



RULES & REGULATIONS

These rules and regulations shall instruct all members of the Auxiliary Unit in the performance of their duties unless specifically directed otherwise by the Auxiliary Unit Coordinator, Auxiliary Unit Sergeant, or the Chief of Police.

The violation of any rule and/or regulation, procedure, or lawful order, whether written or verbal, may result in removal from the Auxiliary Unit.

All members are considered to be on-duty whenever they are performing any Auxiliary Unit function or otherwise represent themselves as an Auxiliary Unit Member or an employee of the City.

Rules of Conduct

Duty to Comply with Rules and Regulations

All members of the program are required to know, obey, and comply with the rules, regulations, policies, procedures, and written directives of the Xenia Police Division Auxiliary Unit. All members of the program are responsible for knowing the contents and the maintenance of Standard Operating Procedure manuals issued to them, and shall make appropriate changes or inserts as directed.

Duty to Know and Obey Ordinances and Laws

All members of the program are required to know and obey the ordinances of the City of Xenia and the laws of the State of Ohio.

Authority Exercised in Just Manner

Authority in the Program shall be exercised with firmness, kindness, and justice. Superior Auxiliary Unit Members shall sustain their subordinates when they do so consistently and avoid, as far as circumstances warrant, censuring them in the presence of others. Superior Auxiliary Unit Members are forbidden to injure or discredit those under their authority by tyrannical or capricious conduct or by abusive language.

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Duty as Required by Competent Authority

1. Notwithstanding the assignment of specific duties and responsibilities to members of the Program, all members shall perform all other duties as may be required of them by competent authority.
2. Members of the program shall diligently, completely, and without delay or question carry out all orders of their designated supervisor, which pertain to the performance of the Auxiliary Unit's duty. This will include orders relayed from a supervisor by an Auxiliary Unit Member of the same or lesser rank.

Neglect of Duty

1. Each member, because of both grade and assignment, is required to perform certain duties and assume certain responsibilities. Failure to properly function in either or both of these areas constitutes neglect of duty.
2. No member shall leave their assigned duties or fail to complete a duty until that member has been properly relieved.
3. Members shall not fail to respond promptly to radio calls or other requests for service and will make themselves available for further service as soon as possible.

Aid Another to Violate Regulations

1. Members of the program who have knowledge of other members violating the rules and regulations of the division are required to report these violations to their immediate supervisor.
2. An Auxiliary Unit Member shall not aid, abet, or incite another to violate Program regulations, duties, orders, policies, or prescribed procedures.

Unsatisfactory Performance

The Auxiliary Unit shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. The Auxiliary Unit shall perform their duties in a manner, which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Program. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws that are required to be enforced. An unwillingness or inability to perform assigned tasks. The failure to conform to work standards established for the Auxiliary Member's rank, grade, or position. The failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention.

In addition to the aforementioned, the following shall be considered prima-facia evidence of unsatisfactory performance: repeated poor evaluations or a written record of repeated infractions of rules, regulations, directives or orders of the program

Punctuality, Neatness, and Attire

1. Members will report for scheduled duty assignments on time unless emergency conditions prevent it. In the latter case, every effort will be made to notify the Supervisor concerned.
2. A member shall always be neat and clean in person and dress while on duty and shall be attired and equipped according to Program policy or special instructions from a supervisor.
3. A member shall maintain personal habits of cleanliness and hygiene. Hair and mustaches shall be groomed according to the Program Policy.

Duty to Stay Informed

1. Each member reporting for duty will acquaint themselves with all relevant events, which have transpired since their last tour of duty. Members shall familiarize themselves daily with official information posted on Police Division bulletin boards.
2. Members who do not understand an official duty shall read written procedures, directives, and orders, or will consult their supervisor for instructions. Members will not seek information from any source outside of the Program without direction/permission from the Auxiliary Unit Coordinator.

Court Appearances

1. Attendance in court - An Auxiliary Member required to appear in court on any matter arising from duty performance shall be punctual in reporting, alert, dignified and calm in demeanor. When an emergency prevents attendance, the member will notify the Court Assignment Clerk.
2. Testifying for Defendant - Any member subpoenaed to testify for the defense in any trial or against the City of Xenia or interest of the Division in any hearing or trial shall forthwith notify his supervisor and the Prosecutor's office handling the case.
3. Civil Cases - An Auxiliary Member shall not testify in civil cases unless legally summoned.
4. Initiation of Civil Cases - An Auxiliary Member shall not initiate civil action arising

out of their official duties without first notifying in writing the Chief of Police.

Political Activities

1. Filing for Elective Government Office - City policy specifically prohibits an Auxiliary Member from continuing in the employment of the City after becoming a candidate for nomination or election to any public office.
2. Individual members shall not make use of the influence of their position within the Police Division in any public election. Members shall not publicly support any person seeking the office of Mayor or City Councilperson for the City of Xenia.
3. No member of the Police Auxiliary Unit shall join or be a member of any organization or society where the object or purpose of which shall either directly or indirectly seek to interfere with the discipline, conduct, and control of the Police Division by the Director of Public Safety.
4. A member shall not engage in activities of a personal or political nature while on duty. Funds, supplies, property, and equipment of the City shall not be used in performing any service of a private, personal or political nature.

Visits to City Manager

Members of the Program shall not visit the Office of the City Manager for matters pertaining to police business, unless called for, without the permission of the Chief of Police. To obtain permission for a visit to the City Manager's Office, the Auxiliary Member should simply follow his or her usual chain of command.

Confidentiality

1. An Auxiliary Member will not disclose to anyone confidential information that would hinder accomplishment of police work. All members of the division will treat matters of an official nature or of divisional concern as confidential. Details concerning divisional business, sources of information, status of cases, or any other information concerning the personnel, operation, or investigations of the division will not be discussed with those outside the division except when necessary to assist another law enforcement agency with an ongoing investigation.
2. Members of the program will not disclose the home address or telephone number of other members of the program, Officers, City Officials, City Employees, or other confidential personal information unless authorized to do so. Members will not use the Division business address or phone for personal business dealings.

3. Members shall not make false, vicious or malicious statements about members of the program to anyone outside the program. Members shall not make statements concerning the personal conduct or character or any other statement detrimental to an individual, the program, or the City of Xenia to any person outside the program.

Reports and Records

1. Members of the division shall not make a false official report or knowingly enter or cause to be entered any inaccurate, false or misrepresented facts in any divisional record.
2. Members shall not remove Division records or reports from where they are maintained without proper authority.
3. No member of the Division shall make false official report or make a false statement concerning a member of the Division or other City official or employee, either as to his personal character or conduct.
4. An Auxiliary Member shall make a complete and concise report in all cases where action is taken using the proper division form. The report shall be completed and turned in a timely manner generally prior to the Auxiliary Member going off duty. In those instances where a report cannot be completed prior to a member going off duty, the member will mark the report, "Still under investigation" and turn in the incomplete report.
5. Members of the program will not remove confidential or official records, documents, or files from the office, and will not release them or information from them unless it be in accordance with written procedures, by due process of law or by permission of the Chief of Police. Exempt from this rule are copies of auto accident reports or any report except investigative notes where the person requesting the information is the subject of the report.
6. Under no circumstances are agency identification numbers, information from or hard copies of LEADS computer printouts to be released to anyone other than law enforcement agencies.
7. All members of the Program shall comply with current public information laws.

Reporting Change of Personal Status

Members of the Program shall report any changes in address, telephone numbers, legal change of name, changes in educational level, and receipt of new certificate, permits or licenses within twenty-four hours after such changes and promptly submit such information in writing to the Auxiliary Unit Coordinator.

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Personal Conduct

1. The conduct of each member, both on and off duty, is expected to be such that it will not reflect adversely on other members, of the Auxiliary Unit, the Police Division, the City of Xenia, or the law enforcement profession.
2. A member shall not indulge in lewd, obscene, or immoral public conduct.
3. Members of the program will always be civil and courteous when dealing with the public. They will avoid using profane language, and answer questions carefully and courteously.
4. In courts of law and in other official inquiries members of the program shall be completely honest, telling the truth, the whole truth, and nothing but the truth.
5. Members shall not make false statements to, or withhold information from supervisors when questioned, interviewed, or in submitting statements or reports.
6. Sleeping on duty or giving the appearance of sleeping while on duty is prohibited.
7. Members shall not knowingly make a false report, either oral or written.
8. Impartial Attitude - Members shall at all times consider it their duty to be of service to anyone in danger or distress and shall neither discriminate against nor show partiality for any person because of race, sex, religion, friendship, or fraternal or social affiliations.
9. Respect Toward Other Auxiliary Members - Members of the Program shall treat their fellow Auxiliary Members and superiors with respect; and in their demeanor toward their associates in the Division, shall be courteous and considerate, guarding themselves against envy, jealousy, or other unfriendly feeling, or any act of insubordination or disrespect.
10. Loose Talk - Loose talk in public concerning the Police Division and its members so as to bring discredit upon either shall not be permitted.
11. Consorting with Persons of Questionable Moral Character - Members shall not knowingly consort with or otherwise fraternize with known gamblers, prostitutes, drunkards, persons known to sell and/or use illegal drugs, or other persons of bad character or ill repute, expect to accomplish a police assignment or mission.
12. Intimidations - A member shall not use or direct unjustifiable violence, abuse, force, or threats against or otherwise intimidate any person.

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13. Members of the program shall not chew tobacco, or smoke in uniform while dealing with the public in any official capacity, or while in any city building, or in any police vehicle.
14. Members of the program shall not read non-police publications, play games, watch television or movies, or otherwise engage in entertainment while on duty.
15. A member shall never use their influence for personal advantage or gain.
16. A member of the program shall not recommend a specific attorney or bondsman to a person arrested by Xenia Police Division.
17. An Auxiliary Member shall give his name and unit number to any person requesting it.

Intoxicant/Drugs

1. While on duty, a member shall not consume or possess alcoholic beverages, except in the proper performance of their duty.
2. A member shall not report for duty under the influence of alcohol or have the odor of intoxicants on their breath. While off duty, a member shall not consume alcoholic beverages to the extent, which renders them unfit to report their next regular tour of duty.
3. Members of the program shall not drink alcoholic beverages while wearing their uniforms or identifiable parts of the uniform, whether on or off-duty.
4. It is the responsibility of the supervisor, noting a member apparently under the influence of alcohol, to offer the member the opportunity to subject themselves as soon as is reasonably possible to a BAC verifier test to be conducted by an individual competent in the administration of such tests. For the purposes of this section, a reading of .05 on the BAC verifier will be considered as proof that the individual is under the influence of alcohol.
5. No intoxicating liquors shall be brought into or retained in Police Headquarters by any member for personal use.
6. No member shall use or possess drugs illegally, as defined in the Ohio Revised Code, in violation of said code.
7. No member of the Program shall report for duty while under the influence of legally prescribed medication, which impairs or effects the ability to perform routine Auxiliary Unit duties.

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- 8. An Auxiliary Unit Member convicted of a workplace violation of this policy must report such conviction within five days of such conviction. The City will take appropriate action on any Auxiliary Unit Member convicted of using, possessing or selling drugs in the workplace.
- 9. In cases of reasonable suspicion of an Auxiliary Unit Member's violation of this policy, the City may require an Auxiliary Unit Member to submit to testing for drugs.

Rough or Careless Handling of City or Division Property

- 1. Members shall use care in handling Division equipment and property, and shall report immediately any that is lost, damaged, or in bad condition. Any member who willfully or negligently loses, damages, or destroys Division property may be subject to disciplinary action.
- 2. Every member of the program shall operate divisional vehicles in such a manner as to avoid injury to persons or damage to property. They shall park their vehicle in such a manner as to cause the least interference with traffic flow except when an emergency requires otherwise.

Equipment and Property-Restrictions to Use and Conversion

- 1. No Auxiliary Unit Member shall convert to personal use any money, property, or any other items belonging to the City. The above specifically prohibits unauthorized use of City equipment without approval of the Chief of Police.
- 2. Members shall not convert to their own use or have any claim on found property, recovered property, or property held as evidence, as specified by Ohio Law.

Publication of Articles

- 1. A member of the Division shall obtain permission from the Chief of Police to publish articles as official representatives of the Police Division.
- 2. A member of the division shall not authorize the use of their name, a photograph that identifies the Auxiliary Member as affiliated with the division, or his official title in connection with the advertisement of any commodity or commercial enterprise without divisional approval.

Rewards/Gratuities/Gifts

- 1. Members shall neither solicit nor accept any gift, gratuity, loan, present, fee, admission, or any article whatsoever for personal gain, which may be construed to

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influence performance of duty. Members shall not accept meals or other services at reduced prices (or free of charge) while on duty.

2. Members shall not receive any article whatsoever by any means from suspects, prisoners, persons recently arrested, gamblers, prostitutes, professional bondsmen or other persons whose vocations may profit from information obtained from the police, or from relatives, employees, or associates of any of these persons.
3. With specific written approval of the Chief of Police, soliciting funds or goods for a benevolent or charitable cause by members will be permitted.

Payments

An Auxiliary Unit Member is not to accept or collect moneys or payment of any kind from subjects who have been or are being issued a citation. Individuals may make their payments in person at City Hall, Utility Billing Department, between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday. They may place their payment in the drop box in the lobby of City Hall, or mail their payment to the Utility Billing Department, 101 North Detroit Street, Xenia, Ohio 45385. All checks should be made out to the City of Xenia.

Sexual Harassment Policy

As with other forms of discriminatory actions, the City of Xenia does not tolerate any form of sexual harassment.

1. It is against the law to demand sexual favors in expectation for employment security, promotions or wage considerations.
2. It is against the law to create a hostile environment by making unwanted sexual advances, telling offensive jokes or stories, and displaying offensive pictures, drawings, cartoons or personal gestures.
3. It is a violation to continue offensive behavior when you have been told it is unwanted.
4. If you feel you are being harassed or if you witness harassment of another, inform the party that you object to their behavior and if it continues, report the incident to your supervisor or the Human Resources Director.
5. Violation of this policy is a serious matter and subject to disciplinary action up to and including discharge from the program.

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Weapons

No weapons of any kind are to be on your person or in your car while on duty. Any violation of this will result in immediate dismissal from the program.

Voluntary Termination

An Auxiliary Member may choose to leave the Police Auxiliary Unit at any time. It is requested that the Auxiliary Member submit a notice in writing to their supervisor explaining their reason for this action, as well as a copy to the Auxiliary Unit Coordinator. Any additional comments would be appreciated.

Code of Ethics

The City is subject to the provisions of the Ohio Ethics Law and related Statutes and they require that we inform employees that it is unethical to use their governmental positions for gain.

The Ohio Ethics Law defines "employee" as any paid or unpaid position with the City. This is interpreted to include paid employees, elected officials, appointed lay board members, committee members, and Auxiliary Unit Members.

1. All "employees" will be issued a copy of the Ohio Ethics Law and be required to sign acknowledged receipt of the publication. (Section 3 Pages 13-32)
2. All "employees" are responsible for conducting their affairs in accordance with the provisions of the law.

Law Enforcement Code of Ethics

All members of the police division shall adhere to the "Law Enforcement Code of Ethics" and the "Police Canon 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 and 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 division. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept

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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 public trust to be held so long as I am true to the ethics of police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession.....Law Enforcement.

Discipline Procedures

An Auxiliary Member who violates any of the rules and/or Regulations set forth herein, any additions and amendments to these rules, and/or any other orders and directives, either written or verbal, issued by the Police Chief, Auxiliary Unit Police Sergeant, Auxiliary Unit Coordinator, or any other Supervisor, will be subject to disciplinary procedures.

Training as a function of Discipline

The Auxiliary Unit Coordinator shall be responsible for developing and conducting in-service training for the Police Division Auxiliary Unit designed to further their knowledge and understanding of proper and effective police methods and techniques. The training should foster positive and constructive techniques for improving employees' productivity, effectiveness and morale. The division may mandate remedial training for the Auxiliary Member found to be deficient in some necessary skills.

Counseling/Training

If an Auxiliary Unit Member's misconduct is minor, consisting of only a minor procedural mistake or inappropriate judgment, the Auxiliary Unit Member as a general rule will be counseled or given appropriate training. Counseling/training will not be entered into the employee's personnel file but will be noted on the individual's evaluation file.

Administration of Discipline

Discipline will generally be administered in a progressive fashion; i.e., from minimal to maximum. The seriousness of the incident; the circumstances surrounding the incident; the Auxiliary Unit Member's past disciplinary records; the Auxiliary Unit Member's past work performance; the overall negative impact on the organization the incident caused; and the prognosis for future similar problems will be taken into consideration in the administration of discipline.

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Upon conclusion of an investigation, if it is apparent that an Auxiliary Unit Member is guilty of a rule violation and disciplinary action is appropriate, discipline will be administered as follows:

1. **Oral and/or Written Reprimand** - If the Auxiliary Unit Member misconduct is serious or is part of a continuing pattern of behavior involving repeated minor misconduct or mistakes, the Auxiliary Unit Member as a general rule will be reprimanded. Reprimands will contain charges (what rules have been violated) and Specifications (descriptions of the conduct that constituted the rule violation).
2. **Recommendations for Suspension** - if the Auxiliary Unit Member's misconduct is very serious misconduct, the Auxiliary Unit Member may be recommended for suspension by the Auxiliary Unit Coordinator. The Chief of Police must approve recommendations for suspension.

Recommendations for suspension will be made on divisional suspension forms and will include charges and specifications for the particular offense. Suspensions will become a part of an Auxiliary Unit Member's personnel file.
3. **Recommendations for Dismissal** - if the Auxiliary Unit Member misconduct is so serious that continued employment is no longer appropriate or is part of a continuing pattern of behavior involving repeated serious or very serious misconduct, the Auxiliary Unit Member will as a general rule be recommended for dismissal by the Auxiliary Unit Coordinator to the Chief of Police. Recommendations for dismissal will contain charges and specifications for the particular offense. Dismissals must be made by the Chief of Police and will become part of the individual's final employment record with the City.

Removal

The Chief of Police, Auxiliary Unit Police Sergeant, Auxiliary Unit Coordinator, or any other Supervisor have the authority to remove an Auxiliary Unit Member from the program at any time, and without prior notification. The decision to remove may be based on the violation of any rule of conduct set forth in the manual.