



LINCOLN POLICE DEPARTMENT GENERAL ORDERS

NUMBER: 1420
TOPIC: STANDARDS OF CONDUCT (26.1.1)
ISSUED BY: MICHON MORROW, CHIEF OF POLICE
DATE: 1-1-2024
SUPERSEDES: G.O. 1420, 8-1-2023
REFERENCE: L.M.C. 2.76.445 NRS 29.35.04, Nebraska Records Retention Schedule 99-10

I. POLICY

The Lincoln Police Department has established a standards of conduct policy to promote adherence, by all employees regardless of assignment or rank, to fulfill the duties imposed upon them with the high degree of responsibility and professionalism required by the agency.

II. DEFINITIONS

- A. Bullying: Repetitive acts of aggressive behavior that intentionally threatens, humiliates, intimidates, degrades, or hurts, physically or mentally, another person. Bullying usually involves repeated acts committed by a person(s).
- B. Hazing: Ritualized harassment, abuse or humiliation used as a way of initiating a person into a group.

III. PROCEDURE

- 1. Employees shall observe, obey, and refrain from committing any acts or omitting any acts that violate:
 - a. Federal, state, or local laws;
 - b. The written directives of the Lincoln Police Department;
 - c. Lawful orders of superior officers, including any order from a superior officer relayed by a member of equal or lesser rank. Members shall not obey any order from a superior officer that they know would require them to commit an illegal act. (12.1.3)
- 2. Employees are expected to set an example for the public in safe, lawful, and courteous driving, and will operate vehicles in accordance with all applicable General Orders. (41.1.3)
- 3. Employees shall conduct themselves in a manner that fosters cooperation among members of the department by showing respect, courtesy and professionalism in their dealing with both their supervisors and co-workers. Employees shall not use language or engage in behavior that demeans, harasses, or intimidates other employees.
- 4. Employees will be courteous and tactful in the performance of duties and shall not use insolent language or unnecessary profanity with the public.
 - a. In no circumstance should an employee use targeted profanity or insults towards a community member.
- 5. Employees will not express any prejudice concerning race, religion, gender, gender identity or expression, sexual orientation, color, politics, national origin, ancestry, age, handicap, disability, or personal characteristics.
- 6. Employees shall report for duty at the time and place required, ready to assume their duties, and will not be absent without proper leave or permission. Employees shall not leave their work assignment during a tour of duty without the permission of a supervisor.

7. Smoking, use of smokeless tobacco, vaping device, or vaping products is prohibited while on duty and in all department buildings, facilities, and all vehicles owned or leased by the City.
8. Employees shall not lie, falsify, conceal, purposely distort, diminish, embellish, or fail to fully disclose facts in making reports, both written and verbal, affidavits, court documents, in giving testimony, or in connection with any official duties, except the use of deception in criminal cases is acceptable with great caution following these guidelines:
 - a. Deception may be used during an interrogation, pursuant to the guidelines of General Order 1770, "Interrogation of Suspects".
 - b. Deception may be used during police investigations where the safety of the officer or integrity of the investigation requires.
 - c. Deception may never be used to coerce an individual to waive their right to remain silent, coerce a consent to search, or to coerce waiver of any other statutory or constitutional right.
9. When required to do so, employees will make full, accurate, and truthful reports, both written and verbal.
10. The official business of the department shall be treated as confidential, and members shall observe the following:
 - a. The identity of complainants, suspects, informants, witnesses, or defendants must be protected. Their identities should be released to persons outside the Department only when authorized by department General Orders and laws on disclosure.
 - b. Employees are prohibited from using department information for their own or another's personal benefit or interest.
11. Employees shall not use their position or authority to advance personal interests.
 - a. Employees shall not knowingly pursue a social or romantic relationship with confidential informants, suspects or arrestees, witnesses, or victims with active case investigations.
 - b. Employees shall not interfere in investigations involving family members or persons with whom they have a close personal or business relationship.
12. Subject to reasonable discretion and the guidelines of these General Orders, officers shall take prompt and proper police action relative to violations of any laws or ordinances coming to their attention.
13. Employees acting in an official capacity shall not endorse, recommend, or suggest a specific attorney, law firm, or business.
14. Employees shall not attend to their personal affairs while on duty.
15. Employees shall not convert any department property, evidence, or found property to their own use.
16. When representing the department, employees will not serve civil process or render assistance in civil court cases, except when the City of Lincoln is a party, or they have been subpoenaed in the proper manner. In all cases, a commanding officer and the legal advisor is to be notified.
17. Employees shall not sign for nor accept any certified or registered mail addressed to another person without specific authorization. The staff of the Property and Evidence Unit is authorized to sign for certified and registered mail and shall ensure its delivery to the recipient.
18. Any employee becoming a party to or involved in a civil lawsuit relating to performance of duty; served a protection or harassment order, becomes the subject of a criminal investigation, or arrested, cited, or charged with a crime, shall immediately report in writing the circumstances of the involvement to the chief of police.
 - a. Off duty employees are required to notify their supervisor of other instances when their presence at the scene of a criminal investigation may give the appearance of a conflict of interest.

19. 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 shall include that which brings the department into disrepute or reflects discredit upon the employee as a member of the department, or that which impairs the operation or efficiency of the department or employee.
20. Employees are required to have a telephone and shall report a change of address or telephone number to their supervisor within 24 hours.
21. While it is not the intention of the department to unjustly or unlawfully restrict the political activities of employees, it remains necessary to assure that certain types of involvement are restricted in order that no partisan activity conflicts with the department's mission or individual objectives. Employees are prohibited from:
 - a. Using their official capacity to influence, interfere with or affect the results of an election.
 - b. Otherwise participating in public affairs to the extent that such endeavors impair the neutral and efficient performance of official duties or create real or apparent conflicts of interest.
22. Employees shall not accept money or payment that is to be given to Parking Services or to the Clerk of the Court as a fine.
23. Employees shall not gamble or make wagers for stakes while on duty or in any department facilities.
24. Employees shall not sleep while on duty, except in emergency situations when sleep breaks are approved by a supervisor.
25. Employees may be assigned department vehicles, lockers, desks, cabinets, and cases for the mutual convenience of the department and its personnel. Employees are warned that the retention of personal items in such containers or facilities is at the risk of the employee and the department will not be responsible for any losses. Personnel may be required to provide entry to such places for inspection.
26. When taking enforcement action, any officer, on or off duty, must identify themselves as a police officer. While on duty, employees shall provide their rank, last name, and employee number upon request and when not in uniform, a badge and commission must be presented, unless to do so would create a hazard to the officer or others. While on duty non-sworn employees will carry and present their ID on request. When conducting official business using a telephone or cellphone, employees should identify themselves by providing their name, position, and agency name unless doing so would compromise an investigation or endanger the employee or another party. (22.1.8)
27. Members shall refrain from engaging in conduct in violation of Section 2.76.445 of the Lincoln Municipal Code, which provides any action which reflects discredit upon the city service or is a direct hindrance to the effective performance of the municipal government functions shall be considered good cause for disciplinary action against any officer or employee of the City of Lincoln, though charges may be based upon causes and complaints other than those listed.
 - a. Habitual use of intoxicating beverages to excess or the use of narcotics.
 - b. Has been adjudged guilty of a felony or a misdemeanor involving moral turpitude.
 - c. The taking of intoxicating beverages or intoxication while on duty.
 - d. That the employee is guilty of improper political activity as defined in the charter.
 - e. Offensive conduct or language toward the public or toward city officers or employees.
 - f. Has been guilty of insubordination or any conduct unbecoming to an officer or employee of the city, either on or off-duty.
 - g. Incompetence to perform the duties of their position.
 - h. Damage to or negligence in the care and handling of city property.
 - i. Violation of any lawful and reasonable regulation made or given by a superior, where such violation or failure to obey amounts to an act of insubordination or a serious breach of proper discipline; or results, or might reasonably have been expected to result, in loss or injury to the city, or to the public.
 - j. Commission of acts or omissions unbecoming an incumbent of the particular office or position held, which renders their reprimand, suspension, demotion, or dismissal necessary or desirable for the economical or efficient conduct of the business of the city or for the best interest of the municipal government.
 - k. Willful violation of the provisions of the charter or these rules.

- l. Has induced or attempted to induce any officer or employee in the city service to commit an illegal act or to act in violation of any lawful and reasonable departmental or official regulation or order or has participated therein.
 - m. Solicitation or receipt from any person, participation in any fee, gift, or other valuable thing that is given in the hope or expectation of receiving a favor or better treatment than that accorded other persons.
 - n. Use or attempted use of personal or political influence or bribery to secure an advantage in an examination or promotion, leave of absence, transfer, change of grade, pay, or character of work.
 - o. Failure to pay just debts, thus causing embarrassment to the city.
 - p. Absence from duty without leave contrary to these rules, or failure to report after leave of absence has expired, or after such leave of absence has been disapproved or revoked and canceled by the proper authority.
28. No employee shall possess as a police function, a key to any business or other premises, unless approved by a commanding officer.
29. No member shall engage in any fund-raising activity on behalf of the department or allow their official position/name to be used in any fund- raising activity for any cause, without written approval of the chief of police.
30. All official correspondence written to outside agencies or persons shall be approved by a commanding officer or unit manager.
31. Employees shall not accept free or discounted meals, beverages, goods and services, gratuities, or favors that would not be offered if they were not an employee. Token gifts of nominal value which would not tend to influence the employee in the performance of duty may be accepted and may be retained by the employee with written approval from the chief of police. Any employee receiving such a token must report this information to the chief of police promptly in writing.
32. Employees shall not be at their personal residence during their tour of duty without specific prior approval from a supervisor. Employees shall not be at any other private residence unless conducting official department business requiring such presence.
33. Department telephones are for official business. Employees may make a reasonable number of short local personal calls during work hours, if this does not interfere with their work or the efficient operation of the department. Employees shall not make personal long-distance toll calls on department telephones, nor bill personal telephone calls to the department's expense. Exceptions may be approved in emergencies by a supervisor; however, any expense must be reimbursed by the employee.
34. A leave slip and Oracle entry must be submitted for any union business conducted on duty.
35. Employees who witness or have knowledge of unprofessional conduct, a criminal act committed by an employee, hazing or bullying have a duty to intervene and, when safe to do so, and immediately report the incident to a supervisor.
- a. If the violation involves a supervisor, the employee shall report the violation to the Professional Standards Unit.
36. The negligent discharge of any weapon issued or approved for use by Lincoln Police Department employees is not permitted and must be reported per GO 1510 Force and Control Techniques.
37. All employee recordings not related to a call for service or criminal investigation shall be stored in accordance with the State of Nebraska records retention laws, and specifically Schedule 99 and any applicable sub-schedules.
- a. The employee shall comply with all requests to produce the recording by the department or department legal advisor for internal or external investigations, public records, legal holds, criminal, or civil discovery, etc.
 - b. Use of personal devices may make these devices subject to production and retention in matters concerning the city, department, or its employees.

- c. Failure to comply with this section may also constitute a violation of state law.
38. To ensure employees remain aware of any necessary daily changes, employees should make reasonable efforts to check their work emails, voicemails and text messages on department issued cell phones and mailboxes and respond as necessary in a timely manner during their regular work hours.
39. Employees shall not engage in hazing or bullying in violation of this policy on these subject matters:
- a. Employees shall not engage in hazing and bullying other employees of LPD at any time whether on-duty or off-duty regardless of the employees' willingness to participate or submit to the conduct.
 - b. Employees shall not engage in the hazing and bullying of any other person while on-duty, while in the LPD uniform, while on LPD property, while in and LPD vehicle or while representing LPD, regardless of the person's willingness to participate or submit to the conduct.
 - c. Employees shall not engage in any non-police activity, whether or not intended as a prank, that:
 - (1) Interferes with or delays response or readiness for a response,
 - (2) Places any employee at risk of injury or harm,
 - (3) Risks or causes any property damage to any department or privately-owned property or
 - (4) Disables any vehicle, equipment, safety equipment, or Personnel Protective Equipment (PPE), even if momentarily.
 - (5) Has been asked not to be repeated by either the individual or a supervisor.

