




**Division of State Patrol
Policy and Procedure**

Number 11-3

Subject DIVISION OF STATE PATROL CODE OF CONDUCT POLICY	
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Attached is a copy of the Code of Conduct Policy for the Division of State Patrol (DSP). It is to be read and maintained by all Division of State Patrol employees. Questions on the content of this policy should be directed to the employee's supervisor.

Attachment

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PREFACE

The ultimate objective of law enforcement is to obtain voluntary compliance with the law from the citizen. Voluntary compliance is obtained in several ways; enforcement being one and example being another. Enforcement, fairly and equitably implemented, engenders the belief that violators will be apprehended (enforcement) and appropriate penalties assessed (adjudication). Potential violators are deterred.

The second method, example, requires high standards of conduct by employees of law enforcement agencies that result in public respect and confidence. Ethical conduct by Division employees is a necessity and Articles I through V have been adopted to achieve that goal. Violation of these rules and regulations (DOT and Division) by employee constitutes grounds for disciplinary action.

The Division has established criteria for determining the necessity and extent of disciplinary action for violation of rules and regulations. Any employee who has been disciplined by reprimand, suspension, demotion, or termination has the appropriate statutory or contractual right to appeal.

An employee should seek an interpretation or explanation from his immediate first-line supervisor whenever the employee has any doubt as to the meaning or intent of a rule or regulation.

AUTHORIZATION

In accordance with the authority set forth in section 111.90(2) Wisconsin Statutes:

Manage the employees of the agency; hire, promote, transfer, assign, or retain employees in positions within the agency; and in that regard establish reasonable work rules.

The Rules and regulations are adopted for the employees of the Division of State Patrol. These Rules and Regulations supersede all previous orders, rules, regulations, and memorandums that might conflict with their meaning and intent. These Rules and Regulations apply to off-duty and on-duty Division employees according to the circumstances.

Date: July 24, 2018

LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; 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 men to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; 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 in both my personal and official life, I will be exemplary in obeying the laws of the land 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, 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 constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession . . . law enforcement.

Source: Wis. Admin. Code Sec. LES 3.01(1)(d)

DEFINITIONS

The following words and phrases, when used herein, will have the meaning respectively ascribed to them, except in those instances where the context clearly indicates a different meaning:

BUREAU	Any Bureau within the Division of State Patrol.
CHAIN OF COMMAND	A logical progression of supervisory-managerial and administrative levels; i.e., Trooper, Sergeant, Lieutenant, Captain, Major, Bureau Directors, Deputy Superintendent, Superintendent, and Secretary of the Department of Transportation.
DEPARTMENT	Wisconsin Department of Transportation.
DIRECTIVE	A general instruction related to policy, rule, regulation, specific order or procedure.
DIRECTOR	The person in charge of a Bureau within the Division of State Patrol.
DIVISION	Division of State Patrol, Wisconsin Department of Transportation.
DIVISION HEADQUARTERS	Headquarters, Division of State Patrol, Madison, Wisconsin.
EMPLOYEE	Any person employed by and performing a service for the Department of Transportation or Division of State Patrol on other than a consultant or loan basis.
SUPERVISOR	A person who has been delegated supervisory or administrative authority over other employees.

**DIVISION OF STATE PATROL
CODE OF CONDUCT, RULES AND REGULATIONS**

ARTICLE I – CONDUCT

Section 1 Conduct

Employees shall conduct themselves both on and off duty, in such a manner as not to reflect unfavorably on the Division. Unbecoming conduct shall include that which tends to bring the Division into disrepute or reflects discredit upon the employee as a member of the Division, or that which tends to impair the operation and efficiency of the Division or employee.

Section 2 Judicial Process

Employees will not become involved in activities between a defendant or their agents and others in the criminal justice system for the purpose of permitting the defendant to escape prosecution or to minimize the penalties prescribed by law.

Section 3 Evidence

Employees will not fabricate, withhold, alter, or destroy evidence, nor will they falsify or withhold information from any official report whether verbal or written, nor fail to perform duties prescribed by law.

Section 4 Uniforms

Employees will not attend any public gathering, event, or place of amusement while in uniform on or off duty except as may be required in the performance of their duty.

Section 5 Identification

An employee, while on duty or in uniform, will upon request give his/her name, WSP number if assigned, and home station, if the request is made during the course of official business.

Section 6 Conformance to Laws

Employees shall obey all public laws and shall not use their official position for avoiding consequences of illegal acts. Any employee who has received a traffic citation, is a defendant in a criminal action, is the subject of any official action taken by a law enforcement agency, or is a litigant in a civil

action, any of which is related to job duties or performance, will promptly notify his/her supervisor of the incident. Any employee who is served with a restraining order or who becomes aware that he or she is or was under an official investigation by a law enforcement agency or district attorney's office shall promptly notify his or her supervisor. Loss, suspension, restriction, or revocation of any driving privilege shall be reported immediately to the employee's immediate supervisor.

Section 7

Intoxicants

No employee shall consume alcoholic beverages while on-duty or in uniform (except as authorized for training-related or other official purposes), nor shall they report for duty displaying any indications of alcohol consumption or with a measurable alcohol concentration of more than 0.0 (zero tolerance).

No employee shall use narcotics, hallucinogens, or other controlled substances except when legally prescribed. When medications are prescribed, the employee shall inquire of the prescribing physician whether the medication will impair the employee in the performance of their duties. The employee shall immediately notify their supervisor if a prescribed medication is likely to impair the employee's performance during the employee's next scheduled shift.

No employee shall report for work when the employee's ability to perform assigned duties is impaired due to the use of alcohol or drugs, whether legal or illegal.

Employees shall, at the request of any supervisor based upon reasonable suspicion, be required to submit to a chemical breath, blood or urine test for the purpose of determining the presence of alcohol or controlled substance. The appropriate test(s) shall be determined and administered at the direction of a supervisor.

Section 8

Use of Tobacco

Employees on duty will not use tobacco when on official business and in personal contact with the public.

Section 9

Moral Conduct

No employee shall engage in any immoral or indecent conduct which would impair the effectiveness of the employee and the Division's ability to preserve morale and discipline which could suffer as a result of community disapproval.

Section 10

Outside Work

Employees will not engage in any outside work activities without receiving prior authorization.

Section 11

Commercial Endorsement

Employees will not endorse any commercial product or support any commercial service (such as attorney, towing service, mortician, bondsman, etc.) while representing themselves as a member of the Division.

Section 12

Division Representation

Employees shall not release or divulge investigative information or hold themselves out as representatives of the Division without official sanction or authorization.

ARTICLE II – EQUIPMENT AND SUPPLIES

Section 1

Care of Equipment

Employees will take every reasonable precaution to protect from loss, theft, damage, tampering or unauthorized altering or use of any equipment, supplies, or evidence entrusted to them.

Section 2

Care of Vehicles

Employees operating a state-owned or assigned vehicle shall exercise good judgment in its operation, parking storage, and care to prevent or minimize damage to the vehicle or criticism of the Department/Division.

Section 3

Unauthorized Modification/Installation

Employees will not modify, install, or permit modification or installation of any equipment or accessories on a state-owned vehicle without prior approval from a supervisor.

ARTICLE III – TELECOMMUNICATIONS

Section 1 Use of Telecommunications

Employees' use of the telecommunications system will be limited to that authorized by Division policy and procedures.

Section 2 Radio/Telecommunications

Employees will not initiate or relay telecommunications transmissions containing false or deceptive "ten-signals" or information, obscene, indecent, profane, or offensive words, phrases, or remarks.

ARTICLE IV – USE OF FORCE

Section 1 Force

Employees of the Division whose duties may require the use of force shall do so only in accordance with established Division policy and procedures.

Section 2 Firearms

Employees authorized to carry firearms shall comply with established Division policy, procedures, and directives.

ARTICLE V – MISCELLANEOUS

Section 1 Telephones

All employees designated as essential to maintenance of Department/Division/Bureau/police service or emergency response will have telephone service to their place of residence. Telephone service may be in the form of a landline or cellular. Employees will advise their supervisor of their telephone number.