

Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this general order is to affirm the authority of the members of the Falls Church Police Department to perform their functions based on established legal authority.

100.2 GENERAL ORDER

It is the general order of the Falls Church Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

100.3 LAW ENFORCEMENT OFFICER POWERS

Sworn members of this department are authorized to exercise law enforcement officer powers pursuant to applicable state law.

This includes authority for the prevention and detection of crime, the apprehension of criminals, the safeguard of life and property, the preservation of peace, and the enforcement of state and local laws, regulations, and ordinances (Va. Code § 15.2-1609; Va. Code § 15.2-1700; Va. Code § 15.2-1704; Va. Code § 52-8).

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE FALLS CHURCH POLICE DEPARTMENT

The arrest authority of officers within the jurisdiction of the Falls Church Police Department includes (Va. Code § 19.2-81):

- (a) In compliance with an arrest warrant (Va. Code § 19.2-76).
- (b) When any crime has been committed in the officer's presence.
- (c) When there is probable cause to believe that the offender has committed a felony.
- (d) When there is probable cause to believe that the offender has committed:
 1. A violation pertaining to the operation of a motor vehicle, watercraft, or motorboat while intoxicated and the arrest occurs within three hours of the offense.
 2. A violation pertaining to the operation of a motor vehicle, watercraft, or motorboat while intoxicated and where an accident has occurred.
 3. Misdemeanor shoplifting.
 4. Misdemeanor carrying a weapon on school property.
 5. Misdemeanor brandishing a firearm.
 6. Misdemeanor destruction of a property located on premises used for business or commercial purposes.

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7. Misdemeanor assault and battery.
 8. A violation of a protective order.
 9. A crime in another state which is punishable by imprisonment for a term exceeding one year (Va. Code § 19.2-100).
- (e) When there is reasonable suspicion to believe that the individual has violated a criminal immigration law of the United States (Va. Code § 19.2-81.6).
- (f) Violations involving quarantine or isolation orders related to communicable diseases (Va. Code § 15.2-1704; Va. Code § 32.1-48.014).

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE FALLS CHURCH POLICE DEPARTMENT

The arrest authority of officers outside the jurisdiction of the Falls Church Police Department includes:

- (a) When there is probable cause to arrest a person who has escaped or who has fled to avoid arrest and the officer has been in continuous close pursuit from within the jurisdiction of the Falls Church Police Department (Va. Code § 19.2-77).
- (b) When another agency has requested temporary assistance during an emergency declared by the chief law enforcement officer of that agency (Va. Code § 15.2-1730).

Whenever an officer makes an arrest outside the department's jurisdiction, the officer should, as soon as practicable, either take the arrested person before a judicial officer in the locality where the arrest was made, transfer custody of the person to the proper law enforcement authority with jurisdiction in the locality, or transport the arrestee to the locality in which the charge will be tried (Va. Code § 19.2-76).

100.3.3 GRANTING AUTHORITY TO OTHERS

Officers may require the assistance of any person to arrest another for any breach of the peace or to capture another who has escaped from custody (Va. Code § 18.2-463).

100.3.4 PROHIBITION OF QUOTAS

This department does not establish arrest or summons quotas. The number of arrests made or summons issued by any member shall not be used as the sole criterion for evaluating member overall performance (Va. Code § 2.2-5516; Va. Code § 15.2-1609.11; Va. Code § 15.2-1710.1).

100.4 INTERSTATE LAW ENFORCEMENT AUTHORITY

Law enforcement authority may be extended to other states:

- (a) As applicable under interstate compacts, memorandums of understanding, or mutual aid agreements in compliance with the laws of each state.
- (b) When an officer enters the following states while in pursuit of a person who the officer has probable cause to believe has committed a felony:
 1. The District of Columbia (D.C. Code § 23-901)

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2. Maryland (Md. Code CP § 2-305)
 3. Tennessee (T.C.A. § 40-7-203)
 4. West Virginia (W. Va. Code § 62-11-1)
- (c) When an officer enters North Carolina while in pursuit of a person who the pursuing officer has probable cause to believe has committed a criminal offense (N.C.G.S. § 15A-403).

Whenever an officer makes an arrest in the District of Columbia, Maryland, Tennessee, West Virginia, or North Carolina the officer shall take the offender to a magistrate or judge in the county where the arrest occurred as soon as practicable (D.C. Code § 23-902; Md. Code CP § 2-306; T.C.A. § 40-7-204; W. Va. Code § 62-11-2; N.C.G.S. § 15A-403).

100.5 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and Virginia constitutions.

Chief Executive Officer

101.1 PURPOSE AND SCOPE

All law enforcement Chief Executive Officers employed within the Commonwealth of Virginia are required to meet specific requirements for appointment. This general order provides guidelines for the appointment of the Chief Executive Officer of the Falls Church Police Department, who is required to exercise the powers and duties of the office as prescribed by law (Va. Code § 15.2-1701; Va. Code § 15.2-1609).

101.2 GENERAL ORDER

It is the general order of the Falls Church Police Department that the Chief of Police meets the minimum standards for exercising the authority granted by law.

101.3 CHIEF OF POLICE REQUIREMENTS

The Chief of Police of this department, as a condition of continued employment, shall:

- (a) Be certified by the Virginia Department of Criminal Justice Services (Va. Code § 9.1-100 et seq.; Va. Code § 15.2-1706).
- (b) Meet all of the requirements as specified in Va. Code § 15.2-1705.

Oath of Office

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

102.2 POLICY

It is the policy of the Falls Church Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe before a magistrate, a notary, a commissioner in chancery, a commissioner appointed by the Governor, a judge or clerk or deputy clerk of court, a commissioner or clerk or deputy clerk of the State Corporation Commission or clerks of governing bodies of local governments to the following oaths or affirmations applicable to their position (Va. Code § 49-4; Va. Code § 49-1).

The form of the oath shall be as follows:

"I, (employee name), do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as (the/a/an title or position) according to the best of my ability, (so help me God)."

If a member is opposed to taking an oath, they shall be permitted to substitute the word "affirm" for the word "swear," and the words "so help me God" shall be omitted.

[See attachment: Oath - POLICE OFFICER.pdf](#)

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (Va. Code § 49-8).

General Order Manual

103.1 PURPOSE AND SCOPE

The manual of the Falls Church Police Department is hereby established and shall be referred to as the General Order or the manual. The manual is a statement of the current policies, procedures, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

103.2 GENERAL ORDER

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and that circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

103.2.1 DISCLAIMER

The provisions contained in the General Order Manual are not intended to create an employment contract nor any employment rights or entitlements. The general orders contained within this manual are for the internal use of the Falls Church Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or department members. Violations of any provision of any general order contained within this manual shall only form the basis for administrative action, training or discipline. The Falls Church Police Department reserves the right to revise any general order content, in whole or in part.

103.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue Standing Orders, which shall modify those provisions of the manual to which they pertain. Standing Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older (Va. Code § 1-203).

City - The City of Falls Church.

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Non-sworn - Employees and volunteers who are not sworn law enforcement officers.

Department/FCPD - The Falls Church Police Department.

Employee - Any person employed by the Police Department.

Manual - The Falls Church Police Department General Order Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person who is appointed to or employed by the Falls Church Police Department, including:

- Full- or part-time employees
- Temporary part-time employees
- Sworn officers
- Reserve, auxiliary officers
- Non-sworn employees
- Volunteers

Officer - Those employees, regardless of rank, who are sworn law enforcement employees of the Falls Church Police Department (Va. Code § 9.1-101).

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The title of the classification held by an officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority regarding hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker, Incident Commander) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

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103.5 ISSUING THE GENERAL ORDER MANUAL

An electronic version of the General Order Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the General Order Manual and Standing Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE GENERAL ORDER MANUAL

The Chief of Police will ensure that the General Order Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES

All revisions to the General Order Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all General Order revisions.

Each Division Commander will ensure that members under his/her command are aware of any General Order Manual revision.

All department members suggesting revision of the contents of the General Order Manual shall forward their written suggestions to their Division Commanders, through their chain of command, who will consider the recommendations and forward them to the Deputy Chief as appropriate.

Manual of Rules

104.1 PURPOSE AND SCOPE

A rule is a prescribed, suggested, or self-imposed guide for conduct or action; these serve as official directives by which the Department is governed. Rules characteristically enjoy the full force and effect of a direct order from the Chief of Police and stand until cancelled or superseded by a written order from the Chief of Police.

104.2 ADMINISTRATIVE RULES

1. OATH OF OFFICE

All officers, prior to assuming sworn status, are required to take an Oath of Office to support the Constitution of the United States, the Constitution of Virginia and the ordinances of the City of Falls Church.

2. GENERAL ORDERS

General Orders are accessible to Department personnel in an electronic format. It is not required that a member maintain a hard copy of the General Orders, however, each member is responsible for knowing and understanding the content of all issued orders. General Orders are considered issued when they are posted in the designated electronic format. Each member shall electronically acknowledge all orders as directed.

3. KNOWLEDGE OF LAWS AND REGULATIONS

Every member is required to establish and maintain a working knowledge of all laws and ordinances in force in the City, the City's Administrative Regulations, and the policies and procedures of the Department. In the event of improper action or breach of discipline, it will be presumed that each member was familiar with the law, rule, or policy in question. Violation of any law, rule, or order may be grounds for disciplinary action.

4. VIOLATION OF RULES

Members shall not commit any acts or omit any acts which would constitute a violation of any rules, regulations, directives, or general orders of the Department. Any member violating or knowing of others who violate said rules, regulations, directives, or orders shall report said violations, in writing, through the proper chain of command to the Chief of Police. Failure to report such violations is in itself a violation of this order. In all cases where the member feels that the violation is so severe or is of such importance that they must go directly to the Chief, they may do so.

5. CHAIN OF COMMAND

(a) Definition: Chain of command is the lines of communication going downward or upward within the Department's organizational hierarchy, through each successive level of command.

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- (b) Rule: The chain of command shall be followed on all official communication, both written and verbal.
- (c) Exception: Members may bypass the official chain of command to prevent or report serious misconduct.

6. COOPERATION

Cooperation is essential to effective law enforcement and to the efficiency of our organization as a whole, therefore each member is charged with the responsibility of cooperating between the ranks and within all units of the Department, the City Government, and surrounding jurisdictions.

7. QUESTIONS REGARDING ASSIGNMENTS

Members in doubt as to the nature or detail of their assignment shall seek such information from their supervisors by going through the proper chain of command.

8. CONFLICTING OR ILLEGAL ORDERS

- (a) Members who are given an otherwise proper order which is in conflict with a previous order, rule, regulation, or directive shall respectfully inform the superior officer issuing the order of the conflict. If the superior officer issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior officer. Members shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued.
- (b) Members shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, members shall request the issuing person to clarify the order or to confer with higher authority. Responsibility for refusal to obey rests with the member who shall be required to justify the action.

9. PUBLIC STATEMENTS AND APPEARANCES

- (a) Members shall not publicly unjustly criticize, ridicule, express hatred or contempt toward or otherwise defame the Department, its policies, or other members when to do so is disruptive of operations or adversely affects morale or creates disharmony in the workplace.
- (b) Without proper prior authority, members shall not address public gatherings, appear on radio, television, social media, or any online forum accessible to the public, prepare an article for publication, act as a correspondent to a newspaper or periodical whether printed or electronic, or release or divulge investigative information on any matters of the Department while holding themselves out as representing the Department in such matters. Officers may lecture on law enforcement related subjects with the prior authority of the Chief.

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10. RESIDENCY / TELEPHONE REQUIREMENTS

- (a) Members will reside in Virginia, Maryland, or the District of Columbia. For all other localities, a formal request must be made to the Chief of Police for approval and/or authorization. Commuting distance shall be a consideration for criteria on any special assignment with an increased likelihood of call out duties.
- (b) Current telephone numbers and location of residence shall be provided by all members contemporaneous with any change. The residence shall be the place of legal domicile. No post office box or substitute address shall be used.

11. REPORTING FOR DUTY

Members shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so they may immediately assume duty if necessary. Judicial summonses shall be considered an order to report for duty.

12. DUTY TO ACT

Officers of the Department are always subject to duty, although periodically relieved of its routine performance. They shall, at all times, respond to the lawful orders of a superior officer and other proper authorities as well as calls for police service from citizens. Proper police action must be taken whenever required. The administrative delegation of the enforcement of certain laws and ordinances to particular units of the Department does not relieve members of other units from the responsibility of taking prompt, effective police action within the scope of those laws and ordinances when the occasion so requires. Officers assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignments when necessary.

13. USE OF LEAVE

- (a) Leave is any authorized absence during regularly scheduled work hours that has been approved by proper authority. The supervisor at each level of authority is responsible for the control of absence from duty of their members.
- (b) Refer to the City Administrative Regulations and Department policies for specific details on the types of leave available to all members as well as procedures to request the use of leave.

14. FICTITIOUS ILLNESS OR INJURY REPORTS

Members shall not feign illness or injury, falsely report themselves ill, or otherwise deceive or attempt to deceive any official of the Department as to the condition of their health.

15. IDENTIFICATION

Officers shall carry their badges and identification cards on their person at all times while on-duty, except when impractical or dangerous to their safety or to an

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investigation. They shall furnish their name, unit number, or rank to any person requesting that information, when they are on-duty or while holding themselves out as having an official capacity, except when the holding of such information is necessary for the performance of police duties or is authorized by proper authority.

16. CARRYING FIREARMS

Officers shall carry firearms in accordance with the law and established Department procedure. Badges and identification shall be carried whenever the Officer carries a firearm.

17. MEALS

Officers and Emergency Communications Technicians shall remain on-duty subject to call during meal periods. During meal time, officers are free to eat at any place in the City, and this may include their cruisers. The meal time is included as work time. All other members should refer to the City Administrative Regulation on "Overtime, Compensatory Time, and Flex-Time Policies and Procedures."

18. FINANCIAL DISCLOSURE

An officer will be required to disclose financial information only when such information is necessary and in accordance with the Code of Virginia.

19. DEPARTMENTAL RECORDS

Members shall submit all necessary reports on time and in accordance with established Department procedures. Reports submitted by members shall be truthful and complete, and no member shall knowingly enter or cause to be entered any inaccurate, false or improper information.

20. INTERVENTION

Officers shall not interfere with cases being handled by other officers of the Department or by other government agencies unless:

- (a) Ordered to intervene by a superior officer or;
- (b) The intervening officer believes beyond a reasonable doubt that a manifest justice would result from failure to take appropriate action or;
- (c) The intervention is to comply with VA Code § 19.2-83.6 regarding use of excessive force.

21. SURRENDER OF DEPARTMENT EQUIPMENT

Members are required to surrender all Department property in their possession upon separation from the Department with the exception of those items permitted to be retained by the member by the Chief of Police upon a member's normal retirement date. Failure to return all property assigned will result in the reimbursement by the individual for the fair market value of said equipment.

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22. RESPONSIBILITY FOR EQUIPMENT

Title to all uniforms and equipment purchased for and issued to members of the Department shall be vested in the City of Falls Church. Members shall be held strictly accountable for the proper care, security, use, and maintenance of all articles, uniforms, and official equipment provided. If property is lost or intentionally damaged, the responsible member may be subjected to reimbursement charges and/or disciplinary action. Uniforms and official equipment shall only be worn or used in accordance with Department regulations.

23. PROCESSING PROPERTY AND EVIDENCE

Property or evidence which has been discovered, gathered, or received in connection with Department responsibilities will be processed in accordance with established Department procedures. Members will not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence in connection with an investigation or other police action except in accordance with established Department procedures.

24. ARREST, SEARCH, AND SEIZURE

Officers shall not make any arrest, search and seizure which they know or should have known is not in accordance with the law and Department procedures.

25. OPERATING VEHICLES

Officers shall operate official vehicles in a careful and prudent manner and shall obey all laws and Department orders pertaining to such operation.

26. REPORTING ACCIDENTS

All accidents involving City personnel, property and/or equipment will be reported in accordance with established procedures.

27. REPORTING CRIMINAL ARRESTS

Police Department members arrested for a criminal offense are required to provide written notice to their supervisor and to the Human Resources Division within 24 hours after they are arrested. See the City Administrative Regulation on "Reporting Convictions After Employment."

28. REPORTING MOVING VIOLATIONS

Members whose job capacity requires them to maintain a valid driver's license are required to provide written notice of moving violations (not including civil violations such as photo enforcement) to their supervisor and to the Human Resources Division within 24 hours of their return to work. Members must notify their supervisor in writing of all court dates and/or final dispositions. Loss or suspension of the member's driver's license must be reported immediately. See the City Administrative Regulation on "Driver Selection Vehicle Use."

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29. MISUSE OF COMPUTERS

The electronic information system, including the use of email and the internet, should be used only for official City business. Misuse of City electronic information systems is prohibited. See City Administrative Regulation on "Electronic Information Systems Policy."

30. SECONDARY OR OFF-DUTY EMPLOYMENT

Members may not engage in any outside employment, activity or enterprise, which has been or may be determined to be inconsistent, incompatible, or in conflict with the duties, functions, or responsibilities of their City employment. Secondary employment includes any work performed or services provided for compensation (a fee or otherwise), including self-employment and may be part-time, seasonal, or a personal business owned or jointly owned. Volunteer charity work is excluded. All part-time, off-duty or secondary employment must be approved by the Chief of Police prior to accepting such employment. See City Administrative Regulation on "Secondary Employment" and Department General Order on "Outside Employment and Off-Duty Employment."

104.3 RULES OF CONDUCT

1. UNBECOMING CONDUCT

Members 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 a member shall include that which brings the Department into disrepute or reflects discredit upon the individual as a member of the Department, or that which impairs the operation or efficiency of the Department or member.

2. CONDUCT TOWARDS SUPERIOR AND SUBORDINATE OFFICERS AND ASSOCIATES

Members shall treat superior officers, subordinates, and associates with respect at all times. They shall be courteous and civil at all times in their relationship with one another. When on-duty and particularly when in the presence of other members or the public, officers will be referred to by rank.

3. INSUBORDINATION

(a) The deliberate refusal of any member to willingly and respectfully obey any lawful order given by a superior officer shall be deemed to be insubordination.

(b) Unjustified bypassing of rank in the chain of command or the non-exigent circumvention of the chain of command may constitute insubordination.

(c) Members shall not publicly criticize or ridicule the Department, its policies or other members by talking, writing or expressing in any other manner, including to the media, when such talking, writing or other expression

1. Is defamatory, or;

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2. Is obscene, or;
 3. Is unlawful, or;
 4. Impairs the operation of the Department by interfering with the ability of the supervisors to maintain discipline, or;
 5. Is made with reckless disregard for the truth or is falsity.
4. **IMMORAL CONDUCT**
Members shall maintain a level of moral conduct in their personal and business affairs that is in keeping with the highest standards of the law enforcement profession. Members shall not participate in any incident involving moral turpitude.
5. **CONFORMANCE TO LAWS**
- (a) Members shall obey all federal and state and local laws and regulations. They will also obey all laws and ordinances of the City of Falls Church and any other jurisdiction in which they are present, whether on-duty or off-duty.
 - (b) A conviction for violation of any criminal law shall be prima facie evidence of a violation of this section.
6. **NEGLECT OF DUTY**
- (a) Members shall not engage in any activities or personal business that would cause them to neglect or be inattentive to duty.
 - (b) A supervisory member or commanding officer who fails to take corrective action against a member that may be guilty of neglect of duty or misconduct, when the supervisor knows or should have known of such dereliction, shall be guilty of dereliction of duty themselves.
 - (c) Officers shall not leave their assigned duty post during a tour of duty, unless specifically authorized by a superior officer.
 - (d) Officers shall remain awake while on-duty. If unable to do so, they shall so report to their supervisor at once, who shall determine the proper course of action.
7. **FAILURE TO REPORT FOR DUTY**
Every member who fails to report for duty at the date, time and place specified for doing without the consent of competent authority is "Absent Without Leave" (AWOL).
8. **TRUTHFULNESS**
When questioned by competent authority, members shall give complete and honest answers to any question related to the performance of their official duties.
9. **ABUSE OF POSITION**

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- (a) Members shall not at any time use or attempt to use their official badge, position, or official identification card for personal or financial gain.
- (b) Members shall not use their position, or attempt to use their position, to influence any official or other person to alter facts or the law for the benefit of any member or other person.
- (c) Members shall not permit any other person to use their badge or identification card. Members shall report the loss of a badge or identification card immediately.
- (d) Members shall 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 attorneys, towing services, bondsmen, etc.).

10. DISSEMINATION OF INFORMATION

Members shall treat the official business of the Department as confidential and shall not discuss it outside of the Department. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established Department procedures. Members may remove or copy official records or reports from a police installation only in accordance with established Department procedures. Members shall not divulge the identity of any person giving confidential information except as authorized by proper authority.

11. GIFTS, GRATUITIES, BRIBES, AND REWARDS

Members shall not solicit or accept from any person, business or organization any gift (including money, gift cards, gift certificates, vouchers, tangible property, food, beverage, loan, promises, services, or entertainment) for the benefit of the members or the Department, if it may reasonably be inferred that the person, business, or organization seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty, or has an interest which may be substantially affected directly or indirectly by the performance or nonperformance of a duty.

These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed to the general public or to a general class of persons over a broad area, nor to prohibit employees from accepting social courtesies which promote good public relations.

An employee shall report in writing to the Chief of Police through their chain of command the receipt of any unauthorized or unsolicited gift or gratuity. The Chief shall determine the disposition of the item.

12. ASSOCIATIONS

Members shall avoid regular or continuous associations or dealings, where such associations or dealings may undermine the public trust and confidence in the officer and/or the Department, except to perform their official duties, or where unavoidable because of other personal relationships of the officer or member.

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13. VISITING PROHIBITED ESTABLISHMENTS

Members shall not knowingly visit, enter or frequent a house of prostitution, gambling house, or establishment wherein the laws of the United States, the State, or local ordinances are regularly violated except in the performance of their duties or while under proper and specific orders from a superior officer.

14. ALCOHOLIC BEVERAGES AND DRUGS IN POLICE INSTALLATIONS

Members shall not store or bring into any police facility or vehicle, alcoholic beverages or controlled substances, except when necessary in accordance with official duties.

15. USE OF ALCOHOL ON-DUTY OR IN UNIFORM

(a) Members shall not consume intoxicating beverages while in uniform or on-duty except in the performance of duty and while acting under proper and specific orders from a superior officer.

(b) Members shall not report for duty, or be on-duty, while under the influence of intoxicants, to any degree whatsoever, or with an odor of intoxicants on their breath.

16. USE OF ALCOHOL OFF-DUTY

Members, while off-duty, shall refrain from consuming intoxicating beverages to the extent that it results in intoxication or obnoxious or offensive behavior which discredits them or the Department, or renders the member unfit to report for the member's next regular tour of duty.

17. POSSESSION AND USE OF DRUGS

Members shall not possess or use any controlled substance, except when prescribed in the treatment of a member by a physician or dentist. Members using any prescribed drug or narcotic or any "over the counter" medicines that could impair their judgment, reflexes or performance on-duty shall notify their superior or supervisory officer. Refer to City Administrative Regulation on "Alcohol and Drug Testing and Abuse Policy."

Members requiring the possession of controlled substances specifically for use in the training of police canines shall do so only when authorized by the Chief of Police or his designee.

18. COURTESY

Members shall be courteous to the public at all times. They shall be tactful in their performance of their duties and assignments, shall control their tempers and exercise the utmost patience and discretion and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, members shall not use coarse, profane language or gestures. Under no circumstances shall a member express any prejudice concerning race, religion, politics, national origin, lifestyle or similar personal characteristics.

19. DISCRIMINATION AND SEXUAL HARASSMENT

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- (a) Discrimination on the basis of race, color, religion, political affiliation, age, gender, national origin, genetic information, sexual orientation or marital status is prohibited in any manner. Sexual harassment is a form of sex discrimination. Like discrimination, it is a violation of Title VII of the Civil Rights Act of 1964, as amended, and shall not be tolerated. Sexual harassment is prohibited in any form. See City Administrative Regulation on "Sexual Harassment" for reporting procedures for complaints, and City Administrative Regulation on "Equal Employment Opportunity" for further information.
- (b) Cooperation in preventing this type of conduct is required at all levels and positions within the Police Department.

20. PAYMENT OF DEBTS

Members shall not undertake any financial obligations which they know or should know they will be unable to meet and shall pay all just debts when due. An isolated instance of financial irresponsibility will not be grounds for disciplinary action except in unusually severe cases. Repeated instances of financial irresponsibility may be cause for disciplinary action. Filing for voluntary bankruptcy petition shall not, by itself, be cause for discipline. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline, provided that a good faith effort to settle all accounts is being undertaken.

21. USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

22. USE OF WEAPONS

Officers shall not use or handle weapons in a careless or imprudent manner. Officers shall use weapons in accordance with State law and Department procedures.

23. DEFACING OFFICIAL DOCUMENTS

Members shall not mark, alter or deface any posted notice of the Department. Notices of a derogatory nature will not be posted at any time. All posted notices must have the prior approval of the Chief of Police.

24. UNSATISFACTORY PERFORMANCE

- (a) Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. They shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department.
- (b) Unsatisfactory performance may be demonstrated by:
 - 1. lack of knowledge of the application of laws required to be enforced;
 - 2. unwillingness or inability to perform assigned task;

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3. failure to conform to work standards established for their rank, grade or position;
 4. failure to take appropriate action on the occasion of a crime, disorder or other condition deserving police attention;
 5. absence without leave, or;
 6. violations of the Department's sick leave policy
- (c) The following will be considered prima facie evidence of unsatisfactory performance:
1. repeated poor evaluations, or;
 2. written record of repeated infractions of the rules, regulations, directives or orders of the Department.

25. USE OF TOBACCO PRODUCTS ON OR OFF DUTY

- (a) The City of Falls Church prohibits smoking in all its municipal buildings and in all City-owned or leased vehicles. Members are prohibited from smoking at any time when in City vehicles, whether or not they are alone. Members are also prohibited from smoking in any entrance way to a municipal building or adjacent or near any office window of a municipal building. Refer to the City Administrative Regulation on "No Smoking Policy" for additional details.
- (b) All current officers who are candidates for promotion and who have not already signed a "Condition of Employment" agreement are required to sign a "Condition of Promotion" agreement, if they are promoted on or after July 1, 1988. This certifies that the officer intends to meet the City's Medical Standards for Police Personnel, to include the no smoking requirement. Refer to the City Administrative Regulation on "Police Officer Selection" and the City Administrative Regulation on "Police Personnel" for additional details.