


VIENNA POLICE DEPARTMENT  REGULATION	SUBJECT: REGULATION		NUMBER:
	EFFECTIVE DATE: November 28, 2022	REVIEW DATE: November 2024	
	TOPICS: General Responsibilities, Prohibited Activity, Prisoner Care and Custody, Administrative Activities, Orders, Equipment.		
CHIEF'S SIGNATURE: <i>Gene A. Mann</i>		<input type="checkbox"/> New Directive <input type="checkbox"/> Replaces <input checked="" type="checkbox"/> Revised	
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Violations of any of these regulations shall be sufficient cause for counseling, reprimand, suspension, or dismissal of personnel of the Town of Vienna Police.


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A. GENERAL RESPONSIBILITIES

A-1 Knowledge of Regulations.


Every employee is required to establish and maintain a working knowledge of all laws and ordinances in force in the Town and State, Regulations and General Orders of the Department, and the Town of Vienna Police Department Standard Operating Procedures. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, Regulation or Order in question. Violation of any law, Regulation or Order may be grounds for disciplinary action.

A-2 Town Administrative Regulations.

Employees of the Department shall be governed by the Town Administrative Regulations unless they are specifically exempted. Each officer of the Department is required to be familiar with these rules.

A-3 Obedience to Laws and Regulations.

All employees shall observe and obey all laws and ordinances, all rules and Regulations of the Department, all General Orders of the Department, all Town of Vienna Police Department Standard Operating Procedures, and all Department training.

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A-4 Performance of Duty.

All employees shall perform their duties as required or directed by law, departmental rule, policy, Order, Standard Operating Procedure, or by Order of a superior officer. All lawful duties required by competent authority shall be performed promptly as directed, notwithstanding the general assignment of duties and responsibilities. Malfeasance, misfeasance and nonfeasance shall constitute a violation of this Regulation.

A-5 Reporting Violations.

Any employee who has knowledge of other employees, individually or collectively, who are knowingly or unintentionally violating any laws or statutes, ordinances, or rules and Regulations of the Department, or who disobey Orders, shall immediately bring any and all facts pertaining to the matter to the attention of a supervisory officer. Supervisory or command personnel contacted shall then take appropriate action, in accordance with existing laws and Regulations. An employee may bypass official chain of command and directly advise the Chief of Police of the violation(s).

A-6 Preservation of Peace and Protection of Life and Property.

It shall be the duty of each sworn officer of the Department to:

- Preserve public peace;
- Protect life and property; and
- Enforce and uphold the laws of the Commonwealth of Virginia and the ordinances of the Town of Vienna.


A-7 Standard of Conduct.

A. Unbecoming Conduct

Employees shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Department. Conduct unbecoming an employee shall include that which brings the Department into disrepute, reflects discredit upon the employee as a member of the Department, or that which impairs the operation or efficiency of the Department or employee. Unbecoming conduct includes, but is not limited to, verbal, written, and electronic communications, including social media activities, text messages, online posts, etc. Unbecoming conduct does not have to occur during working hours or on Departmental devices.

B. Associations

1. Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Department for present involvement in felonious or criminal

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behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the employees.

2. No employee shall initiate or establish a personal, business, or romantic/sexual relationship with a victim or suspect in an active criminal case in which the employee is directly involved in any phase of the investigative process. The prohibition on initiating or establishing relationships shall be in effect until the completion of the following:

a. If an arrest is made, until such time as all court proceedings relating to the incident are completed.

b. If there is no arrest made, until such time as the investigative process is completed.

3. Employees shall disclose to their supervisor any personal, business, or romantic/sexual relationship they may have with an individual who they know is under criminal investigation or where the appearance of a conflict of interest may exist.

A-8 Cooperation with Others.

Employees shall coordinate their efforts with all other employees of the Department and other Town Departments, with the objective of ensuring maximum achievement and continuity of purpose through teamwork. All employees are charged with the responsibility of fostering and maintaining a high degree of cooperation both within the Department and all other Town Departments.

A-9 Assistance to other Officers.


No officer shall fail to aid, assist, or protect another officer to the full extent of their capability in time of need in accordance with established procedures.

A-10 Obligation to Duty.

Officers of the Department are always subject to duty, although periodically relieved from its routine performance. They shall at all times respond to the lawful Orders of superior officers and other proper authorities as well as requests for police assistance from community members. Proper police action must be taken whenever required. Officers assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.

A-11 Reporting to Duty.

Employees shall report for duty at the time and place required by assignment or Orders, and shall be properly uniformed, equipped, and prepared to assume duty. They shall give their undivided attention to Orders, instructions, and any other information which may be disseminated.

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A-12 Inspections.

Inspections of employee's dress, uniform or equipment may be made at any time by competent authority. Such inspections shall include, but not be limited to, examination of lockers, desks, or any other space on departmental premises used by any employee.

Supervisors shall perform frequent inspections to ensure that officers have the mandatory equipment to perform their duties, to include only authorized equipment and weapons. If a deficiency is noted, the officer is responsible for remedying the situation within the time frame provided by their supervisor.

A-13 Human Relations.

A. Community Contacts

Employees shall conduct themselves professionally at all times when representing the Department. They shall use respectful, courteous forms of address to all persons. Displays of bias towards any person on account of race, sex, ethnicity, religious preferences or sexual orientation shall be considered unbecoming conduct.


While in the performance of their duties, or while otherwise representing the Department, officers shall refrain from using offensive words and language. At times it may be appropriate to use raised voices to issue commands and to gain compliance; however, the use of cursing, obscenities and/or racial, ethnic, sexual, religious, or sexual orientation slurs will not be tolerated.

B. Employee Conduct

Each employee, regardless of rank, is responsible for promoting an image of professionalism at all times and is expected to adhere to the rules, Regulations and policies of the Town of Vienna and this Department.

Each employee shall treat individuals, including subordinates, fellow employees and management, with respect, courtesy and tact. Employees are to conduct themselves in a manner that promotes teamwork and cooperation.

Employees with supervisory authority shall not abuse their authority by actions such as: gross favoritism, harassment or mistreatment of employees. Supervisors and field training instructors are prohibited from having a sexual or other inappropriate personal relationship with any employee under their direct chain of command or control that would undermine the effectiveness of the supervisor or FTI towards the employee.

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A-14 Unlawful Discrimination.

Unlawful discrimination is any action that unjustly results in unequal treatment of persons or groups based on personal characteristics such as age, race, gender, color, national origin, ethnicity, creed, religion, or disability. Racial discrimination, sexual harassment, racial profiling, bias-based policing, or any other form of unlawful discrimination, either by a specific act or omission, by or against any employee, is unlawful and will not be tolerated.

Commanders and supervisors have the responsibility to ensure that no Department employee is subjected to unlawful discrimination or sexual harassment, or actions which could be reasonably perceived as unlawful discrimination or sexual harassment, as a result of their own conduct or the conduct of other employees. A supervisor or commander shall take prompt action to investigate and respond to any allegation or act of unlawful discrimination or sexual harassment, either reported or observed.


Retaliation against any employee for filing a discrimination complaint or participating in an investigation also is unlawful and is strictly prohibited. No employee shall retaliate, or encourage others to engage in retaliation, against any person acting in good faith who:

- Opposes any conduct prohibited by this policy;
- Complies or encourages others to comply with this policy;
- Files a complaint concerning any violation of this policy
- Testifies, assists, or participates in any investigation or hearing resulting from a complaint under this policy; or
- Exercises any right conferred under this policy.

Inappropriate behavior, even absent any specific intent of the actor, can have a discriminatory impact. In addition, inappropriate or offensive conduct by an employee, whether or not such conduct constitutes unlawful discrimination, may violate the Regulations of this Department, depending on the nature and circumstances of the specific incident. Such misconduct is a violation and must be addressed. In all cases of alleged misconduct, the reviewing authority is responsible for determining the appropriate charge and the necessary corrective action in light of all the facts and circumstances.

A. Racial Discrimination

As noted above, discrimination on the basis of race, color, ethnicity or national origin is a violation of Title VII of the Civil Rights Act of 1964, as amended. Racial discrimination by the police is often characterized as the unjust and prejudicial application of law enforcement authority to an individual person or group of people on the basis of their race, color, ethnicity or national origin. However, racial discrimination also occurs through:

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- Verbal conduct: The use of innuendo, disparaging comments, slurs, or jokes which degrades or offends individuals on the basis of their race, color, ethnicity or national origin; and/or

- Non-verbal conduct: The display or distribution of objects, pictures, photographs, graphic illustrations, or other visual or printed material which degrades or offends individuals on the basis of their race, color, ethnicity or national origin.

Unlawful racial discrimination by employees in the workplace is also prohibited. Such misconduct may undermine the integrity of employee relationships, lower employee morale, or interfere with the efficiency of Department operations.

B. Sexual Harassment


Sexual harassment is a form of sex discrimination. Like other forms of unlawful discrimination, it may undermine the integrity of employee relationships, lower employee morale, or interfere with the efficiency of Department operations. Like discrimination on the basis of race, color, religion, national origin, age or handicap, it is a violation of Title VII of the Civil Rights Act of 1964, as amended. Sexual harassment is unlawful, is a violation of this Regulation, and will not be tolerated.

Unwelcome sexual advances, requests for sexual favors, and other verbal and physical contact of a sexual nature constitute harassment when:

1. Submission to such conduct is made a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct forms the basis of an employment decision affecting such individual; or
3. Such conduct has the purpose or effect of interfering with work performance or creates an intimidating, hostile or offensive work environment.

Examples of such conduct include (but are not limited to):

- Sexual propositioning
- Sexual innuendo
- Sexually explicit language, comments, or stories
- Sexually oriented "kidding" or "teasing"
- Jokes about gender-specific traits
- Foul or obscene language or gestures

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- Display of foul or obscene printed or visual material
- Physical contact, such as patting, pinching, or brushing against another's body.

Sexual harassment does not refer to occasional compliments or touching of a socially acceptable nature which is not unwelcome. It refers to behavior which is unwelcome, which is personally offensive, and which may debilitate morale or interfere with work effectiveness. Individuals who are subjected to inappropriate behavior have a responsibility to make it clear to the offending person, either directly or through the complaint process; that the behavior is offensive to them and will not be tolerated. Individuals who experience harassment of any kind should promptly report the incident to a supervisor or commander, so that appropriate corrective action can be taken.

A-15 Aid and Assistance to Citizens.

While on duty, employees shall aid and/or assist those within the Town whenever such aid or assistance appears to be called for and is not in conflict with the general principles of law enforcement or in violation of legal statutes or departmental rules and Regulations. Officers shall provide general and emergency assistance to highway users to include, but not limited to:


- General information and directions.
- Arranging for towing, gasoline delivery or mechanical help.
- Arranging for a locksmith or another party with keys to unlock vehicles. Officers shall not use any type of lockout tool to unlock vehicles.
- When appropriate, arranging for or providing transportation within the Town (transports out of the Town must be approved by a supervisor).

When rendering assistance, officers should remain on the scene until help has been requested, hazardous situations are neutralized, dispatch directs the officer to leave for an assignment, or at the direction of a supervisor. Additionally, the officer is required to render all possible assistance to those who wish to make any report in accordance with established policies and procedures of the Department. In an off-duty status, an employee has a professional obligation to act in a bonafide emergency situation that may be encountered or where assistance is requested.

A-16 Identification as a Police Officer.

Officers shall identify themselves by wearing an approved police uniform with badge or by displaying the official badge and/or identification card before taking police action under the color of law.

All on-duty sworn employees shall carry their Department issued police credentials or identification card with them at all times, whether in a uniform or non-uniform position. The Department issued identification card, or facility pass may be carried in lieu of the police credentials. When identification is requested for verification purposes, officers shall willingly

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display their Department issued credentials or identification card for review. Officers who are working off-duty employment shall adhere to the requirements of this Order. This requirement may be temporarily suspended by commanders of officers who are working sensitive undercover assignments where the carrying of police credentials or an identification card would jeopardize the safety of the officer or the nature of the investigation.

A-17 Training.

All employees shall attend in-service training at the direction of the Chief of Police, or competent authority. Such attendance is considered a duty assignment.

Officers are required to receive training and maintain certification for any authorized weapons carried

A-18 Standby Duty.

The commander of any entity that maintains 24-hour on-call/standby coverage is responsible for ensuring that dispatch is provided with the names and contact information for the on-call employees under their command.


An officer, or other employee, who is placed on standby duty or on-call status shall restrict their consumption of alcoholic beverages in such a manner as to be in compliance with all applicable laws and Regulations.

A-19 Physical Fitness and Examinations.

The role of a police officer often demands a quick response to situations requiring physical exertion and sound mental decision making. The safety of the general public and individual officers demands that officers maintain themselves in good physical and mental condition regardless of assignment. All officers are encouraged to keep fit and maintain overall wellness for mind and body, and to participate in programs available to all employees through the wellness program. All sworn officers shall have physical examinations and wellness education at no cost. Physical examinations shall be conducted annually for those over 40 years of age, biennially for those over 30 years of age, and triennially for those under the age of 30.

A-20 Establishing Elements of Violation.

The existence of facts confirming a violation of law, ordinance, rule or Regulation is all that is necessary to support any allegation for a charge under this section. It is not necessary that formal complaints be filed.

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A-21 Truthfulness.

When questioned by competent authority, employees shall give complete and honest answers to any question related to their official duties, their fitness to hold public office, or violation(s) of the Regulations or General Orders of the Department.

A-22 Bias Based Policing.

Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, arrests, non-consensual searches, and property seizures.

Except as provided below, officers shall not consider race/ethnicity in establishing either reasonable suspicion or probable cause. Similarly, except as provided below, officers shall not consider race/ethnicity in deciding to initiate even those consensual encounters that do not amount to legal detentions or to requests for consent to search. Officers may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s). Race/ethnicity can never be used as the sole basis for probable cause or reasonable suspicion. Except as provided above, race/ethnicity shall not be motivating factors in making law enforcement decisions. Violations of this Regulation will be investigated by using the Internal Affairs process.


B. PROHIBITED ACTIVITIES

B-1 Loitering, Sleeping, Loafing on Duty.

Personnel shall not loiter, sleep, or loaf on duty, or in any other manner shirk their responsibilities in the performance duty.

B-2 Malingering.

Personnel shall be absent from duty of sickness only when suffering from an illness or injury which would prevent the proper performance of duty. Personnel shall not feign sickness or disability, nor attempt to deceive a superior concerning the employee’s physical or medical condition. Notification of the use of sick leave shall be made to the on-duty shift supervisor or the employee’s immediate supervisor at least two hours prior to the scheduled time of duty.

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B-3 Use of Tobacco Products.

Personnel shall not use any tobacco products while on duty and in direct contact with the public. Sworn personnel hired on or after September 1, 1985 shall not smoke at any time on or off duty.

B-4 Consumption and Purchase of Intoxicants.

Personnel shall not consume intoxicants while off duty to the extent that evidence of such consumption is detectable when reporting for duty, or to the extent that the ability to perform duty is impaired. Personnel, unless in the performance of official business, shall not consume or purchase any intoxicant while on duty. Employees shall never be intoxicated while on-duty, nor shall they ever be intoxicated in public view at any time.

B-5 Use of Alcohol/Drugs.

Employees who are prescribed medication shall inquire whether the drug has any side effects that might interfere with their ability to safely perform their essential job tasks. If the prescriber advises that there are such side effects, employees shall notify their supervisor prior to performing their duties, that in accordance with the prescriber's opinion, they cannot safely perform their duties. Employees shall inform their supervisor of the duration of time that they will be affected. Supervisors may require employees to obtain the prescriber's opinion in writing; however, the specific type of medication or illness cannot be requested.

B-6 Intoxicants on Departmental Premises.


Personnel shall not bring onto or keep any intoxicants on departmental premises except when necessary in the performance of duty. Intoxicants shall not be transported in any Town-owned vehicle, on duty or off duty, except as necessary in accordance with official duties.

B-7 Personal Publicity.

Personnel shall not use their position with the Department to enhance or promote any private enterprise, or to seek personal publicity. This provision is required to protect individual employees and the Department from potential conflicts of interest.

B-8 Debts-Incurring and Payment.

Financial irresponsibility is contrary to the special public trust granted all personnel of this Department. To protect this trust and the integrity of the Department, personnel shall make reasonable efforts to pay all debts for which they are legally responsible.

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B-9 Accepting Special Favors, Privileges or Discounts.

Employees shall not accept special favors, privileges or discounts under circumstances which might be construed by reasonable persons as influencing the performance of official duties.

B-10 Other Transactions.

Employees are prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention or which arose out of their departmental employment except as may be specifically authorized by the Chief of Police.

B-11 Solicitation and Acceptance of Donations and Gifts On Behalf of the Department.

Employees shall not solicit or accept any gift, donation, or property from any person or organization on behalf of the Department without approval of the Chief of Police. Any donated property shall be reported by e-mail with the circumstances surrounding the receipt to the Deputy Chief. The Deputy Chief shall inform the Chief of Police and a determination shall be made regarding the disposition of the gift and the need for any further action.

B-12 Receiving and Reporting Gifts, Rewards, Material Benefits, Etc. by Employees.

The offer or receipt of any gift, reward or material benefit shall be reported by e-mail with the circumstances surrounding the receipt to the Deputy Chief. The Deputy Chief shall inform the Chief of Police and a determination shall be made regarding the disposition of the gift and the need for any further action. The employee shall be notified of the disposition as soon as practical.

B-13 Commercial Testimonials.


Employees shall not permit their names or photographs to be used in endorsing any product or service connected with law enforcement without the permission of the Chief of Police, nor allow their names or photographs to be used in any commercial testimonial which alludes to their position or employment with the Department.

B-14 Membership in Organizations

Except for Armed Forces Reserve components, employees shall not become affiliated with any organization which in any way exacts prior consideration, or which would prevent its members from rendering proper and efficient service to the Department.

B-15 Political Activity.

Personnel shall not use their position in the Department to endorse political candidates, nor shall they use their position to solicit, directly or indirectly, funds or

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other services in support of a political issue. Personnel shall not use their official capacity in any manner to influence the outcome of any political issue.

B-16 Preferential Treatment.

Personnel shall not seek the influence or intervention of any person outside the Department for the purpose of personal preferment, advantage, appointment, advancement, or gain favor or preferential treatment of any kind.

B-17 Investigations Without Approval.

Personnel shall not conduct any investigation without approval from a supervisor. Approval can be documented by a supervisor’s signature on the report of investigation. All confidential or secret investigations must have the expressed approval of a supervisor prior to engaging in investigative activities.

C. PRISONER CARE AND CUSTODY

C-1 Prisoner Safety.

Arresting officers are responsible for the safety and protection of prisoners while in their custody. The officers shall, as soon as possible, notify their superior of any injury, apparent illness, or other conditions which indicate that the prisoner may need emergency or special care.


Officers charged with the custody of prisoners shall observe all laws and departmental orders in connection with this activity. Prisoners shall be kept securely, treated in a humane manner, and shall not be subjected to unnecessary restraint or force. Profane or abusive language directed at prisoners is prohibited. The arresting officer is responsible for the custody of the prisoner until custody is assumed by other competent authority. This responsibility includes the prevention of acts by any other member of the Department, which violate the law or Department regulations. Any Department employee, including the arresting officer, who has knowledge of any violations of this provision, shall immediately report the information to his supervisor or commander.

C-2 Care of Property.

Commencing with the time of arrest, the arresting officer is also responsible for the security of the prisoner’s personal property. With the exception of vehicles, this responsibility shifts to the competent authority who assumes custody of the prisoner.

C-3 Assisting Criminals.

Personnel shall not intentionally divulge in a manner, either directly or indirectly, any information which might assist persons suspected or guilty of criminal acts in escaping arrest or punishment, or which may enable them to dispose of or

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secrete money, merchandise, or other property unlawfully obtained., or other evidence of illegal activity.

C-4 Attorney or Bondsperson Recommendations.

Personnel shall not suggest, recommend, advise, or otherwise counsel any person with whom they become acquainted as a result of police business, with regard to the retention of any attorney or bail bond broker. This section does not apply to a relative of an employee.

C-5 Acting as Bailor Prohibited.

Personnel shall not act as bailors for anyone, with the exception that an employee may do so where a relative is involved.

C-6 Transportation of Prisoners.


Officers transporting prisoners shall do so in accordance with departmental policy and as follows:

Persons placed under arrest should be taken to the nearest magistrate without undue delay; however, certain precautionary measures must be taken before prisoners are transported.

All transport vehicles shall be searched for hidden weapons or contraband at the beginning and end of each shift, and prior to and after prisoner transport. The use of handcuffs is a matter of officer discretion unless the situation clearly indicates that failure to use handcuffs or similar restraining devices will lead to the escape of the prisoner or jeopardize the safety of the officer, the prisoner, or any other person. The seriousness of the offense, the circumstances surrounding the arrest, and the ability to conduct a thorough search prior to transport are among the factors to consider in determining whether to use handcuffs. In all situations in which handcuffs are used, they shall be double-locked.

Prisoners should be handcuffed with the hands in the rear, except for those in wheelchairs. If handcuffs are utilized on a person in a wheelchair, they will be used as to permit the prisoner hands to rest in a natural manner and so the individual can use them during transport to shift seated position and provide seated stability. Injuries, disabilities, and age are among the considerations officers should use in determining whether or not to handcuff prisoners or use other restraining devices.

All prisoners shall be searched for weapons, evidence, or hidden contraband prior to being transported in any police vehicle transport. In extenuating circumstances, prisoners may be taken from the immediate scene of arrest prior to being searched. Whenever practical, cross sexual searches should be avoided.

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If an officer other than the arresting officer transports the prisoner, the transporting officer shall also search the prisoner for weapons.

All prisoners and other persons shall be transported in vehicles equipped with seat belts, if available. Seat belts shall be used on all prisoners being transported. Exceptions may be made with the approval of a supervisor in special circumstances (e.g., the prisoner is combative and restrained with a RIPP restraint; physical impairment of the prisoner does not make the use of a seat belt practical).

Prisoners with disabilities shall be transported in appropriate vehicles with seats, seatbelts, and at appropriate temperatures. Person with disabilities who use wheelchairs shall be transported in vehicles that enable them to enter the vehicle using a ramp, to sit in the wheelchair during transit, and for the wheelchair to be secured so it does not tip during transit and positioned so that starting and stopping of the vehicle does not dislodge the person seated in the wheelchair. Access to a wheelchair transport vehicle has been coordinated with the Community Services Board, Program Coordinator of Resident Services. For temporary vehicle access contact the PLC. Officers are required to search the transport vehicle for weapons and contraband before and after use.

The transporting officer(s) shall ride in the front seat of all transport vehicles except as provided for in transporting injured prisoners to a hospital in an ambulance.


The transporting officer(s) shall not leave prisoners unattended.

Internal temperatures of any transport vehicle shall be maintained at a level appropriate to the external environment.

Transporting officers shall not routinely engage in other law enforcement activities while in the process of transporting prisoners, such as enforcing the traffic laws. When presented with non-emergency situations requiring police intervention, the transporting officer shall notify dispatch, who will then be responsible for assigning the incident to an available unit. Intervention, by transporting officers, into emergency situations requiring immediate police action does not violate the provisions of this regulation.

In the event of a prisoner escape, the transporting officer shall immediately notify dispatch. Dispatch will then be responsible for notifying the officer's supervisor. Requests for specialized units, such as the canine and the helicopter, are the responsibility of the supervisor. However, if the supervisor is not immediately available, the dispatch may make the request. Prisoners will not normally be allowed to communicate with attorneys or others during transport.

Male officers may transport female prisoners or female officers may transport male prisoners. All reports, by prisoners, alleging officer misconduct shall be fully investigated in accordance with Internal Investigations General Order.

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Transporting officers shall verbally communicate to the receiving authority the prisoner's escape or suicide potential, or other personal traits of a security or medical nature.

Prisoners who are in need of medical attention shall be delivered to the appropriate hospital emergency facility by ambulance, unless in the judgment of the officer the delay for ambulance response will increase the risk of the health or safety of the prisoner. The arresting officer shall be responsible for the security of the prisoner until properly relieved by a guard officer unless otherwise directed by a superior.

Prisoners and their property shall be surrendered at the jail to custodial officers or as otherwise directed by competent authority.

Any prisoner transported to a hospital in an ambulance shall be accompanied and guarded by an officer unless police needs dictate otherwise. Should a police guard be unavailable, arrangements will be made to provide one as soon as possible.

Supervisory personnel assigning officers to extraditions from other states or jurisdictions are responsible for informing officers of their duties prior to departure. The differing modes of travel used and unique circumstances of each extradition require a case by case review of these regulations for their applicability.

Officers shall document all details surrounding the handling and transport of prisoners, including any special circumstances related to the individual, such as whether there is an injury, illness (physical or mental), handicap, or suspected communicable disease. Officers shall take all necessary precautions when handling prisoners, including the use of the appropriate personal protective equipment. Officers shall follow necessary decontamination procedures for compromised equipment, to include cruisers.


Officers shall notify their supervisor of any suspected exposure. The on-call Exposure Control Officer shall be notified of any risk exposure or for consultation on exposure classification. Supervisors shall ensure appropriate documentation of any suspected exposure is completed.

C-7 Interview Room

In order to ensure the safety of the arresting officer and prevent possible harm to the arrestee or other persons, any officer utilizing a room to conduct an interview with a prisoner shall do so in accordance with departmental policy and the following:

Prisoners shall be searched prior to being placed in an interview room.

Before each use of an interview room, officers shall examine the room for weapons, contraband, unsafe conditions, or any item a prisoner could use to barricade the room or cause self-inflicted injuries or harm to others.

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Prior to entering an interview room with, or occupied by a prisoner, officers shall secure all weapons.

All interviews must be audio and video recorded when available. If the officer conducting the interview leaves the interview room, he shall ensure that the prisoner is under constant observation or monitoring. This may be accomplished by any means that provides for personnel close enough to intervene, in the event of an emergency within the interview room.

If the interview room is equipped with locks or restraining devices of any kind, the personnel conducting the observation/monitoring shall have in possession of, or direct access to, any key, codes, or other devices needed to gain immediate entry to the room or the ability to remove the prisoner from the room

D. ADMINISTRATIVE ACTIVITIES

D-1 Submitting Reports.

Personnel shall promptly submit any reports required as a part of the performance of their duties or by competent authority .

D-2 Reports and Bookings.


No employee shall knowingly falsify any official reports, or enter, or cause to be entered, any inaccurate, false, or improper information in official records of the Department.

D-3 Alterations of Reports.

Personnel shall not alter or request any other person to alter or withdraw any report, letter, request, or other written communication that is or has been conducted through official channels. This restriction shall not preclude the correction of grammatical errors. No employee shall advise, counsel, order, or otherwise dissuade any other employee from submitting any lawful report.

D-4 Security of Official Records.

Personnel shall not reveal police information except as provided elsewhere in this manual or as required by law or competent authority. Specifically, information contained in police records, other official correspondence, other information ordinarily accessible only to employees, and names of informants, complainants, witnesses, and other persons known to the police, are all considered to be confidential in nature. Indiscriminate unauthorized disclosure of this and similar information reflects gross misconduct.

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D-5 Residence of Officers.

Officers' residence may be at any location. However, they may be restricted from certain assignments requiring standby duties (e.g., Investigations, temporary assignments, etc.) due to a necessary response time as established by the respective commander.

D-6 Notification of Change of Address or Telephone

Personnel shall make certain that the Department has their current home address and telephone number. A change of address and/or telephone number must be reported within 24 hours of the change to the Office of the Chief of Police.

D-7 Required for Telephone.

Personnel shall have a working telephone at their residence and shall provide their number to the Chief of Police. Telephone numbers or departmental personnel shall not be released to anyone outside the Agency.

D-8 Reporting Arrests or Court Actions Involving Personnel.

A. Employee Responsibility


Employees shall report as soon as practicable, by memorandum, to their commanding officers in the event:

- The employee has been arrested or issued a traffic summons.
- Court action has been initiated against the employee.
- The employee was the subject of a contact and/or investigation with law enforcement officers of another agency resulting from a domestic dispute or domestic violence incident.

When reporting an arrest, traffic summons, or domestic violence/dispute contact, the memorandum shall contain, at a minimum:

1. The date, time, location and jurisdiction of the alleged offense or domestic dispute or domestic violence incident.
2. The specific offense(s) charged.
3. The name, identification number and department of the arresting or responding officer.

A copy of the traffic summons, citation, or other court documents shall be included as an attachment to the memorandum.

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B. Commander/Supervisor Responsibility

Upon receipt of the employee’s memorandum, the employee’s commander shall assign a supervisor to conduct an inquiry.

As soon as reasonably possible, the investigating supervisor shall contact the arresting/responding officer and determine the facts of the incident. In addition to identifying the formal charges placed, the supervisor shall obtain the following information:

1. Any other violations observed or suspected which did not result in arrest.
2. Any extenuating or aggravating circumstances of which the Town of Vienna Police Department should be aware.
3. A transcript of the employee’s DMV record or criminal record as appropriate to the incident under investigation.

D-9 Accepting Compensation for Damages.

Personnel shall not seek, by filing suit or through other means, nor accept from any person or agency, any money or other compensation for damages or expenses incurred in the line of duty or for which the employee has received sick leave pay, without previously notifying the Chief of Police in writing of the employee’s intended course of action. Such notification shall also occur upon the final disposition of any suit in which an employee is awarded compensation for damages or expenses incurred in the line of duty.


D-10 Public Appearance

All requests for public speeches, presentations, and the like, will be routed to the respective division commander through the chain of command. Community Services Officers need only notify the Administrative Services Section supervisor prior to a presentation. Citizens with requests of this nature shall be directed to the Community Service Officer.

D-11 Civil Action, Court Appearances, Reporting Service of Process.

An employee shall not testify in civil actions unless served with a legal subpoena. This shall not apply to cases in which the employee is the plaintiff or where the employee is related to the defendant by blood or marriage. Employees shall not enter into any financial agreement regarding appearances as witnesses in any civil action except as authorized by the Chief of Police.

Any employee named as a defendant who is served with a civil process, and any employee who is served with a subpoena to testify as a witness in a civil action where another employee is named as a defendant, shall immediately notify the Office of the Chief of Police in the following manner. Forward a brief memorandum indicating the fact that a civil process or subpoena was served and

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state the method of service and the date of service. A copy of the civil process or subpoena shall be attached to the memorandum.

An employee, prior to initiating civil action against any person as a result of a law enforcement related contact, shall inform the Chief of Police via memorandum through their commander.

D-12 Civil Dispositions and Affidavits.

Employees shall confer with their superiors before filing a deposition or affidavit in a civil case resulting from their performance of duty. The superior officer shall then contact the Support Services Commander, prior to giving the deposition or affidavit.

Employees who are served with subpoenas that compel them to release Department records shall advise their supervisor and immediately transmit the request to the Record Section for processing. Employees shall not release such information without the approval of the commander of the Administrative Services.

D-13 Civil Cases.

Officers shall not serve civil process or assist in civil cases unless specific consent of the Chief of Police has been obtained. Officers shall avoid entering into civil disputes, particularly while performing their duties, but shall still be responsible for enforcing any laws or ordinances which may become applicable to the situation.

D-14 Traffic Accident Involving Privately Owned Vehicles.

Any reportable traffic accident involving a privately owned vehicle operated by an officer within the Town of Vienna shall be investigated by the police supervisor an officer of equal or greater rank shall investigate any such accident involving a police supervisor or command staff officer. The investigation shall be consistent with the requirements set forth in this Regulations and General Orders Manual.


E. ORDERS

E-1 Insubordination.

Except as otherwise stated herein, defiance of lawful authority or disobedience to orders constitutes insubordination.

E-2 Unlawful Orders.

Personnel shall not knowingly issue any order which is in violation of any law, statute, or ordinance, departmental rule, or departmental regulation.

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E-3 Manner of Issuing Orders.

Employees shall obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank. Orders shall be issued in a clear and civil tone, in an understandable manner, and in the interest of departmental business.

E-4 Disobedience to Unlawful Orders.

No employee is expected to or shall obey any order which he knows to be contrary to federal or state law, or Town ordinance. At the time the unlawful order is issued, the employee shall advise the issuing authority of its illegality. Should that authority persist in demanding compliance, an employee of superior rank or status to all parties involved should be summoned to decide the controversy. Responsibility for refusal to obey rests with the employee, and each employee shall be required to justify their actions.

E-5 Obedience to Improper Orders.

Personnel who receive orders which they feel are unjust or contrary to departmental rules and regulations are required to obey the order, but may appeal that order at the earliest opportunity.

E-6 Conflicting Orders.


Upon receipt of an order that is in conflict with any previous order or instruction, the affected employee will respectfully advise the person issuing the superseding order of the conflict. Responsibility for countermanding the original instruction then rest with the individual issuing the superseding order. If the superseding command is held in force it shall be obeyed, thereby rendering all previous orders ineffective. Orders will be countermanded only when in the best interest of the Department.

E-7 Reports and Appeals – Unlawful or Improper Orders.

Personnel receiving unlawful, unjust, or improper orders shall, at their first opportunity and prior to the conclusion of the tour of duty in which the order was given, report the facts by memorandum to the Chief of Police through the chain of command. The memorandum shall contain the facts of the incident and the action taken. Appeals for release from such orders may be made at the same time.

E-8 Command Protocol

In the absence of the Chief of Police or in the event of exceptional circumstances, the Deputy Chief will assume command of the Department. This will happen only until designation of an Acting Chief of Police by the Town Manager.

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In the event no Deputy Chief is available to assume command of the Department, command will pass to the Department's senior ranking Command Staff Officer.

F. EQUIPMENT

F-1 Title to Equipment.

Title to all uniforms and equipment purchases for and issued to departmental personnel shall be vested in the Town of Vienna. Personnel shall be held strictly accountable for the proper care, security, use, and maintenance of all articles, uniforms, and equipment provided. If property is lost or intentionally damaged, the responsible employee may be subjected to reimbursement charges and/or disciplinary action. Uniforms and equipment shall only be worn or used in accordance with departmental regulations.

F-2 Uniforms, Equipment, and Appearance.


The issued uniform hat shall be readily accessible during the officer's uniformed tour of duty, and will be worn while conducting traffic control and during special functions, ceremonies or when otherwise directed by the shift supervisor.

The uniforms shirt for sworn personnel shall be worn with the issued badge, nameplate, tie, tie clasp and collar pins. Uniforms shirts shall be marked with the appropriate rank insignia/chevron. Leather items shall be polished.

F-3 Manner of Dress on Duty.

Personnel will be required to wear the issued duty uniform and equipment ; however, command staff officers may prescribe other clothing and equipment as necessitated by the nature of the duty to which a particular employee is assigned. The uniform hat shall be readily accessible during the officer's tour of duty, and shall be worn while conducting traffic control, ceremonies, special functions or when otherwise directed by a supervisor.

When reporting for or leaving from work, personnel will be dressed in presentable attire. Presentable attire shall be complete uniform, civilian clothes, or a civilian shirt or jacket with uniform trousers. When not in full uniform, the carried firearm will be worn in an inconspicuous manner concealed.

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F-4 Civilian Attire.

Civilian clothing worn by personnel during a tour of duty shall conform to standards normally found in private business. Command staff officers may prescribe other types of clothing as deemed necessary. All articles of clothing worn shall reflect good taste. For specific regulations, see 41.3.5.

F-5 Replacement of Damaged Uniforms and Equipment.

Claims for damage to clothing and/or equipment resulting from the performance of duty, shall be directed to the Support Services Division commander or designee through the employee’s supervisor.

F-6 Damaged or Inoperative Property or Equipment

Personnel shall immediately report to their supervisor any loss of, or damage to, departmental property assigned to or used by them. Such notification shall be made by memorandum to the Chief of Police through the Supervisor. The supervisor shall be notified of any defects or hazardous conditions found in any departmental equipment or property.

F-7 Care of Buildings.


Personnel shall not mar, mark, deface, or destroy any surface on any Town building, unless it is in the proper execution of duty with the consent of competent authority .

F-8 Defacing Notices.

Personnel shall not mark, alter, or deface any posted notice of the Department unless ordered by competent authority. No inflammatory, discrediting, or derogatory notices will be posted at any time.

F-9 Alteration and Repair of Issued Firearms.

No personnel , except qualified armorers appointed by the Chief of Police , shall alter or repaint any firearm issued by the Vienna Police Department. No firearm Issued by the Department shall be taken to any outside source for alterations or repairs of any form. Officers shall be responsible for the care, security, and maintenance of Department issued firearms. Proper care and maintenance includes the cleaning procedures as instructed during training classes.

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F-10 Wearing of Uniform for Court Appearance.

Uniformed personnel shall wear their uniform during court appearances related to their official duties. Personnel shall not attend any court in any jurisdiction for the purpose of testifying or appearing as a defendant attired in a Vienna Police Department uniform, if the purpose of their appearance does not relate to acts which occurred during the performance of official duties.

F-11 Wearing of Police Uniform While Suspended

Officers shall not wear the police uniform while suspended from duty.