place; and
 - 2. Means by which improper discrimination can be reported, even if offending parties are in complainants' chains of command.
- C. All agency employees are responsible for compliance with the UB Policy and Procedures on Sexual Harassment. These directives contain policies and procedures that include, but are not limited to:
 - 1. Prohibition of sexual harassment in the work place; and
 - 2. Means by which sexual harassment can be reported, even if offending parties are in the complainants' chains of command.

1.956 Compliance with laws

- A. Employees will obey laws of the United States and local, state and foreign jurisdictions in which they are present.
- B. Misdemeanor convictions adversely affecting performance of employees' official duties will be *prima facie* evidence of violations of this section.
- C. Felony convictions for any offenses will be *prima facie* evidence of a violation of this section.

1.958 Supervisory & administrative responsibilities

- A. Supervisors are responsible for their subordinates' job performance and adherence to agency rules, regulations, policies, orders, directives, and procedures.
- B. Supervisors are responsible and accountable for the maintenance of discipline and will provide leadership, supervision, and example to ensure efficiency of agency operations.
- C. Authority and functions may be delegated to subordinates, but responsibilities remain with supervisors who make assignments. Supervisory personnel remain answerable and accountable for all job related failures on the part of their subordinates when they were aware of potential failures and did not take appropriate actions to correct deficiencies.

1.960 Timeliness

- A. Agency employees are expected to complete tasks for which they are responsible in reasonable and prudent time frames or as otherwise specifically directed by orders, laws, regulations, or directives.
- B. Agency employees will seek the assistance and guidance of supervisors as necessary to clarify time frame performance expectations.

1.962 Responsibility for actions

- A. Agency employees who initiate operational or administrative actions and activities are responsible for ensuring all required, necessary, or appropriate actions are conducted thoroughly, accurately, and on a timely basis.
- B. Agency employees will seek the assistance and guidance of supervisors as necessary to clarify what actions must be taken consistent with initiated activities.

1.964 Cause for action

1.964.02 Regulations

- A. All UB police and security personnel are reminded there is no smoking or chewing tobacco products in uniform while on patrol duty or at public gatherings.
- B. Smoking and/or chewing tobacco products is NEVER permitted in any agency vehicle or building.
- C. Smoking and/or chewing tobacco products is permitted at all other times but in an inconspicuous manner.
- D. Additionally, the below acts are also strictly prohibited:
 - 1. Theft (any form);
 - 2. Willful destruction of university property;
 - 3. Chronic or habitual absenteeism or unauthorized tardiness;
 - 4. Unauthorized absence from work area;
 - 5. Altercations, whether verbal or physical that create a disturbance which is clearly beyond duty assignments or expectations.
 - 6. Failure to follow the chain of command for ALL matters except observed violations of law.