

MISSOULA POLICE DEPARTMENT POLICY MANUAL



Subject:

DEPARTMENT RULES AND REGULATIONS

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11/5/2019

Chapter

3

Policy #

3.10

Distribution:

References:

I. Purpose

Management provides rules to provide consistent and clear directives of expected performance of specific tasks, responsibilities, duties or assignments to all members.

II. Policy

It is the policy of the Missoula Police Department that Rules are statements that specify what will or will not be done by its' members. Rules are firm principles leaving little or no discretion and cannot be violated.

Wherever a member encounters a posted rule(s), *i.e. firing ranges*, those rules must be adhered to and carry the same significance as a rule contained in this policy.

Violation of a rule may subject a member to disciplinary action, up to and including termination, depending on the significance or severity of violation.

III. Rules and Regulations

Rules and Regulation are presented in alphabetical order, not order of importance.

Address and Phone Changes: Employees shall report any change of their telephone number and/or address to the Administrative Services Manager as soon as possible and in no event later than three (3) days after the change becomes effective.

Administrative Temporary Assignments or Leave: Employees placed on Administrative leave or assignment will maintain contact with the department as directed at the time they begin said assignment.

Bail Posting: To comply with Section 46-9-402 MCA, no member of the Police Department is to post bail, act as surety, or accept custody of any person under arrest.

Calls, Follow-up of: Officers should make an attempt to contact the complainant after responding to a call.

Complaints of Civilian Personnel: Civilian employees who have a complaint must follow the Chain of Command, unless the matter pertains to their immediate supervisor.

Complaints of Officers: Officers who have a complaint must follow the chain of command, unless the matter pertains to their immediate supervisor.

Code of Ethics: All officers are sworn officers of the Missoula Police Department. When hired, they are required to sign the Code of Ethics. A violation of the Code of Ethics is grounds for dismissal.

Conduct requiring Notice to Administration: Members shall notify a supervisor when cited or arrested for any offense.

Endorsement or Referral: On duty Personnel will not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (such as attorney, ambulance service, towing service, bondsman, mortician, etc.). In the case of ambulance, request through 9-1-1. For towing service when such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, a member will proceed in accordance with established Department procedures.

Equipment Abuse: Abuse of department equipment can be cause for discipline or restitution for the damage to the equipment or both. This will include any unapproved alterations to department owned equipment.

Hours of Work – Desk Personnel: Desk Persons are not to leave their post at the end of the shift until relieved by the oncoming Desk Person or an officer. Desk Persons should pass on any information that the next Desk Person should be made aware of. **Hold-over or call-in overtime will not result in a desk person working more than fifteen (15) hours. All overtime must have prior approval by the shift supervisor.**

Hours of Work – Officers: Officers are required to be in the station at the time their shift is to start. If officers are assigned to a special duty, officers shall be at the location at the assigned time. Officers will remain on duty until the end of their scheduled shift. That is, for example, officers whose shift ends at 1700 will remain on duty and available for calls to allow the oncoming team to complete their half-hour briefing. **Hold-over, call-in, or voluntary overtime will not result in an officer working more than fifteen (15) hours in a 24 hour period without staff officer permission. All overtime must have prior approval by the immediate supervisor.**

Identification: An officer will carry a proper identification card at all times. Members will furnish name and identification to any person requesting that information when he is on duty or while holding himself out as having official capacity, except when the withholding of such information is necessary for the performance of police duties or is authorized by the Chief of Police. On duty civilian personnel are required, upon request, to give name.

Injury on Duty: Any member of the Department sustaining an injury in the course of or arising out of their employment with the City of Missoula shall immediately report such injury to their supervisor. All Workers' Compensation forms shall be completed according to policy.

Insubordination: A member will be considered insubordinate when he fails or deliberately refuses to obey a lawful order issued by a supervisor. This will include an order relayed from a superior officer by a member of the same or lesser rank.

Manpower – Minimum Level: The Shift Commander on each team shall determine the number of officers on his shift at any one time. Five (5) officers on the street shall be considered minimum safe manpower level for each team. To be included in the minimum, an officer must be a graduate of the MLEA Basic Course and successfully completed FTO program.

Neglect of Duty: While on duty, Officers will not engage in any activity or personal business which would cause them to neglect or be inattentive to duty.

Notification of On-Call Staff Person: The Shift Commander or his designee shall make timely notification to the Chief of Police or his On-Call Staff member of significant police matters occurring on nights and weekends, including but not limited to: incidents involving death or serious bodily injury to anyone, incidents receiving media or political attention, any significant use of force, officer injuries, police vehicle crashes, incidents requiring additional resources such as call-outs of detectives or special teams, etc.

Officers on Call: All officers are police officers twenty-four (24) hours a day and may be called to duty if an emergency should arise.

Outside Activity: Members of the Department shall not engage in any outside activity that is in any way related to or influenced by their connection with the Police Department without the consent of the Chief of Police. An officer must not allow other activities to interfere with the performance of his duties as a police officer.

Physical Condition of Officers: All officers should consider their health, and keep their bodies physically fit.

Radios: All officers and Civilian Traffic Specialists of the Missoula Police Department are issued a portable radio.

All Uniform Patrol Division Officers and Civilian Traffic Specialists will carry their radio on their person (belt holders are provided) at all times while on duty.

Uniform Patrol Division Officers and Civilian Traffic Specialists will be accessible via radio at all times unless safety factors dictate a radio off and/or volume down condition.

Records: Only authorized civilian employees and officers are allowed in Department record files. Any reports or arrest cards that officers take from the files must be photocopied, the originals are not to leave the Records Area. All reports

taken from files will be returned to the Records Clerk for re-filing. [The Records Room door](#) will remain locked.

Residency Requirements: Police Officers may live up to a thirty (30) minute average travel time from the City limits, pursuant to City Ordinance No. 2.80.030. The distance and travel time from the City limits will be verified by the Chief of Police; and a letter of verification will be submitted to the Officer's file by the Chief of Police.

Sick Leave: No abuse of sick leave will be tolerated. Sick leave may only be used in compliance with conditions of the bargaining agreement and City of Missoula personnel policy.

Statistical and/or Pictorial Information Release: The authority to release to the media or public statistical data compiled or related to this Department or its operations is vested in the Chief of Police. No member shall release information of a statistical nature unless it has first been approved by the Chief of Police or his designee.

Telephone Use: All Department personnel will identify themselves when answering Police Department lines.

All department telephone equipment including VOIP, cellular phones or faxes are intended for business use. No member shall incur long distance or other charges to the City for personal phone use without explicit permission and will be subject to reimbursement of those charges.

Timesheets: Timesheets are to be completed each week to accurately reflect hours worked and other lost time such as T/C, vacation or sick leave. A member's signature on the timesheet is required to authenticate reported hours.

Trials: All members of the Department shall attend Court trials as scheduled.

Weapons: All officers must ensure all assigned weapons are secured at all times, including off duty.