

CHAPTER III

Rules and Regulations for All Members and Employees

314.00 PROFESSIONAL CONDUCT AND RESPONSIBILITIES

314.03 GENERAL CONDUCT – Members and employees shall conduct themselves at all times in such a manner as to reflect favorably upon themselves, the City, the Department and the police service. Whether on or off-duty, members and employees shall avoid any conduct that brings disrepute to the Department or impairs its efficient and effective operation.

314.04 CONDUCT TOWARD OTHERS – HARASSMENT AND DISCRIMINATION – Members and employees shall treat all persons with courtesy and respect. The Department has a zero tolerance policy for harassment and discrimination against members, employees and persons on the basis of race, religion, national origin, marital status, age, sex, sexual orientation, ancestry, physical or mental disability, or medical condition. The Department prohibits conduct that violates the specified City Administrative Instruction.

Any member or employee who harasses or discriminates against another member, employee, or any person, or engages in any inappropriate workplace conduct that violates City Administrative Instruction 71 shall be subject to severe disciplinary action, including discharge from the City service.

Any member or employee who has knowledge that another member or employee has engaged in harassment or discrimination or inappropriate conduct that violates the specific City Administrative Instruction is strictly charged with the responsibility for reporting that conduct in accordance with the provisions of Manual of Rules Section 314.48 (Reporting Violations of Laws, Ordinances, Rules or Orders).

314.05 CONDUCT TOWARD OTHERS – WORKPLACE VIOLENCE – In order to provide a safe and appropriate work environment, the Department has zero tolerance for acts and threats of violence. Employees and members shall report threats or acts of violence or intimidation between members and/or employees to their supervisor. Supervisors are responsible for immediately reporting threats or acts of

370.90 ENDORSEMENTS AND REFERRALS – Members and employees shall not suggest, recommend, advise or otherwise offer counsel concerning the procurement of a particular product or professional service whether or not a fee is exchanged.

384.00 PUBLIC ACTIVITIES

384.28 COMMERCIAL TESTIMONIALS – Members and employees shall not permit their names or photographs to be used to endorse any product or service related to law enforcement without the authorization of the Chief of Police.

384.32 POLITICAL ACTIVITY – Members and employees shall not participate in political activity in violation of the specific Administrative Instruction or Department policy.

- Participation in any type of political activity while in uniform, during working hours, or otherwise serving as a representative of the Department is prohibited. They shall not knowingly allow their names or photographs to be used in any partisan campaign for elective offices that alludes to their position of employment with this Department.
- Members and employees shall not directly or indirectly, solicit or receive political funds or contribution, knowingly, from other City officer or employees or from person on the City's civil service lists.
- Members and employees shall not solicit or obtain from Department personnel or any City employee a contribution of services, money, or any other things of value for any election or campaign purpose.

384.56 MEMBERSHIP IN ORGANIZATIONS – Except for the military reserve components enumerated in the California Veterans Code, members and employees shall not affiliate with any group which would prevent its members from rendering proper and efficient service to the Department and community.

- 384.70 SUBVERSIVE ORGANIZATION – No member or employee shall knowingly become a member or affiliate of any subversive organization, with the specific intent to foster its unlawful objectives, except when necessary in the performance of duty and with the prior authorization of the Chief of Police.
- 384.98 PERSONAL PREFERMENT – Members and employees shall not seek the influence or intervention of any person outside the Department, for purposes of personal preferment, advantage, transfer or advancement.

398.00 JUDICIAL AND INVESTIGATIVE ACTIONS, APPEARANCES AND TESTIFYING

- 398.16 COURT APPEARANCES – Members and employees shall attend court or judicial hearings, as required by subpoena or notification. When making such an appearance, either the official uniform or business attire shall be worn. Weapons shall not be displayed unless wearing the uniform. Members shall present a neat and clean appearance, avoiding any mannerism that might imply disrespect to the court, such as gum chewing and smoking. Such an appearance constitutes an official duty assignment.

Members and employees shall not wear any Department uniform while attending any non-duty related court, judicial, or administrative hearing unless authorized by the Chief of Police or designee.

- 398.32 NOTIFICATION OF SUBPOENA TO TESTIFY FOR THE DEFENSE – Any member or employee subpoenaed to testify for the defense in any trial or hearing, or against the City of Oakland or Department in any hearing or trial, shall notify his/her division commander upon receipt of the subpoena. He/she shall also notify the District Attorney or Office of the City Attorney, whichever is appropriate.
- 398.48 REFUSAL TO TESTIFY – Any member or employee who appears as a witness before any competent investigative body, judicial tribunal, hearing board or person authorized to compel testimony and who refuses to testify shall be subject to disciplinary action.