



POLICY/PROCEDURE NUMBER: 03-P.A.-001

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SUBJECT: STANDARDS OF CONDUCT (Sworn)

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IACLEA STANDARD: 4.1.1

CSU POLICE SYSTEMWIDE POLICY – NO

APPROVED: Gregory L. Murphy, Chief of Police

I. PURPOSE

California State University (CSU) system-wide guidelines require that all CSU police officers adhere to the Law Enforcement Code of Ethics, the Code of Professional Conduct and the Responsibility of Peace Officers.

This entire guideline has been set forth by the CSU system and is hereby incorporated into the California State University, Northridge University Police Policies/Procedures/Guidelines Manual.

II. CODE OF PROFESSIONAL CONDUCT AND RESPONSIBILITY OF PEACE OFFICERS

(Reference is California Peace Officers' Association, "Creating a Law Enforcement Organizational Values Statement," November 1989)

Preamble

WHEREAS, peace officers are vested with a public trust which requires that they consistently demonstrate the highest degree of integrity and good moral character; and

WHEREAS, the need to maintain high standards of moral character, integrity, knowledge, and trust requires the establishment of a Code of Professional

Conduct and Responsibility for Peace Officers as a matter of the highest significance to health, welfare, and safety of the citizens of this state; and

WHEREAS, the establishment of a Code of professional Conduct and Responsibility for Peace Officers, which includes canon of ethics and minimum standards, requires the granting of authority to enforce these standards of professional conduct through disciplinary action, as necessary, for the protection of the health, welfare and safety of the public; therefore

BE IT RESOLVED that the need to maintain high standards of moral character, integrity, knowledge, and trust requires that peace officers establish and conform to a Code of Professional Conduct and Responsibility for Peace Officers.

III. GENERAL STATEMENT

CSU Peace Officers are granted a public trust, which requires that they consistently demonstrate the highest degree of integrity. To be worthy of this public trust and to ensure that their professional conduct is above reproach, members of the police department must not only conform to a Code of Ethics but must also abide by these Canons of Ethics and Ethical Standards which constitute this Code of Professional Conduct and Responsibility as means of internal regulation.

The essence of this profession requires that in addition to prescribing a desired level of performance, it must establish minimum standards of ethical conduct, which prescribes rules of internal discipline to ensure compliance. Accordingly, this Code of Professional Conduct and Responsibility is established for the peace officer profession.

Nothing in the Code of Professional Conduct and Responsibility for Peace Officers is intended to limit or supersede any provision of law relating to the duties and obligations of peace officers or unprofessional conduct. This policy is not to be interpreted as approval of conduct not specifically mentioned.

IV. DEFINITIONS

This Code of Professional Conduct and Responsibility for Peace Officers is comprised of nine Canons of Ethics, with explanatory statements in the form of ethical standards. Examples of disciplinary rules and enforcement procedures are included in the appendix for individual agency consideration. Following are definitions of these terms, as used in the context of the code.

- A. "Campus Peace Officer" means a regular employed and full-time police officer, corporal, sergeant, detective/investigator, lieutenant, captain, deputy chief, or chief of police.

- B. “CANONS” are statements which express in general terms standards of professional conduct expected of peace officers in their relationship with the public, the criminal justice system and the peace officer profession. They embody the general concepts from which the Ethical Standards and the disciplinary rules are derived.
 - C. “ETHICAL STANDARDS” are statements that represent the objectives to which every peace officer shall strive. They constitute principles that can be relied upon by the peace officer for guidance in specific situations.
 - D. “DISCIPLINARY RULES” specify an unacceptable level of conduct for all peace officers, regardless of their rank or nature of their assignment. Any peace officer that violates any agency rule that applies to these canons and standards is guilty of unprofessional conduct, and is subject to disciplinary action ranging from oral reprimand to termination and/or criminal prosecution or other administrative action sanctioned by law, as dictated by the individual case.
 - E. “ENFORCEMENT PROCEDURES” are the fundamental rights of an accused officer which are applicable to a disciplinary investigation or proceeding against the officer.
 - F. “ADMINISTRATIVE INVESTIGATION” is an investigation conducted to determine whether an officer has violated any provision of this code, or any agency rules or regulation, or whether an officer is impaired or unfit to perform the duties and responsibilities of a peace officer.
 - G. “FORMAL DISCIPLINE” refers to the final adjudication of administrative or disciplinary charges. Formal discipline shall be deemed final only after an officer has exhausted or waived all legal remedies available and actual discipline has been invoked.
- V. CANON OF ETHICS

A. Canon One

Peace Officers shall uphold the Constitution of the United States, the California Constitution, and all laws enacted pursuant to legally constituted authority.

Ethical Standards

Standard 1.1

Peace officers shall recognize the primary responsibility of their profession and of the individual officer is the protection of the people

within their jurisdiction through upholding of the laws, the most important of which are the Constitution of the United States and State Constitution.

Standard 1.2

Peace officers shall be aware of the extent and the limitations of their authority in the enforcement of the law.

Standard 1.3

Peace officers shall diligently study new enactments of the laws they enforce.

Standard 1.4

Peace officers shall be responsible for keeping abreast of current case law as applied to their duties.

Standard 1.5

Peace officers shall endeavor to uphold the spirit of the law, as opposed to enforcing the letter of the law.

Standard 1.6

Peace officers shall respect and uphold dignity, human rights, and constitutional rights of all persons.

B. Canon Two

Peace officers shall be aware of and shall use proper and ethical procedures in discharging their official duties and responsibilities.

Ethical Standards

Standard 2.1

Peace officers shall be aware of their lawful authority to use that force reasonably necessary in securing compliance with their lawful enforcement duties.

Standard 2.2

Peace officers shall truthfully, completely, and impartially report, testify, and present evidence in all matters of an official nature.

Standard 2.3

Peace officers shall follow legal practices in such areas as interrogation, arrest or detention, searches, seizures, use of informants, and collection and preservation of evidence.

Standard 2.4

Peace officers shall follow the principles of integrity, fairness, and impartiality in connection with their duties.

C. Canon Three

Peace officers shall regard the discharge of their duties as a public trust and shall recognize their responsibilities to the people whom they are sworn to protect and serve.

Ethical Standards

Standard 3.1

Peace officers, as professionals, shall maintain an awareness of those factors affecting their responsibilities.

Standard 3.2

Peace officers, during their service, shall diligently devote their time and attention to the effective and professional performance of their responsibilities.

Standard 3.3

Peace officers shall ensure that they are prepared for the effective and efficient undertaking of their assignment.

Standard 3.4

Peace officers shall safely and efficiently use equipment and material available to them.

Standard 3.5

Peace officers shall be prepared and shall respond effectively to the demands of their office.

Standard 3.6

Peace officers, with due regard for compassion, shall maintain an objective and impartial attitude in official contacts.

Standard 3.7

Peace officers shall not allow their personal conviction, beliefs, prejudices, or biases to interfere unreasonably with their official acts or decisions.

Standard 3.8

Peace officers shall recognize that their allegiance is first to the people, and then secondly to their profession and the government entity or agency that employs them.

D. Canon Four

Peace officers will so conduct their public and private life that they exemplify the high standards of integrity, trust and morality demanded of a member of the peace officer profession.

Ethical Standards

Standard 4.1

Peace officers shall refrain from consuming intoxicating beverages to the extent that it results in impairment, which brings discredit upon the profession or their employing agency, or renders them unfit for service.

Standard 4.2

Peace officers shall not consume intoxicating beverages while on duty, except to the degree permitted in the performance of official duties, and under no circumstances while in uniform.

Standard 4.3

Peace officers shall not use any narcotics, hallucinogens, or any other controlled substance except when legally prescribed. When such controlled substances are prescribed, officers shall notify their superior officer prior to reporting for duty.

Standard 4.4

Peace officers shall maintain a level of conduct in their personal and business affairs in keeping with the high standards of the peace officer profession. Officers shall not participate in any incident involving moral turpitude.

Standard 4.5

Peace officers shall not assume financial obligations which they know or reasonably should know they will be unable to meet and shall pay all just debts when due.

Standard 4.6

Peace officers shall not engage in illegal political activities.

Standard 4.7

Peace officers shall not permit or authorize for personal gain the use of their name or photograph and official title identifying them as peace officers in connection with testimonials or advertisements for any commodity, commercial enterprise, or commercial service.

Standard 4.8

Peace officers shall not engage in any activity, which would create a conflict of interest or would be in violation of any law.

Standard 4.9

Peace officers shall at all times conduct themselves in a manner, which does not discredit the peace officer profession or their employing agency.

Standard 4.10

Peace officers shall not be disrespectful, insolent, mutinous, or insubordinate in attitude or conduct.

Standard 4.11

Peace officers shall be courteous and respectful in their official dealings with the public, fellow officers, superiors and subordinates.

Standard 4.12

Peace officers shall not engage in any strike, work obstruction or abstention, in whole or in part, from the full, faithful and proper performance of their assigned duties and responsibilities, except as authorized by law.

Standard 4.13

Peace officers shall maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration, while acting in an official capacity.

E. Canon Five

Peace officers shall recognize that our society holds the freedom of the individual as a paramount precept, which shall not be infringed without just, legal, and necessary cause.

Ethical Standards**Standard 5.1**

Peace officers shall not restrict the freedom of individuals, whether by detention or arrest, except to the extent necessary to legally or reasonably apply the law.

Standard 5.2

Peace officers shall recognize the rights of individuals to be free from capricious or arbitrary acts, which deny or abridge their fundamental rights as guaranteed by law.

Standard 5.3

Peace officers shall not use their official position to detain any individual, or to restrict the freedom of any individual, except in the manner and means permitted or prescribed by law.

F. Canon Six

Peace officers shall assist in maintaining the integrity and competence of the peace officer profession.

Ethical Standards

Standard 6.1

Peace officers shall recognize that every person in our society is entitled to professional, effective and efficient law enforcement services.

Standard 6.2

Peace officers shall perform their duties in such a manner as to discourage double standards.

Standard 6.3

Peace officers shall conduct themselves so as to set exemplary standards of performance for all law enforcement personnel.

Standard 6.4

Peace officers shall maintain the integrity of their profession through complete disclosure of those who violate any of these rules of conduct, violate any law, or who conduct themselves in a manner which tends to discredit the profession.

Standard 6.5

Peace officers shall have responsibility for reporting to proper authorities any known information, which would serve to disqualify candidates from transferring within or entering the profession.

Standard 6.6

Peace officers shall be responsible for maintaining a level of education and training that will keep them abreast of current techniques, concepts, laws and requirements of the profession.

Standard 6.7

Chief executive peace officers shall accept the responsibility of utilizing all available resources and the authority of their office to maintain the integrity of their agency and competency of their officers. These Canons and Ethical Standards shall apply to all peace officers regardless of rank.

Standard 6.8

Peace officers shall assume a leadership role in furthering their profession by encouraging and assisting in the education and training of other members of the profession.

G. Canon Seven

Ethical Standards

Standard 7.1

Peace officers, within legal and agency guidelines, shall share with personnel both within and outside their agency, appropriate information that will facilitate the achievement of criminal justice goals and objectives.

Standard 7.2

Peace officers, whether requested through appropriate channels or called upon individually, shall render needed assistance to any other officer in the proper performance of their duty.

Standard 7.3

Peace officers shall, within legal and agency guidelines, endeavor to communicate to the people in their community the goals and objectives of the profession, and keep them apprised of conditions which threaten the maintenance of an ordered society.

H. Canon Eight

Ethical Standards

Standard 8.1

Peace officers shall refuse to offer, give or receive gifts, favors or gratuities, either large or small, which can be reasonably interpreted as capable of influencing official acts or judgments. This standard is not intended to isolate officers from normal social practices, or to preclude gifts among friends, associates, or relatives, where appropriate.

Standard 8.2

Peace officers shall not consider their badge of office as a license designed to provide them with special favor or consideration.

I. Canon Nine

Peace officers shall observe the confidentiality of information available to them through any source, as it relates to the peace officer profession.

Ethical Standards

Standard 9.1

Peace officers shall be aware of and shall meticulously observe all legal restriction on the release and dissemination of information.

Standard 9.2

Peace officers shall treat as confidential the official business of their employing agency, and shall release or disseminate such information solely in an authorized manner.

Standard 9.3

Peace officers shall treat as confidential that information confided to them personally. They shall disclose such information as required in the proper performance of their duties.

Standard 9.4

Peace officers shall neither disclose nor use for their personal interest any confidential information acquired by them in the course of their official duties.

Standard 9.5

Peace officers shall treat as confidential all matters relating to investigations, internal affairs, and personnel.

VI. INVESTIGATIVE PROVISIONS

- A. INVESTIGATIVE PROCEDURES--- Peace officers under investigation for an alleged violation of any of these standards or agency disciplinary rules shall be afforded, as a minimum, the rights established by law and contract, to ensure fair and just treatment in the enforcement of disciplinary rules of conduct or agency rules.
- B. EXERCISE OF RIGHTS--- By reason of the lawful exercise of rights, officers shall not be discharged, disciplined, demoted, transferred, or denied promotion or reassignment, or discriminated against with regard to employment, nor threatened with any such action.
- C. CRIMINAL INVESTIGATIONS--- When the investigation focuses on an officer for prosecution of a criminal offense, the officer shall be afforded the same constitutional rights, privileges, or guarantees enjoyed by any person. This section, however, shall not deprive the agency of the right to pursue investigation administratively.
- D. AGENCY APPEAL OR REVIEW PROCESS--- To ensure due process, officers shall be provided with an internal administrative appeal or review

process or procedure. This process shall be in addition to any external appeal process.

- E. CONFIDENTIALITY OF INVESTIGATIONS--- To promote the complete investigation and reporting of complaints against peace officers, the CSU finds that the need to preserve and protect personal privacy information of employees and the incomplete work product of the CSU outweighs the public interest in full or partial disclosure, discovery, or production in any manner of the CSU's investigative files pertaining to complaints under investigation against officers. Investigative files, records, reports or other documentation may be subpoenaed in either criminal or civil proceedings only in accordance with the law.

VII. STANDARD OF CARE

No canon or ethical standard, or the agency enforcement of a canon, ethical standard, or agency disciplinary rule, shall be admissible as evidence of a standard of care of negligence in any civil action other than administrative or disciplinary proceedings.