
KANSAS CITY, KANSAS POLICE

GENERAL ORDER

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SUBJECT: Code of Ethics

REFERENCE: CALEA Ch.1 & 26

CROSS REFERENCE:

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I. PURPOSE

- A. To adopt a Code of Ethics, which will serve as a guideline for the personnel of the department, when their conduct is concerned.

All law enforcement officers must be fully aware of the ethical responsibilities of their position and must strive constantly to live up to the highest possible standards of professional policing.

The Kansas City Kansas Police Department joins the International Association of Chiefs of Police in their belief that it is important officers have clear advice and counsel available to assist them in performing their duties consistent with these standards, and has adopted the following ethical mandates as guidelines to meet these ends.

In addition to the guidelines set forth in this order, all police employees, as all city employees, are subject to the provisions of the Code of Ethics promulgated by the Unified Government Ordinance. These provisions act as a supplement to all rules, regulations, and departmental orders of the Kansas City Kansas Police Department. All personnel of the Department must attend ethics training every two years.

II. PRIMARY RESPONSIBILITIES OF AN OFFICER

- A. An officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of an officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace; and ensuring the rights of all to liberty, equality and justice.
- B. Officers shall be responsible for the efficient performance of their duties in conformity with established rules, regulations, orders, policies and procedures.
- C. Officers shall exercise authority commensurate with the obligations imposed by his/her oath of office and be directly accountable to his assigned supervisor, promptly obeying all legitimate orders.
- D. Officers shall assist in the Department programs for:
 - 1. Improving efficiency and cooperation within the Department.

2. Establishing and maintaining good public relations in promoting public confidence and support.
 3. Proper, safe and economical use of Department property and equipment.
- E. Officers shall respond, as soon as possible (within reason) to all assignments.
 - F. Officers shall insure civil treatment and protection of rights of all persons coming within his/her scope of police authority.
 - G. Officers shall provide credible testimony in all courts during the prosecution of cases in which officers have been subpoenaed or are appropriately requested by the prosecuting authority.
 - H. Officers shall report for duty physically fit, mentally alert, neatly and properly groomed with prescribed uniform or attire and equipment.

III. PERFORMING THE DUTIES OF AN OFFICER

- A. An officer shall perform all duties impartially, without favor, affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens shall be treated equally with courtesy, consideration and dignity.
- B. Officers are prohibited from racial profiling. "Racial profiling" is the unreasonable use of race, ethnicity, national origin, socio-economic status, gender, or religion by a law enforcement officer in deciding to initiate an enforcement action.. There are policies in place for discipline of law enforcement officers who may engage in racial profiling.
 1. "Routine investigatory activities" includes, but is not limited to, the following activities conducted by law enforcement officers and agencies in conjunction with traffic stops: (1) frisk and other types of body searches, and (2) consensual or nonconsensual searches of persons or possessions, including vehicles, dormitory rooms, school lockers, homes and apartments.
- C. Officers will never allow personal feelings, animosities, or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

IV. DISCRETION

- A. An officer will use responsibly the discretion vested in the position and exercise it within the law. The principle of reasonableness will guide the officer's determinations and the officer will consider the severity of the offense or incident and surrounding circumstances in determining what, if any, legal action should be taken.
 1. If probable cause exists that a person committed a felony crime there is no latitude for discretion, barring extraordinary circumstances and upon the authority of an immediate supervisor.
 2. In keeping with the Domestic Violence General Order, no individual officer's discretion is allowed in Domestic Abuse situations once probable cause has been established.
 3. Once probable cause has been established that a person committed a misdemeanor crime, except domestic violence, the officer will determine which of the following options is best suited to provide a satisfactory and beneficial conclusion to the incident.
 - a. Booking the individual.
 - b. Release on recognizance.
 - c. Non-Arrest options (warning, referral, etc.).
 4. Non-hazardous traffic violators can be afforded the most discretion. Officers should determine whether a warning or citation would have the greatest positive impact upon the violator.
- B. Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice rather than arrest--which may be correct in appropriate circumstances--can be a more effective means of achieving a desired end.

V. USE OF FORCE

- A. An officer will never employ unnecessary force or threat of force and will use only such force in the discharge of duty as is reasonable in all circumstances.
- B. Force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every officer will refrain from applying unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

VI. CONFIDENTIALITY

- A. Whatever an officer sees, hears or learns, which is of a confidential nature, will be kept secret unless the performance of duty or legal provision requires otherwise.
- B. Members of the public have a right to security and privacy, thus information obtained about them shall not be improperly divulged.

VII. INTEGRITY

- A. An officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other officers.
- B. The public demands that the integrity of officers be above reproach. Officers must avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers shall refuse to accept any gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities, honestly, and within the law. Officers shall not receive private or special advantage from their official status. Respect from the public cannot be bought; it can only be earned and cultivated.
- C. No officer shall knowingly make a false verbal statement in the performance of their official duty or knowingly state, enter, or cause to be entered on any official documents any false information. Nothing in this section shall preclude an officer from utilizing appropriate investigative techniques while conducting investigations or interrogations.

VIII. COOPERATION WITH OTHER OFFICERS AND AGENCIES

- A. Officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.
- B. An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative that an officer assists colleagues fully and completely with respect and consideration at all times.

IX. PERSONAL AND PROFESSIONAL CAPABILITIES

- A. Officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.
- B. Through study and experience, an officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

X. PRIVATE LIFE

- A. Officers off-duty behavior will be consistent with their professional and ethical on-duty behavior and shall not bring discredit to their agencies or themselves.
- B. A police officer's character and conduct while off duty must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.
- C. Employees may be disciplined or discharged for violations of Departmental Policy occurring while off-duty.

XI. HARASSMENT AND FRATERNIZATION

- A. Police Department personnel should conduct themselves in an ethical and professional manner. The work environment must be free from intimidation, harassment, coercion, unwelcome sexual advances, requests for sexual favors and other unwelcome verbal or physical conduct. Employees are responsible for promptly reporting harassment to UG Human Resources or any Police Department Supervisor or Commanding Officer.
 - 1. In order to maintain trust among members of the Department, officers are prohibited from covertly recording another employee, supervisor, and/or commander. If the need arises to record a conversation, he/she must have either;
 - a. permission from everyone in the room
 - b. approval from the Chief of Police
- B. Body worn cameras are exempt from this policy, however they will not be used in covert mode to record another employee, supervisor, or commander.
- C. A romantic relationship between two employees in the same chain of command could expose the UG and the Police Department to risk and is therefore considered poor judgment. Supervisors and Commanding Officers should refrain from such activity with his/her subordinates.

XII. BRADY-GIGLIO DISCLOSURE INFORMATION

- A. *Brady v. Maryland* (1963) requires that prosecutors disclose to the defense, evidence favorable to a defendant that is either exculpatory or impeaching and is material to guilt or punishment. *Giglio vs. U.S.* (1972) requires the prosecution to turn over or disclose any evidence to a defendant that tends to impeach the character or testimony of the government's witness in a criminal trial. These court cases extend to members of this Police Department who may be required to testify in criminal proceedings as part of their duties.
- B. *U.S. v. Agurs* (1976) holds that the duty to disclose Brady material is an affirmative obligation on the part of the prosecutor. Prosecutors must provide such evidence to the defense without the defense requesting it. In *Kyles vs. Whitley* (1995) the Supreme Court ruled that the prosecution has an affirmative duty to learn of exculpatory information of any favorable evidence known to the others acting on the government's behalf, including the police.

- C. The Police Department is required to disclose possible impeachment information about employees to the prosecuting authorities in our jurisdiction. Employees will be notified, in writing, if the Department has such information on file. When called to testify in court, an officer with known disclosure information is obligated to inform the prosecutor about their issue so that it can be evaluated for relevance to the pending court action.

XIII. DUTY TO INTERVENE

- A. **Officers have a duty to intervene when they see another officer:**
 - 1. **Violating or about to violate a law or any policy related to professional integrity or use of force;**
 - 2. **Committing an act, or about to commit an act that would discredit themselves, the Department, or the law enforcement profession; or**
 - 3. **When seeing that an encounter between an officer and other person that is likely to end badly (hostile or escalating behavior, unprofessional conduct, etc.)**
- B. **Officers are required to report police misconduct that they observe when the misconduct violates the law or any policy related to professional integrity or use of force.**