



1300 CODE OF CONDUCT (Revised April 26, 2024)

All members of the police department, whether sworn, professional staff, or volunteer, are responsible for holding themselves to a high standard in their private and professional lives. This section of *General Orders* establishes guidelines to which members shall adhere.

1310 LAW ENFORCEMENT CODE OF ETHICS

All sworn members of the police department shall abide by the tenets of the *Law Enforcement Code of Ethics*:

“As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence, and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession ... law enforcement.”

1320 DEPARTMENT VALUES

All members of the department shall familiarize themselves with the stated values of the agency and shall strive to conduct all official business in a manner consistent with them.



- **Leadership**

Each member of the organization is responsible for establishing the direction and communicating the vision of the department at every level of the organization. We show the way in our community by going first and guiding those who follow. We are entrusted with caring for the spirit of the organization. Leadership means we:

- Lead by example
- Do the right thing
- Look for and acknowledge things done right
- Create a trusting environment where people can develop
- Are willing to go beyond traditional expectations

- **Service Orientation**

Each employee enhances the quality of life in our community and our department through dedicated service. Service orientation means we:

- Are empathetic and compassionate in dealing with people
- Treat problems as important
- Follow through on promises – if we set an expectation, we meet or exceed it
- Treat people with dignity

- **Integrity**

Our value as police employees depends upon the respect and confidence we earn from the community and each other. The integrity of each individual, as well as the organization, is necessary for community members to give us their trust. Without this trust, we cannot expect to form a partnership with the community. Integrity means we:

- Are honest
- Admit mistakes and take corrective actions
- Do what we say we will do
- Behave consistently with our department values

- **Excellence**

We meet challenges and adversity with perseverance to attain individual and organizational goals. Excellence means we:

- Strive for excellence in everything we do
- Are responsible and dependable
- Are accountable
- Commit to our mission and values

- **Fairness**

Fundamental to delivery of professional police service is the fair and equitable treatment of all individuals. Whether a community member or an employee, all must be treated with dignity and respect. Fairness means we:



- Act consistently with our values and expectations
- Let compassion and courtesy guide our actions
- Have respect for all people, their ideas and opinions
- Apply rules, regulations, and laws in an unbiased manner
- Treat others as we want to be treated

- **Teamwork**

Teamwork is essential to the successful operation of the department. The team must include all employees working in partnership with each other and the community to attain our goals. Teamwork means we:

- Recognize that police are community members too, and the community is a partner in our law enforcement efforts. As Sir Robert Peel laid out in his nine principles of policing, "the police are the public and the public are the police."
- Foster cooperation and collaboration with the public
- Include others in planning, decision making, and action
- Commit to the goals, objectives, and plans of the team without concern for who receives credit or blame
- Recognize that open communication is fundamental to successful team efforts
- Are supportive of the organization's efforts

- **Personal Responsibility**

Each of us has a personal responsibility for the success of our community. We respect, care about, trust, and support each other. We respect and encourage individual responsibility, recognizing that we have a right and obligation to participate in leading our community. Personal responsibility means we:

- Set a positive example in our personal and professional lives
- Seek challenges and risk success
- Take initiative
- Accept responsibility for our mistakes

- **Resilience**

Police work involves repeated exposure to trauma. Over time, this can create health issues. Resilience means we:

- Check in with ourselves and each other, treating all with respect and empathy
- Encourage regular physical and mental health checkups
- Refer members to available healthcare services
- Seek help when appropriate and reject stigma for doing so
- Approach discipline generally as a restorative measure

1330 GENERAL RULES OF CONDUCT

General Orders govern the actions of all members of the police department, whether sworn, professional staff, or volunteer. Any violation of *General Orders* may result in disciplinary action



against the member(s) responsible. No rule or rules can embrace all situations in the discharge of police duties. Some things must necessarily be left to the discretion of the individual member. If, however, a member deviates from *General Orders* or established procedures, the member must be able to demonstrate that the action was lawful and necessary. The final authority for administrative and disciplinary determinations rests with the Chief of Police.

1330.1 Applicability of Rules

Rules of conduct shall apply to all members except where the conduct they address can only be performed by certain members (e.g., sworn members). Failure to comply with any provision of *General Orders* or other department policies and procedures shall subject an employee to administrative and/or disciplinary action.

1330.2 Obedience to *General Orders*, Policies and Procedures Required

All members shall observe and obey all laws, *City Administrative Directives*, department *General Orders*, department policies and procedures, as well as any policies and procedures established by their commanders.

1330.3 Required Knowledge

All officers shall have a working knowledge of all criminal and motor vehicle laws and ordinances in effect within the City of Tucson, as well as constitutional protections, *City Administrative Directives*, department *General Orders*, and policies and procedures of their respective divisions and bureaus, as may be appropriate to their assignment or classification.

Professional staff shall have a working knowledge of all laws, *City Administrative Directives*, department *General Orders*, and policies and procedures of their respective divisions and bureaus, as may be appropriate to their assignment or classification.

All members are responsible for seeking and obtaining additional information or clarification needed in order to comply with laws, ordinances, *City Administrative Directives*, department *General Orders*, department policies and procedures, or any other subject area with which they must be familiar.

1330.4 General Responsibilities and Requirements

All members shall perform their duties as required or as directed by law, the Constitutions of the United States and the State of Arizona, department *General Orders*, department policies and procedures, *City Administrative Directives*, or orders of a superior officer. The administrative delegation of the enforcement of specialized laws and ordinances to particular units of the department does not relieve members of other units from the responsibility for taking prompt, effective police action to enforce those laws when the occasion arises.

All members shall assist other members when asked. Such assistance shall include the use of any special skills or talents a member may have. Any question as to whether the assistance is needed to complete a legitimate police task shall be referred to a supervisor.

**1330.5 Reporting Violations of Laws, Ordinances, *General Orders* or Policies Required**

Members having knowledge of other members violating laws, ordinances, City *Administrative Directives*, department *General Orders*, policies or procedures, or otherwise disobeying orders, whether on or off duty, shall report such violation in writing to the Chief of Police through their chain of command.

1330.6 Actions Taken Under Color of Authority

Any action taken by a member of the agency under color of authority subjects the member to applicable provisions of department *General Orders* and City *Administrative Directives*.

1330.7 General Standards of Expected Conduct

Members shall not engage in any conduct, whether on or off duty, which is unbecoming or detrimental to their duties, position, or the department. Members shall conduct their private and professional lives so that they do not reflect adversely on the department or themselves as members of the department. Members shall treat each other and all persons with whom they have contact with respect and courtesy.

1330.8 Expected Conduct Toward the Public

All persons having business with the department are entitled to courteous and respectful consideration and must be given all assistance that may be proper under the rules of this department. Members shall remain completely impartial toward all persons coming to the attention of the department. Members shall politely provide their name, badge (or payroll) number, and show their department-issued identification card with their photograph to any person who requests it, whenever practicable. This mandate to present department identifiers does not apply to personnel who are actively working in an undercover capacity, nor does it require members to permit video or photographic recording of their department-issued identification card. Members shall not mistreat or abuse, whether physically or verbally, any prisoner or person having business with the department.

1330.9 Notice to Department of Certain Activities Required

Members shall inform the department of any activity, situation, or problem that would be of concern to the department. Except for contact that occurs as a normal part of their job duties, members shall immediately notify their supervisor by phone any time they have contact with a law enforcement agency for investigative or enforcement purposes, excluding civil traffic matters. The supervisor shall then notify a member of their command staff who, after receiving details of the contact/incident, will advise the Office of Professional Standards (OPS) commander of any such contacts/incidents. OPS will determine if a response or investigation is required. If OPS responds or conducts an investigation, no further reporting documentation is required. If OPS does not respond or conduct an investigation, the division commander of the involved member will submit a personnel report containing the following:

- Member's name, payroll number, assignment, and chain of command



- Summary of all internal notifications, including methods, dates, and times of notification
- The law enforcement agency handling the incident, including names of agency members involved
- Summary of the circumstances that led to the law enforcement contact
- The incident number of the agency contact
- The disposition of the incident, including what internal follow-up took place (if any)
- Summary of the chain of command follow-up with the law enforcement agency involved

Once completed, the personnel report shall be forwarded to the bureau chief who oversees the member. Once reviewed and approved, the bureau chief shall send the report to OPS for filing and retention in accordance with records retention requirements.

Members who are named as a plaintiff or defendant in a civil action resulting from their activity as a department member shall immediately report this fact in writing, along with the court and case number, to the Legal Advisor's Office.

For purposes of this *General Order*, "law enforcement agency" means any agency or department (federal, state, or local) with the authority to enforce laws, statutes, ordinances, or codes in any jurisdiction.

1330.10 Criminal Conduct Prohibited

Members shall not engage in any conduct, whether on or off duty, regardless of their whereabouts, which is in violation of the law. Criminal conduct, in and of itself, is sufficient grounds for disciplinary action against a member, regardless of whether the member is cited, indicted, tried, and/or convicted of an offense.

1330.11 Compliance With the Code of Ethics and Department Values Required

All officers shall abide by the standards of the Law Enforcement Code of Ethics, which is incorporated in this *General Order*. Members shall be familiar with and strive to model the department's values in all actions.

1330.12 Required Conduct and Participation in Internal Investigations

All members are required to fully and truthfully participate in, and cooperate with, any internal investigation in which they are a party or witness. Members shall provide complete and truthful relevant information, whether specifically requested or not. Any and all acts of intentional untruthfulness and/or purposeful omission of relevant information shall be addressed under the Untruthfulness *General Order*. Members shall comply with all directions given by members of their chain of command and the Office of Professional Standards. All internal investigations are confidential. Members shall not divulge any information regarding these investigations unless specifically authorized to do so.

1330.13 Insubordination Prohibited

No member shall defy or undermine the authority of any supervisor by arrogant or disrespectful conduct, or by ridicule in conjunction with failing to follow an order.



In the absence of failure to follow an order, rudeness and unprofessional behavior will be addressed utilizing one or more of the following *General Orders*:

- General Standards of Expected Conduct
- Compliance with Code of Ethics and Department Values Required
- On-Duty Conduct Standards

1330.14 Failure to Follow an Order

No member shall refuse or fail to follow a lawful order, command, direction, or instruction given by a supervisor or incident commander.

1330.15 Cowardice Prohibited

Officers shall not shirk their duty in the face of danger.

1330.16 Cruel, Unlawful, or Improper Treatment Prohibited

Members shall not treat any person or animal cruelly, use excessive physical force, fail to observe the constitutional rights of any person, or neglect to take necessary humane action when circumstances require.

1330.17 Gifts, Gratuities, Fees, Rewards, Loans, Etc. Prohibited

Unless specifically authorized by the Chief of Police, members shall not solicit, directly or indirectly, any gift, gratuity, payment, loan, or service where there is a direct or indirect connection between the solicitation and their department membership or employment.

Unless specifically authorized by the Chief of Police, members shall not accept any reward above a de minimis value for services rendered in the line of duty to the community, a person, or entity. To accept a de minimis value gift, gratuity, payment, loan, or service, supervisor approval is required.

Unless specifically authorized by the Chief of Police, members are prohibited from buying, selling, or promoting anything of value from or to any complainant, victim, witness, suspect, prisoner, defendant, or other person involved in a case in which the member has a personal involvement or connection, or which arose out of their department employment.

1330.18 Endorsements

Members shall not knowingly permit their names or photographs to be used to endorse a product or service as representative of the department without the permission of the Chief of Police. Members shall not use or permit the use of the department uniform, logo, or badge in an unauthorized manner, or for a private purpose, without permission of the Chief of Police.



1330.19 Untruthfulness

- No member shall knowingly make an untrue statement about a fact, either orally or in writing, in connection with an investigation, assignment, or inquiry.
- No member shall knowingly sign a false official statement or report, commit perjury, or give false testimony before a court, grand jury, board, commission, judicial or administrative hearing, or department hearing, whether or not under oath.
- Members are required to report completely, honestly, and accurately all facts and information pertaining to an investigation, whether criminal or administrative, or other matter of concern to the department.
- This rule does not apply to an officer's questioning or interrogation of a person involved in a criminal investigation, or where the officer is engaged in an approved undercover role where such misrepresentation is not inconsistent with law or accepted professional practice.

1330.20 Security and Confidentiality of Department Business Required

- **Confidentiality:** Members shall consider the operations and official business of the department to be confidential. They shall not release such information to anyone not authorized to receive the information except in accordance with department procedures.
- **Security of Department Records:** Members shall not reveal the contents of department records or files to a person not entitled to the information. Information shall not be released to the public or media unless authorized, and then only by persons authorized to make such releases.
- **Department Records and Paperwork:** Members shall not steal, alter, destroy, forge, remove, copy, or tamper with any kind of police record, report, citation, or document without proper authority. Members are prohibited from retaining personal copies of official police reports and shall incorporate all notes and working files into the official record maintained in Records.
- **Members are Prohibited From:** retaining copies of audio recordings, video recordings, photographs, and other similar material, whether obtained on department or personal equipment, related to official police investigations. This includes traffic stops, crime scenes, and all other work-related duties. All such items shall be submitted to Property and Evidence according to standard department protocols.
- **Recording of Employees:** Members of the department are prohibited from audio or video recording conversations with other members (either with their knowledge or surreptitiously) except:



- In an authorized criminal or administrative investigation where the labor contract provides for such recording
- On City channels or lines that are automatically recorded (e.g., Communications)
- In department audio or video (e.g., for training, recruiting, promotion, or public information)
- As captured incidentally on mobile video recorders (MVR) or body-worn cameras (BWC)

Exceptions must be approved in writing by a division commander before making such a recording. Violations of this policy may result in discipline up to and including termination.

1330.21 Prohibited Associations

Members shall not engage in romantic relationships with confidential informants, suspects, victims, or witnesses involved in active criminal investigations.

Members shall not participate in or interfere with investigations involving family members or persons with whom they have a close personal or business relationship.

Members shall not knowingly invest in, lend, or rent to businesses that violate the law.

Except as necessary to the performance of their official duties:

- Members shall avoid personal associations with confidential informants, suspects, victims, or witnesses involved in active criminal investigations.
- Members shall avoid personal associations with persons who are under criminal investigation, indictment, arrest, or incarceration, or who have an open and notorious reputation for criminal behavior.
 - Family members are excluded from this prohibition to the extent that continued association does not endanger the employee or others. The member shall inform their supervisor of the relationship.
 - Department members are excluded from this prohibition while under investigation.
- Members shall not enter establishments in which the law is knowingly violated.
- Members shall not knowingly join or participate in organizations that advocate, incite, or support criminal acts or conspiracies, or that promote hatred or discrimination on the basis of race, religion, color, ancestry, national origin, ethnicity, disability, sex, sexual orientation, gender identity, familial status, marital status or other protected status.

**1330.22 Maintenance of Minimum Standards Required**

Members are expected to meet, maintain, and demonstrate minimum department standards and performance expectations at all times. Members shall maintain necessary certifications and meet any requirements of their position classification at all times. Failure to maintain required standards, certifications, or requirements shall be grounds for disciplinary action up to and including termination. Members shall attend training sessions as required or at the direction of their supervisors or commanders.

Sworn members shall maintain AZPOST standards necessary to retain certified peace officer status. Revocation of peace officer certification shall be grounds for immediate dismissal of any sworn member. Suspension of a sworn member's peace officer certification by AZPOST shall subject the member to disciplinary action up to and including termination. Refer to *General Orders* regarding Training Policies and the Suspension of AZPOST Peace Officer Certification.

1330.23 Strikes or Labor Stoppages Prohibited

Members shall neither engage in nor conduct a work stoppage or strike. The term "strike" means the concerted failure to report for duty, the willful absence from one's position, the stoppage of work, or the abstention in whole or in part from the full, faithful, and proper performance of the duties of employment for the purpose of inducing, influencing, or coercing a change in conditions, compensation, rights, privileges, or obligations of employment.

1330.24 Prohibited Uses of Property

Members shall not damage, abuse, or lose department property entrusted to them. Some items are so sensitive that their loss or theft poses serious risk to the community. Items such as firearms, identification cards, key cards, badges, and radios require a greater degree of care. Officers shall evaluate the circumstances to determine what security arrangements best ensure the safety of the community.

City-owned property, evidence, abandoned and found property, property maintained for safekeeping, and any other property received by a member of this department shall not be used, converted, copied, distributed, etc., for personal use by a member or any other person. Property coming into the possession of a member in the course of their official duties shall be handled in accordance with established procedures.

1330.25 On-Duty Conduct Standards

- **General Required Conduct:** Members shall be punctual in reporting for duty at the time and place designated by their supervisors. Members may not be absent from a duty assignment without permission or authorized leave. Members are to remain at their assignment and on duty until properly relieved by another member or dismissed by proper authority.
- **Completion of Assignments:** Members are expected to thoroughly and professionally complete any and all assignments, duties, or tasks for which they are responsible.



- **Chain of Command:** Members shall use the chain of command in all official actions as appropriate.
- **Prohibited On-Duty Conduct:** Members are prohibited from engaging in activity or conduct that detracts from their obligations and responsibilities while on duty.
- **Alcohol, Intoxicants, or Drugs:** Except as otherwise provided, no member shall be on duty under the influence of intoxicants or drugs, or be impaired or otherwise unfit for duty by the use of medications, whether prescribed to the member or not; nor shall a member drink or purchase alcoholic beverages, or use a controlled substance not prescribed to them while on duty or in uniform. No member in plainclothes shall drink or purchase alcoholic beverages while on duty except when necessary in the performance of their duty and then only with the approval of their supervisor.

Members who are prescribed controlled substances or medications which may affect their ability to perform their duties shall adhere to the policies and requirements set forth in *General Orders* regarding Hiring and Workplace Policies and the use of medications while on duty, as well as *Administrative Directive 2.02-22 IV D* (employees must report the use of medication that may interfere with their duties to Risk Management/The Safety Group at 520-791-4728).

Members shall not possess intoxicants or controlled substances on department premises except when necessary in the performance of a police task. Such materials brought into department premises in furtherance of a police task shall be properly identified and stored.

A member who becomes aware of their own or another member's possible substance misuse on duty shall report to their supervisor, who shall refer the member to the Behavioral Science Unit. A member who becomes aware of their own or another member's possible substance misuse off duty should report to their supervisor, who shall refer the member to the Behavioral Science Unit. The department and the City provide employees with a variety of support and treatment options for those struggling with substance misuse.

Employees found to be in violation of any of the provisions of the department's Drug and Alcohol policy set forth in *General Orders* regarding Hiring and Workplace policies and the Drug and Alcohol policy shall be subject to disciplinary action up to and including termination of employment.

An employee who refuses to be examined for controlled substances or alcohol will be treated as having tested positive and may be discharged. In no event shall the disciplinary action be less than a forty (40) hour suspension. A second refusal to be examined or tested shall result in the employee's termination of employment.

- **Tobacco Products and Electronic Cigarettes:** Smoking tobacco, chewing tobacco, and vaping are permissible for use while on duty or working off duty in uniform in an outside employment capacity only during a member's break or lunch.



Under this guideline, tobacco product or electronic cigarette use shall occur out of view of the public. Members are reminded that state law restricts the consumption of tobacco products within twenty (20) feet of an entrance into a building (e.g., windows, doors, and ventilation systems).

A member working in a plainclothes or undercover unit may use these items while on duty, but only as necessary in the performance of their job function and with prior division commander approval.

Members are responsible for the safe and sanitary disposal of these items (e.g., chewing tobacco should be placed into a separate, sealed container before being disposed of in a trash can).

- **Investigations:** Members shall not withhold information about criminal activity. Members shall not undertake self-assigned investigations, whether on or off duty, without prior notification to, and approval by, a supervisor.
- **Gambling:** No form of gambling shall be permitted on or using department property or while on duty, except in the performance of police duties and then only with the approval of the member's supervisor.
- **Offensive Conduct, Materials, and Statements:** Members on duty or on City property shall not possess, reproduce, circulate, or post material that may be considered offensive based upon a protected group or protected status, as defined in the department's or City's procedures on equal employment opportunity and diversity, equity, and inclusion, except as required for a police purpose. Members shall not tell jokes, make verbal statements, or engage in other conduct that may be considered offensive based on a protected group or protected status as defined in the department's or City's procedures on equal employment opportunity and diversity, equity, and inclusion.

1330.26 Off-Duty Conduct Standards

- **Call Out:** During off-duty time, department members shall be subject to call-out duty as needed. Members shall not be contacted off duty except when, in the considered judgment of the person initiating the call, the mission of the department requires it.
- **Emergency Stand-by:** Members shall be subject to emergency stand-by as deemed necessary by the Chief of Police.
- **Standards for Police Action While Off Duty:** Off-duty officers shall act in an official capacity if they observe an incident requiring police action when time is of the essence, or if such action will safeguard life, property, or prevent the escape of a felon or violent criminal. If off-duty officers observe, or have their attention called to, an incident requiring police action not meeting this standard, they shall report the incident to the appropriate law enforcement agency as soon as practical.
- **Involvement in Neighborhood Disputes Prohibited:** Officers shall not intentionally become involved in quarrels or disputes involving their neighbors, friends, associates, or relatives. Officers shall not make an arrest or take other official



action in personal matters or those of their family or neighbors unless such action is warranted by the immediate threat of serious bodily harm or significant property damage. A supervisor shall be notified as soon as possible.

1330.27 **Failure to Supervise**

Failure to meet the responsibilities of a supervisor is outlined in the Authority of Supervisors *General Order*.

1340 CONDUCT IN PUBLIC AND ON SOCIAL MEDIA—RESPONSIBILITIES OF MEMBERS

1340.1 **General**

The department recognizes the significant role that social media plays in the personal lives of many of its employees. Nothing in this policy shall infringe on employees' protected First Amendment speech.

Department personnel are free to express themselves as private individuals on social media sites or via other means to the extent that their speech does not impair or impede: the performance of duties, working relationships or esprit de corps among coworkers, or negatively affect public perception of the department.

As public employees, members are cautioned that speech that relates to their official duties and responsibilities, whether on or off duty, is not protected by the First Amendment and may form the basis for discipline if deemed detrimental to the department. Department personnel should assume that their speech and related activity on social media, and in other media and public contexts, will reflect on the department and on them as department members.

Members using social media or other means of information exchange must conduct themselves in a manner consistent with the department Code of Conduct. Members are subject to discipline for posting, sharing, or otherwise disseminating department-related information in any manner that is inconsistent with this *General Order*, up to and including termination.

1340.2 **Definitions**

Post: User content shared on a social media or internet site or the act of publishing user content on a site.

Social Media: Websites that allow users to post content, including, but not limited to: social networking sites (e.g., Facebook, Instagram), blogs and microblogs (e.g., WordPress, X), image sharing sites (e.g., Flickr, Pinterest, TikTok, YouTube), and "social news sites" (e.g. Digg, Reddit). This policy refers to social media in general, not a particular site or type, and refers both to public sites and to sites that restrict visitors.

Department Social Media Account (SMA): Social media accounts maintained by department units to represent the department. Historically, these accounts may or may not have been owned by the department; however, department SMAs created after January 1,



2024 shall be owned by the department. Furthermore, whether department owned or not, department SMAs are subject to public records requirements.

1340.3 **Postings Prohibited**

Adherence to the department's Code of Conduct is required in the personal use of social media and other information sharing sites. Because such speech is part of the public domain and may be used to discredit members, undermine their ability to testify in court, or damage the reputation of the agency, members are prohibited from posting the following:

- Obscene or sexually explicit language, images, or acts
- Any act, statement, or other form of speech that ridicules, maligns, disparages, or otherwise indicates bias against any race, religion, color, ancestry, national origin, ethnicity, disability, sex, sexual orientation, gender identity, familial status, marital status or other protected status
- Speech or acts involving themselves or other members that reflect violent, reckless, or irresponsible behavior
- False information that harms the reputation of a person, group, or organization
- Private facts about someone without their permission that have not previously been revealed to the public, are not of legitimate public concern, and would be offensive to a reasonable person
- The name, likeness, or other personal identifier or attribute of another person without that person's permission in a manner that usurps or falsely uses the person's identity
- The creative work of another, copyrighted, service marked, or trademarked material, or other confidential business information without the permission of the owner
- Personal social media account posts that purport to speak for the department

1340.4 **On-Duty Use Prohibited**

- Updating social media or other information sharing sites while on duty, unless it is a department SMA or otherwise part of their duties

1340.5 **Information Sharing Requiring Prior Permission**

Without prior permission of the Chief of Police or a division commander, members are prohibited from posting or otherwise publishing any of the following on the internet, social media, other media, or in any public context:

- Any writing, drawing, photograph, audio or video recording, or other information related to any investigation or matter of this department



- Any confidential, law enforcement sensitive, or proprietary information of the department
- With the exception of the mourning badge, any badge, logo, equipment, uniform, vehicle, weapon, or other item or symbol identifying or affiliated with the department, or as outlined in *General Order 1340.6*

1340.6 Information Sharing Regarding Department-Sanctioned Public Activity Permitted

Members may share and post photographs of themselves in uniform, as well as images depicting department-sanctioned public functions, such as academy graduations, promotions, peace officer memorial events, and official fundraising or community projects, as well as union-sponsored community activities. Posting of a member in uniform shall be subject to the *General Orders* governing the Code of Conduct and Appearance Standards.

1340.7 Safety of Members

For safety reasons, members are cautioned not to disclose their employment with this department on web postings, and not to post information pertaining to another member without that member's permission. This includes posting or sharing personal photos that may cause them to be recognized as members of the department. Members working in an undercover capacity shall not post any form of personal identification unless operationally necessary.

1340.8 Duty to Identify Post

Members who publish content and identify themselves as department members, whether on social media or in another public context, shall include a disclaimer that their views are their own and do not reflect those of the department. Department SMAs, by their nature, are presumed to speak for the department, and account managers should take appropriate care not to misrepresent the department's position.

1340.9 Use of Email Addresses on Information Sharing Sites

Members shall not use City email addresses to register for or respond to social media or websites unless it is for a department-authorized purpose.

1340.10 Access by the Department to Member Posts

Members should expect that activity on a public website, including, but not limited to, comments, downloads, likes, posts, replies, and shares, may be accessed by anyone, including the department, at any time without prior notice.

1340.11 Duty to Report Violations

An employee who has knowledge of activity in violation of this *General Order* shall notify his or her chain of command immediately for review.

**1341 Department Social Media Accounts (SMAs)****1341.1 Creation, Ownership and General Management**

After January 1, 2024, creation of a department SMA shall be approved by the relevant division commander or his/her designee.

Department SMAs are the property of the department and administrative rights/ownership access shall be available to the Public Information Office (PIO) whether or not the SMA is managed by the PIO.

In managing department SMAs (e.g., posting, liking, commenting, etc.), members shall conduct themselves at all times as representatives of the department and adhere to department standards of conduct.

Department members shall not use personally owned devices to manage department SMAs without express written permission from a bureau chief. Department members should be aware that use of a personally owned device for department purposes may result in the device being subject to a public records request or subpoena.

1341.2 Requirements and Preferred Practices

Department SMAs shall adhere to applicable laws and regulations, including the Americans With Disabilities Act and copyright, service mark, and trademark laws, as well as City *Administrative Directives* and department *General Orders*, including information technology and records management policies.

Department SMAs shall, to the extent possible:

- Clearly indicate that they are maintained by the department
- Have department contact information prominently displayed and link to the department's website
- Instruct the public not to use social media to report matters requiring police response
- Include an introductory statement as to the purpose and scope of the account
- State that content posted or submitted is subject to public disclosure
- State that the department reserves the right to remove threats, obscenity, or incitement to break the law
- Shall inform the PIO office before posting information likely to generate media interest

1341.3 Approved Uses

Approved uses of SMAs include:



- As an investigative tool when seeking evidence or information about:
 - Missing or endangered persons
 - Wanted persons
 - Witnesses or photo or video evidence relevant to a criminal prosecution
 - Unsolved crimes (e.g., soliciting tips via 88-Crime)
- Educating the public by:
 - Providing crime prevention tips
 - Sharing crime maps and data
 - Engaging the community in solving problems
 - Telling positive stories about the department and the community
- Making time-sensitive notifications related to:
 - Critical incidents
 - Missing or endangered persons
 - Road closures
 - Special events
 - Weather emergencies
- As a recruiting tool, educating the public about the department's mission, activities, career paths, job openings, and training

1341.4 Prohibitions

Department SMAs shall not:

- Be set up as private groups, where the public cannot access posts
- Comment on:
 - The guilt or innocence of a suspect or arrestee
 - Pending prosecutions or litigation
 - Department policy without approval by the relevant division commander or his/her designee
- Mock or denigrate suspects, victims, department members, or members of the public
- Disseminate:
 - Confidential information without express written permission from the relevant division commander or his/her designee
 - Photographs, videos, or other information that may be used to identify department members in undercover assignments



- Block or hide comments protected by the First Amendment. Comments that are not protected and may be blocked or hidden include:
 - Threats of harm
 - Inciting others to violate the law
 - Obscene language or images as defined by the U.S. Supreme Court
 - Links: comments, replies, etc. with links shall be hidden

1341.5 **Records Retention**

Posts on department SMAs must be preserved for a period of at least two (2) years or until the administrative/reference value has been served, whichever is longer, unless the post is historically significant (in which case the record must be permanently retained), or the post requires an extended retention period (e.g., seeking information related to a criminal investigation).

If the post requires an extended retention schedule, it is the duty of the member posting, or requesting the post, to ensure that the information is retained for the period required (e.g., retain the information in the case file). ArchiveSocial shall manage records retention for department SMAs.

1342 **Department Use of Social Media in the Hiring Process**

The department shall include online content when conducting background investigations of job and volunteer candidates. Searches for background information should be conducted by a person not involved in scoring or making hiring or placement decisions regarding the candidate. Material pertaining to protected information, such as medical conditions, shall be redacted before sharing information found online with hiring/placement decision makers.

Searches of online content shall be conducted in accordance with the law, and with regard to constitutionally protected interests, and vetting techniques shall be applied uniformly to all candidates.

Every effort must be made to validate online information that is considered during the hiring/placement process.

1350 **PROHIBITED POSSESSOR LEGISLATION—RESPONSIBILITIES OF MEMBERS**

1350.1 **General**

Commissioned members and professional staff whose positions require handling firearms, must maintain the ability to legally possess a firearm. The ability to legally possess a firearm can be affected by a variety of state and federal laws. Below is an overview of how these laws may affect an employee; check state and federal statutes for current and complete text.



- **Arizona Statute**

Arizona statutes (including A.R.S. §13-3101) may prohibit persons from possessing a firearm if they:

- Are under commitment for mental health treatment, or
- Have been convicted or adjudicated delinquent of a felony and their civil rights have not been restored, or
- Are incarcerated, or
- Are serving a term of probation for a domestic violence or felony offense.

Under Arizona law, a person may also be prohibited from possessing a firearm when so ordered by an Order of Protection or an Injunction Prohibiting Harassment.

- **United States Code**

Federal statutes prohibit persons from possessing a firearm if they (among other things):

- Have a felony conviction, or
- Have been committed by court order for mental health treatment, or
- Have been convicted of a "misdemeanor crime of domestic violence" (see below for definition), or
- Are subject to certain protective orders.

A misdemeanor crime of domestic violence is defined as a misdemeanor offense which has as an element the use or attempted use of physical force, or the threatened use of a deadly weapon, by a spouse, former spouse, parent, or guardian of the victim, against a person with whom the victim shares a child in common; by a person who is or has cohabited with the victim as a spouse, parent, or guardian; or by a person similarly situated to a spouse, parent, or guardian of the victim.

Under this definition, certain crimes that would be considered domestic violence under state law are not considered domestic violence under federal law. Similarly, certain crimes that would not be considered domestic violence under state law are considered domestic violence under federal law.

Under federal law, the issuance of certain court orders protecting a person from domestic violence makes the defendant (the person to whom the order is directed) a prohibited possessor. This prohibition applies only to those court orders issued:

- After a hearing of which the person received actual notice and had an opportunity to be heard, and
- The order restrains a person from harassing, stalking, or threatening an intimate partner or the child of an intimate partner, or engaging in conduct that would place either the partner or child in reasonable fear of bodily injury, and



- The order includes a finding that the person represents a credible threat to the physical safety of the partner or child, or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against the partner or child.
- **Operation of State and Federal Law**

Under state law, a member may be prohibited from possessing a firearm by an Order of Protection or an Injunction Prohibiting Harassment. When such an order is in place, sworn members and professional staff members whose jobs require the handling of firearms shall be placed on leave as provided in the General Employment Policies and Discipline and Grievance *General Orders*.

The Department of Justice Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) is tasked with interpreting federal firearms laws and their interplay with state laws. In Arizona, most Orders of Protection or Injunctions Against Harassment are issued without the benefit of a hearing and, therefore, do not trigger federal laws regarding gun possession. However, ATF has advised the Arizona Supreme Court that any person who receives an Arizona order and then requests a hearing on that order may become a prohibited possessor under federal law, if, following the hearing, the order or injunction remains in effect and meets the criteria set forth above.

Members should seek private legal advice on these issues before taking action regarding an Order of Protection or Injunction Against Harassment issued to the member.

1350.2 Reporting Required

A member served with an Order of Protection or similar court order shall complete a *Personnel Report* with a copy of the order attached and present it to the member's chain of command before returning to duty. A person wishing to serve such an order on a member shall be directed to a supervisor, who shall review the order to determine whether it contains a firearms prohibition and shall immediately serve the order on the affected member. The supervisor shall immediately take any action required by the order or *General Orders*.

A member arrested for a criminal offense that may be considered domestic violence under state or federal law shall report the arrest via *Personnel Report* to the member's chain of command. Any conviction, including convictions not previously reported, shall similarly be reported through the chain of command to the Chief of Police.

1350.3 Administrative Action and Discipline

Orders of Protection and similar orders issued under state law may prohibit the possession of a firearm by a member. When such an order is in effect, the member may not possess a firearm and must be placed on leave as indicated below.

TUCSON POLICE DEPARTMENT

270 South Stone Avenue, Tucson, Arizona 85701

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As noted above, in certain circumstances federal law may also prohibit possession of a firearm by a person who is the subject of an order of protection or similar order. However, federal law provides that a law enforcement officer whose right to possess a firearm is lost due to the existence of a qualifying protective order may nevertheless possess and use a firearm during duty hours.

The Legal Advisor shall be contacted to review orders of protection or similar court orders to determine whether the member may continue to possess a firearm while on duty. If possession is permitted, it shall be for on-duty purposes only and the service weapon shall be provided to the officer and surrendered to a supervisor on a daily basis.

All sworn, and any professional staff members whose position requires the handling of firearms, who are no longer permitted by operation of state or federal law to possess a firearm shall be placed on leave immediately.

Members may request to use compensatory time or vacation leave and, when such leave is exhausted, may request to be placed on leave without pay. In no event shall the total leave time exceed twelve (12) months. A member who does not request, or is not deemed eligible for, authorized leave shall be indefinitely suspended without pay for failure to maintain the ability to perform the member's job duties. Administrative procedures related to suspensions without pay shall be followed.

A member who is unable to regain the ability to legally possess a firearm within twelve (12) months of the first day of authorized leave or suspension may be terminated from City employment.

Separate from and in addition to discipline resulting from the loss of the right to possess a firearm, the department may take disciplinary action related to the member's misconduct, including events underlying or associated with the issuance of an Order of Protection or similar court order, or an arrest.