

P.G. 203-10 Public Contact - Prohibited Conduct

Date Effective: 08/01/13

PUBLIC CONTACT - PROHIBITED CONDUCT

1. Using discourteous or disrespectful remarks regarding another person's ethnicity, race, religion, gender, gender identity/expression, sexual orientation, or disability.

a. Members shall address the public using pronouns, titles of respect, and preferred name appropriate to the individual's gender identity/expression as expressed by the individual. The term "gender" shall include actual or perceived sex and shall also include a person's gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the legal sex assigned to that person at birth.

2. Knowingly associate with any person or organization:

a. Advocating hatred, oppression, or prejudice based on race, religion, gender, gender identity/expression, sexual orientation, or disability.

b. Disseminating defamatory material.

c. Reasonably believed to be engaged in, likely to engage in, or to have engaged in criminal activities.

d. Preventing or interfering with performance of police duty.

3. Divulging or discussing official Department business, except as authorized.

4. Manipulating manually or electronically, transmitting in any form, or distributing any official Department recorded media or recorded media coming into possession of the Department as evidence or for investigative purposes except as authorized for official Department business. Recorded media includes videotapes, photographic images or pictures, audio recordings, electronic or internet files, or any like forms to be available in the future.

5. Engaging in conduct prejudicial to good order, efficiency, or discipline of the Department.

6. Making recommendation for or concerning any person or premises to any government agency in connection with issuance, revocation, or suspension of any license or permit, except when required in performance of duty.

7. Soliciting, collecting, or receiving money for any political fund, club, association, society, or committee.

8. Joining any political club within the precinct to which assigned.

9. Being a candidate for election to, or serving as member of a School Board, if School District is located within City of New York (see Section 2103-a, Education Law).

10. While on duty or in uniform, endorsing political candidates or publicly expressing personal views and opinions concerning the merits of:

- a. Any political party or candidate for public office;
- b. Any public policy matter or legislation pending before any government body; or
- c. Any matter to be decided by a public election, except with the permission of the Police Commissioner.

11. Having an interest in or association with premises engaged in illegal gambling operations, smoke shops, after hours clubs, or similar illegal activities, except in performance of duty.

12. Patronizing unlicensed premises (social clubs, after hours clubs, etc.) where there is illegal sale of alcoholic beverages and/or use of drugs, except in performance of duty.

13. Violating Section 1129 of the New York City Charter. This section provides that any uniformed member who shall accept any additional place of public trust or civil emolument, OR who shall be nominated for any office elective by the people, and does not decline said nomination within ten days, shall be deemed thereby to have vacated his or her position/office in the Department.

This vacatur of office shall not apply to the following:

- a. A member of a community board
- b. An appointment, nomination, or election to a board of education outside the City of New York
- c. A member, who with the written authorization of the Mayor, shall accept any additional place of public trust or civil emolument, while on leave of absence without pay from the Department.
- d. A member who, with the written approval of the Police Commissioner, shall accept any additional place or position outside the City of New York, limited to volunteer work as a member or volunteer in, of, or for a community board, not-for-profit corporation, volunteer fire department, or other similar community-oriented entity.

14. Smoking in public view while in uniform.

15. Occupying seat in a public conveyance, while in uniform, to exclusion of paying passenger.

16. Occupying seat on a train, while in uniform and assigned to train patrol duties.

17. Using personal card describing police business, address, telephone number, or title except as authorized by Department Manual.

18. Rendering any service for private interest, which interferes with proper performance of duty.

19. Possessing or displaying police shield, IDENTIFICATION CARD (PD416-091), or similar object except as authorized by the Police Commissioner.

20. Failing to provide notice to the Department of an obligation or intention to perform services in any federal military branch or state militia organization.

21. Serving on a community board's Public Safety Committee (which deals directly with Police Department and other law enforcement matters).

22. Voting on any matter that comes before the community board concerning Police Department activities in the district that the board serves.