

City of Johns Creek Police Department

<i>Subject:</i> Ethics and Oath of Office	<i>Number:</i> 04-01
<i>Reference</i> Code of Conduct	<i>Amends:</i>
<i>Effective:</i> 04/08 <i>Revised:</i> 08/14	<i>Review Date:</i> Annually <i># of Pages:</i> 4

PURPOSE:

All employees must be fully aware of the ethical responsibilities of their position and must strive constantly to live up to the highest possible standards of professional behavior and actions.

POLICY: (04-01)

The Department believes it is important police officers and non-sworn employees have clear advice and counsel available to assist them in performing their duties consistent with standards established by the Department, and has adopted the following ethical mandates as guidelines. Each employee shall therefore abide by said ethical mandates as set forth in the following procedures, and shall abide by the law enforcement code of ethics (*italicized*) established by the International Association of Chiefs of Police and adopted by this Department. All non-sworn employees will also abide by the code of ethics where noted as “an employee”.

PROCEDURES:

Primary Responsibilities of a Police Officer (04-01-01)

An employee acts as an official representative of government required and trusted to work within the law. The officer's powers and duties are conferred by state code. *The fundamental duties of a police officer include, but are not limited to, serving the community, safeguarding lives and property, protecting the innocent, keeping the peace and ensuring the constitutional rights of all to liberty, equality, and justice.*

Performance of the Duties of All Employees (04-01-02)

An employee shall perform all duties impartially without favor, affection, or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally, with courtesy, consideration, and dignity.

With no compromise for crime and with relentless prosecution of criminals, laws will be enforced appropriately and courteously. Employees will never act officiously nor allow personal feelings, animosities, or friendships to influence official conduct. In carrying out their responsibilities, all employees will strive to obtain maximum cooperation from the public. Through their appearance and deportment, employees will act to inspire confidence and respect for the position of public trust they hold.

Discretion (04-01-03)

Police officers and non-sworn employees will responsibly use the discretion vested in his/her position and exercise it within the law. Officers will be guided by the principle of reasonableness, and will consider all surrounding circumstances in determining whether any

legal action should be taken.

Consistent and wise use of discretion, based on legal authority and guidelines established by the Department, will do much to preserve good relationships and retain the public's confidence. Often it may be difficult to choose between conflicting courses of action. It is important to remember that a timely word of advice rather than arrest (which may be correct in appropriate circumstances) can be a more effective means of achieving a desired end.

Use of Force (04-01-04)

A police officer will never employ unnecessary force or violence and will use only that necessary amount of force in the discharge of his/her duty as is reasonable in all circumstances.

While the use of force is occasionally unavoidable, every police officer will refrain from employing unnecessary force, infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

Confidentiality (04-01-05)

Members of the public have a right to security and privacy, and information obtained about them must not be improperly divulged. *What an employee sees, hears of or learns that is of a confidential nature will be kept secret unless the performance of duty or legal provision requires otherwise.*

Integrity (04-01-06)

An employee will not engage in acts of corruption or bribery, nor will an employee condone such acts by other employees.

The badge of office is a symbol of public faith and shall be worn as a public trust. All Employees shall be honest in thought and deed both in their professional and personal life, and shall be exemplary in obedience to the law and regulations of the Department.

The public demands the integrity of all employees be above reproach. All Employees must, therefore, avoid any conduct that might compromise integrity and thus undermine the public confidence in a law enforcement agency. All Employees will refuse to accept any gifts, presents, subscriptions, favors, gratuities or promises, either directly or indirectly, that could be interpreted as seeking to cause the employee to refrain from performing official responsibilities honestly and within the law. Employees shall not receive private or special advantage from their official status. Respect from the public cannot be bought; it can only be earned and cultivated.

Police officers shall maintain courageous calm in the face of danger, scorn or ridicule; shall develop self-restraint; and will be constantly mindful of the welfare of others.

Cooperation with Other Police Officers and Agencies (04-01-07)

An officer or agency may be one among many organizations providing law enforcement services to a jurisdiction. It is imperative an employee assist colleagues fully, completely and with respect and consideration at all times. *All Employees will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.*

Personal and Professional Capabilities (04-01-08)

Police officers and employees shall be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.

Through study and experience, all employees can acquire the high level of knowledge and competence essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

Officers and employees shall maintain a proficient level of mental and physical fitness.

Private Life (04-01-09)

An employee's character and conduct while off duty must always be exemplary, thus maintaining a position of respect in the community in which he/she lives and/or serves. The employees' personal behavior must be beyond reproach. All Employees will behave in a manner that does not bring discredit to this Department or themselves.

Oath of Office (04-01-10)

All personnel, prior to assuming sworn status, shall with raised right hand, take and abide by the prescribed following oath of office:

I, _____, do swear that I will faithfully and impartially, and without fear, favor or affection, discharge my duties as a Johns Creek Police Officer, and will take only my lawful compensation. I do further solemnly swear and affirm that I am not the holder of any unaccounted public money due this State or any political subdivision; that I am not the holder of any office of trust under the government of the United States (except postmaster), nor any one of the several States, nor of any Foreign State; and, that I am otherwise qualified to hold the said office according to the Constitution and Laws of Georgia. I will support the Constitution of the United States and the State of Georgia, and the Charter and Ordinances of the City of Johns Creek against all enemies, domestic or foreign. I will bear true faith, loyalty, and allegiance to the same.

It is my goal to protect lives and property; prevent and detect crime; maintain order; apprehend those preying upon the unsuspecting; and to safeguard the constitutional liberties of all. I shall not persecute the innocent nor shield the guilty.

I understand the badge I wear is a symbol of public faith and trust charging me to perform my duties impartially, without favor or ill will, and without regard to race, religion, political beliefs, or aspirations. I will afford all people dignity and respect and will abide by the Law Enforcement Code of Ethics.

So help me God.

The oath shall be presented and signed in the presence of a person authorized to administer said oath, a notary public. The oath of office shall also be signed by the Chief of Police or his/her designee, notarized and shall remain in the personnel file of the employee perpetually.

Obedience to Lawful Orders (04-01-11)

All employees of this Department shall willingly and expediently carry out all lawful orders and instructions of Departmental supervisors and commanders. This shall include any orders issued by a supervisor and relayed by any employee of the same or lesser rank or position, and shall include any orders whether verbal or written.

Orders from superiors to subordinates shall be in clear, understandable language, civil in tone, and issued in pursuit of Department business.

Conflicting Orders (04-01-12)

Command or supervisory officers shall not knowingly issue any order to another

employee contrary to any departmental rule or standard, or in violation of any law or ordinance. Personnel who are given an otherwise proper order that is in direct conflict with a previous order, regulation, directive or manual, shall respectfully inform the superior officer or supervisor who issued the order of the conflict. If the superior officer or supervisor who issued the order does not retract or alter the conflicting order, the order shall stand. Under these circumstances, the responsibility shall be upon the superior officer or the supervisor. Personnel shall obey conflicting orders and shall not be responsible for disobedience of the order previously issued.

Unlawful Orders (04-01-13)

No employee is required to obey any order contrary to Federal or State law or local ordinance. Personnel shall not obey any order which they reasonable believe would require them to commit any illegal act. Responsibility for the refusal to obey an unlawful order rests with the employee who may be required to justify his/her action. Failure to provide justification (i.e., proof of the illegality of the order), when appropriate, will be considered as insubordination.

An employee receiving an unlawful order or instruction shall, at first opportunity, report the order in writing to the next level of supervision or command. The report shall contain the facts of the incident and the action taken. Appeals for relief from such orders may be made at that time.