

GENERAL REQUIREMENTS

1.01 PURPOSE

The purpose of this regulation is to establish policy and guidelines of general requirements for members' conduct.

1.02 UNBECOMING CONDUCT

Unbecoming conduct is that type of conduct which could reasonably be expected to destroy public respect for Pennsylvania State Police officers and/or confidence in the Department. Members shall not conduct themselves in a manner which is unbecoming to a police officer.

1.03 CONFORMANCE TO LAWS

- A. Members shall conform to, and abide by, the laws of the United States, Commonwealth of Pennsylvania, all states of the United States, and subdivisions thereof.
- B. While traveling abroad, members shall abide by the laws of foreign countries, insofar as the laws do not conflict with the laws of the United States.
- C. Violation of any law by a member shall be critically reviewed by the Department to determine the appropriate level of discipline, up to and including court-martial proceedings.

1.04 LOYALTY TO DEPARTMENT

Members shall not publicly criticize the Department, its policies, or other members or employees by talking, writing, or expressing in any other manner, where such talking, writing, or other expression is defamatory, obscene, or unlawful, or when the member knows that such criticism is false.

1.05 DISSEMINATION OF INFORMATION

- A. Members shall not disseminate, in any manner, any confidential information of the Department or its personnel without proper

authority. For the purpose of this regulation, confidential information shall be defined as information which:

1. The disclosure thereof could:
 - a. Endanger a member, employee, or any other person.
 - b. Impede a just disposition of a case.
 - c. Aid a person to escape arrest.
 - d. Delay the apprehension of a criminal.
 - e. Permit the removal of stolen property or evidence by a suspect.
 - f. Compromise or negate the judicial process.
 - g. Violate a statute of the United States or this Commonwealth pertaining to the release of designated confidential information.
 - h. Make known the contents of an internal or criminal investigation record or report to an unauthorized person.
 2. Would identify a person who is acting as a confidential informant; however, members may divulge such identity to other members when it is authorized by proper authority and necessary in the performance of police work.
- B. Members may be assigned to positions or functions whereby they will come in contact with information pertaining to the internal administration of the Department, development of procedures and programs, or publicly sensitive matters. Such information shall be regarded as restricted, and members shall exercise prudent consideration prior to divulging the substance or contents of same to any unauthorized person. Members failing to exercise such prudent consideration shall be subject to being assigned to other positions or functions within the Department.
- C. Members may remove or copy official records or reports from a Department installation only in accordance with existing regulations and procedures, and with proper authority.

- D. Members may divulge, make known, or exhibit the contents of an official file or record only:
 - 1. To duly authorized police officers or agencies.
 - 2. As provided by law and with approval of their Commander/Director.
 - 3. Under subpoena duces tecum served on the Commissioner.

- E. Members determined by the Criminal Justice Information System (CJIS) Systems Officer to have violated Commonwealth Law Enforcement Assistance Network (CLEAN) or CJIS regulations shall be placed on restricted status by their Troop Commander or Bureau/Office Director for the duration of any suspension of CLEAN access. The CJIS Systems Officer will notify the member and the appropriate Troop Commander or Bureau/Office Director, via Department Correspondence, Form SP 3-201, of the timeframe of the CLEAN system access suspension. The member's restricted status will be automatically rescinded when their CLEAN system access suspension period concludes.

1.06 SEEKING PUBLICITY

Members shall not directly or indirectly seek publicity for themselves through the press, radio, television, or other news media; nor shall they furnish information to same for the purpose of gaining personal recognition as a police officer.

1.07 BADGE OF OFFICE

- A. The term "badge of office" shall include: the Official Identification Card, Department uniform patch, badge, official position, title, uniform, or any other tangible or intangible thing by which it can be construed that the concept "Pennsylvania State Police" is being interjected. Members shall not:
 - 1. Participate in any form of solicitation where use is made of their badge of office without the written approval of the Commissioner. "Participate," as used in this subsection, is not limited in its definition to active conduct by members, but rather extends to tacit approval of the use of the members' badge of office by any other party.

2. Solicit or accept such items as athletic uniforms, equipment and supplies, trophies, prizes, or any other property from a person or business which is regulated by the Commonwealth, has certain contracts with the Commonwealth, or is seeking to obtain business with the Commonwealth.
3. Accept athletic uniforms, equipment and supplies, trophies, prizes, or any other property if:
 - a. The sponsor's name and an insignia, etc., identifying the Pennsylvania State Police appear on the item(s).
 - b. The sponsor's name appears on the item(s), and it is common knowledge that the team is affiliated with the Pennsylvania State Police.
4. Use any insignia or emblem designating the Pennsylvania State Police, or the term "State Police," "Trooper," etc., which could be reasonably construed to represent the Pennsylvania State Police individually or as a member of an organization in which the member is an officer, chairperson, etc., in context with any promotion, solicitation, fundraiser, or merchandising effort, without the written approval of the Commissioner.
 - a. The use of the name "Pennsylvania State Police" or an insignia or emblem designating or representing the Department may be used in conjunction with a publicly accepted, legally constituted charitable function (e.g., Camp Cadet, Gifts for Kids, Special Olympics, Heart Fund, Cancer Society, Cystic Fibrosis).
 - b. Questions concerning the appropriateness of a charity shall be directed, through channels, to the Deputy Commissioner of Staff.
5. Use or permit the use of their badge of office for personal or financial gain.
6. Use or permit the use of their badge of office for the benefit of any individual or group of individuals, except with the written consent of their Commander/Director.

7. Seek or accept any form of reward or remuneration, excluding wages paid by the Department, as a result of their conduct while acting within the authority of their badge of office, except as directed by the Commissioner.
 8. Use or permit the use of their badge of office in any manner wherein it can reasonably be construed that preferential treatment is desired by members.
 9. Use the name "Pennsylvania State Police" or "State Police" as part of the address on their driver's license and/or vehicle registration card(s) (nor for any other personal reason not authorized by the Commissioner); or have their driver's license photo taken while in uniform or while wearing any attire, insignia, or emblem displaying/infering an affiliation with the Pennsylvania State Police.
- B. Members shall not appear at any non-Department function or engage in any activity while in uniform, off duty, without the prior approval of their Commander/Director. This does not apply to travel between the member's residence and official work location.
- C. Members shall not modify the Department uniform patch or any digital images of the Department uniform patch in any manner, nor shall they wear any unauthorized uniform patch insignia while in uniform or in connection with any function.
1. The only authorized Department uniform patch insignia for members of the Pennsylvania State Police is the unmodified Department uniform patch bearing the words "Pennsylvania State Police" and "Trooper." There are three authorized versions of the Department uniform patch insignia; they are:
 - a. The multi-colored standard uniform patch that appears on most articles of Department-issued uniform clothing.
 - b. The subdued brown Special Emergency Response Team uniform patch.
 - c. The black and silver Ceremonial Unit uniform patch.

There are no other authorized Department uniform patches for specialized Sections/Units, other organizational segments of the Department, or any private organization(s).

2. Any copying or modification of any authorized version(s) of the Department uniform patch by any person or organization, or usage of the patch for any purpose without the written approval of the Commissioner of the Pennsylvania State Police, is prohibited. Any such misuse of the Department uniform patch will be pursued through legal and/or disciplinary channels.
 3. Members shall not knowingly provide any Department uniform patch (including those deemed unserviceable), Patch Brochure, or any digital image(s) of the patch to any person or organization if there is reason to believe the recipient or organization will use the uniform patch, Patch Brochure, or digital image(s) of the patch for any type of financial consideration or gain. Additionally, members are prohibited from personally using the Department uniform patch (including those deemed unserviceable), Patch Brochure, digital image(s) of the patch, or depiction(s) of the patch for any type of financial consideration or gain.
- D. It is the specific intent of this section to limit the use of the members' badge of office to matters within the scope of their employment. This section shall not be construed to restrict members in the free exercise of constitutionally protected freedoms that are not necessarily limited by the conditions of their employment.

1.08 DISPLAY OF IDENTIFICATION

Whenever members take any police action, they shall promptly and respectfully identify themselves by giving their name, rank, and other appropriate identification to persons involved. Members shall also furnish their name, rank, and badge number in a respectful manner to any citizen who may reasonably request the same. Members in civilian clothes shall, at all times, carry their badge and Official Identification Card, except when it is not feasible due to a specific duty assignment(s).

1.09 ASSOCIATIONS

Members shall avoid associations or dealings with known racketeers, illegal gamblers, and persons who have a reputation in the community for criminal behavior, except in the performance of duty as directed by a supervisor.

1.10 VISITING PROHIBITED ESTABLISHMENTS

Frequenting, visiting, or entering a house of moral turpitude, illegal gambling house, or establishment wherein any criminal law of the United States, the Commonwealth of Pennsylvania, or any other state is violated, is permitted only in the performance of duty as directed by a supervisor.

1.11 JOINING ORGANIZATIONS

- A. Members shall not, with the specific intent to further its aims, join or become a member of any organization or society which has, as a purpose, the overthrow of, or interference with, any lawfully constituted government of the United States, except in the performance of duty and while acting under proper and specific orders from a supervisor.
- B. Members shall not organize, join, or become members of any society or organization which has an expressed objective or aim to unlawfully interfere with the administration, discipline, operation, or control of members or employees of the Pennsylvania State Police, except in the performance of duty and while acting under proper and specific orders from a supervisor.
- C. Members shall promptly notify their Commander/Director whenever they have any knowledge of the organizing or attempt to organize any society, club, or association of members or employees of the Department which violates any provision of this section.

1.12 MILITARY ORGANIZATIONS

Members may enlist, reenlist, or accept a commission in any federal or state military organization only with the approval of the Commissioner.

1.13 POLITICS

Members shall avoid all political arguments while on duty. They shall not use their position for political influence. Members shall not sign or circulate any political petition, or any other type of petition, in their capacity as a Pennsylvania State Police officer, unless authorized by the Commissioner. Members shall not be an officer in a political party, nor shall they run for or hold a political office during their employment with the Department. Members shall not solicit any assessments, contributions, or services for any political party. Nothing contained herein shall affect the right of members to:

- A. Hold membership in and privately support a political party.
- B. Vote as they choose.
- C. Express their opinion on any political subject or candidate, privately.
- D. Maintain political neutrality.
- E. Attend political meetings as private citizens.

1.14 USE OF OUTSIDE INFLUENCE

Members shall not knowingly use, attempt to use, or permit the use of any outside influence to gain promotion, transfer, or change of duty for themselves or other members.

1.15 HOLDING OFFICE IN LIQUOR ESTABLISHMENT

Members shall not own, hold office in, or be employed by an organization or establishment which dispenses alcoholic beverages.

1.16 HOLDING OFFICE OR CAREGIVER STATUS IN MEDICAL MARIJUANA INDUSTRY

- A. Members shall not own, hold office in, have a financial interest in, or be employed by an organization, business, or establishment which grows/processes, produces, and/or dispenses medical marijuana, as defined by Act 16 of 2016, the Medical Marijuana Act, or is otherwise involved in the medical marijuana industry.

- B. Members shall not be registered, licensed, or serve in a capacity as a caregiver, as defined by the Medical Marijuana Act, for profit.

NOTE: Members may become licensed/registered as a caregiver, as defined by the Medical Marijuana Act, for an immediate family member(s). For the purpose of this section, the term "immediate family" shall be the same as defined in Article 14, Section 4, of the Collective Bargaining Agreements Between the Commonwealth of Pennsylvania and the Pennsylvania State Troopers Association, and includes the following persons: husband, wife, child, step-child, foster child, parent, brother, or sister of such member. If a member becomes a licensed/registered caregiver for an immediate family member(s), the member shall immediately submit Department Correspondence, through channels, to the Public Safety Human Resource Delivery Center, under confidential cover. The correspondence shall state the relationship of the immediate family member(s) and include a copy of the member's caregiver identification card and certificate.

1.17 REQUIRED RESIDENCY

Members shall reside within the limits of the Commonwealth and shall maintain a telephone (e.g., landline, cellular). Any change of address or telephone number shall be reported in accordance with AR 4-2, Personnel Information and Transactions System.

1.18 REPORTING OF INFORMATION

- A. Members shall report to their supervisor all information that comes to their attention concerning organized crime, racketeering, vice conditions, or violations of any laws concerning such activities.
- B. Members shall promptly report to their supervisor any information which comes to their attention and which tends to indicate that any other member or employee has violated any law, rule, regulation, or order.

1.19 INTERFERENCE WITH INVESTIGATIONS AND DEPARTMENT OPERATIONS

- A. Members shall not interfere with an investigation assigned to another member without the consent of the assignee, except by order of their supervisor; nor shall they interfere with the operation of any Troop, Bureau, Office, Station, Division, Section, Unit, or other organizational segment of the Department.
- B. Members shall not interfere with an investigation assigned to another agency without the consent of that agency, except by the order of their Troop Commander or Bureau/Office Director, or designee. Any such action by a designee shall be reported to the Troop Commander or Bureau/Office Director, as soon as practicable.
- C. For the purpose of this regulation, interference with investigations shall include, but not be limited to: concealing information material to the investigation from investigators or taking any other action that impedes the discovery of information material to the matter being investigated and/or the successful resolution of the allegations made against suspects or subjects of an investigation. There is an exception to this section when the member is performing official police duties within the scope of employment.

1.20 INTERFERENCE WITH ARREST OR PROSECUTION

Members shall not interfere in any lawful arrest or prosecution brought by another member of the Department or by any other agency or person.

NOTE: The provisions of this section do not relieve members of their responsibility to comply with the provisions enumerated in FR 9-1, Use of Force; Section 1.10, Duty to Intervene.

1.21 INTERFERENCE WITH DISCIPLINE

Members shall not exert, or attempt to exert, any influence on any of the participants in any disciplinary procedure, except as expressly provided by regulation.

1.22 ALCOHOLIC BEVERAGES IN DEPARTMENT INSTALLATIONS AND VEHICLES

- A. Alcoholic beverages shall not be brought into or stored in any Department installation or vehicle, or any part thereof, except in an emergency situation, on orders from a supervisor, or when it has been officially seized (e.g., property of a suspect or prisoner, evidence of a crime, found property).
- B. Consumption of alcoholic beverages on Department property or in Department vehicles is prohibited, except during Department-sanctioned training where the use of alcoholic beverages is an integral and essential component of the approved training curriculum, and the training is supervised by personnel authorized to administer and conduct such training.

1.23 MEDICAL MARIJUANA IN DEPARTMENT INSTALLATIONS AND VEHICLES

Medical marijuana, as defined by Act 16 of 2016, the Medical Marijuana Act, shall not be brought into or stored in any Department installation or vehicle, or any part thereof, except in an emergency situation, on orders from a supervisor, or when it has been officially seized (e.g., property of a suspect or prisoner, evidence of a crime, found property).

1.24 USE OF ALCOHOL OFF DUTY

Members, while off duty, shall not consume alcoholic beverages to the extent that it results in public behavior which could reasonably be expected to destroy public respect and/or confidence in the member and/or Department, or renders the member unfit to report for their next regular tour of duty.

1.25 USE OF DRUGS

- A. The use or ingestion of any controlled substance, as defined by Act 64, The Controlled Substance, Drug, Device and Cosmetic Act, or prescription drug by members, either on or off duty, when the substance or drug has not been prescribed by a licensed medical practitioner, is prohibited. For the purpose of this regulation, this shall include the use or ingestion of unregulated hemp products and/or all cannabis products containing any quantity of tetrahydrocannabinol (i.e., THC), including hemp-derived cannabidiol (i.e., CBD). Additionally, the use or ingestion

of medical marijuana, as defined by Act 16 of 2016, the Medical Marijuana Act, by members, either on or off duty, regardless of whether it has been recommended and/or prescribed, is also prohibited.

- B. The abuse of any drug by members, whether on or off duty, and whether the drug has been prescribed or not, is prohibited.
 - 1. Abuse of a legally prescribed drug refers to the inappropriate use of a prescription drug by not following the directions of the licensed medical practitioner regarding dosage, intermixing of drugs and alcohol, misappropriation of a prescription, etc.
 - 2. Abuse of a drug/chemical compound not requiring a prescription refers to the inappropriate use of nonprescription drugs resulting in an adverse effect on a member's job performance or public behavior which could reasonably be expected to destroy public respect of the member and/or the Department.
- C. When members take any legally prescribed drug or nonprescription drug and have reason to believe that it will functionally impair their duty performance, it shall be reported to their supervisor immediately prior to engaging in any duty activity.
- D. When controlled substances are prescribed in the medical care and treatment of members by a licensed medical practitioner, or when members otherwise employ a controlled substance for medical reasons, they shall immediately submit Department Correspondence, through channels, to their Commander/Director. The correspondence shall contain the name of the prescribing practitioner, the controlled substance involved, the date of the prescription, the illness or disease being treated, and any potential side effects of the drug.
- E. The intentional use or ingestion of a controlled substance by members during an undercover assignment for the purpose of furthering an investigation is prohibited. The only justification for the ingestion of a controlled substance by members in the course of a criminal investigation during the performance of a member's lawful duty is if the member's personal safety is in immediate jeopardy. In the event members accidentally, passively, or unintentionally ingest or use a controlled substance, or if members intentionally ingest or use a controlled substance in the

performance of their official duty, they shall immediately submit Department Correspondence, through channels, to their Commander/Director, setting forth, in detail, the time, date, and location of the incident; the identity of those present; the controlled substance involved; and a statement detailing the circumstances pertaining to the use or ingestion of the substance.

- F. Any drug screen test for members for a controlled substance that results in a confirmed positive finding shall be the basis for administrative/disciplinary action, unless the member's use or ingestion of the substance was prescribed for the member by a licensed medical practitioner and/or the member has fully complied with this section.

1.26 TESTIFYING IN CIVIL CASES

Members shall not testify in any civil case in which the Department may have an interest without prior approval of the Commissioner, unless they have been legally summoned to do so, in which case their Commander/Director shall be notified.

1.27 CLAIMS FOR DAMAGES

Members may file a legal action regarding official matters, or make other legal compromises, only after notifying the Commissioner, through channels. Such notice must include a reasonable explanation of the nature of the claim and/or compromise involved and a copy of the complaint/petition.

1.28 BAIL

Members may become surety or guarantor, post bond, or furnish bail for:

- A. Themselves and members of their immediate family.
- B. Other persons upon showing reasonable cause and with the approval of their Commander/Director.

1.29 PAYMENT OF DEBTS

- A. Members shall promptly pay their just debts. They shall not assign their salary or contract for any debts or liabilities which they are unable or unwilling to pay. They must discharge honorably and promptly all claims or judgments and satisfy all executions which may be held against them within a reasonable amount of time.
- B. Any member who files a bankruptcy petition or receives notice that a financial judgment and/or creditor claim has been filed against them shall submit Department Correspondence, through channels, to their Commander/Director. The correspondence shall set forth the circumstances of the bankruptcy petition, or an accounting of how the judgment/claim will be satisfied, or the grounds for contesting the judgment/claim. Upon receipt of the correspondence, the Commander/Director shall ensure a BlueTeam entry is prepared and submitted in accordance with AR 4-25, Internal Investigations, with a copy of the correspondence attached.

1.30 INTERNAL INVESTIGATIONS

Whenever there is public criticism of the Department, or when complaints are received in connection with any police action, investigation, or inquiry indicating misconduct of personnel; harassment or intimidation of subjects, individuals, or groups; or dereliction of any nature by the Department or members of the Department; all members engaged in such police action, investigation, hearing, or other inquiry, shall prepare written statements, at once, setting forth the facts in order that a record will be available for future reference. Due to the internal administrative nature of such police action, investigation, hearing, or other inquiry, all members are required to truthfully and completely answer all questions relating thereto. Procedures in cases that will result in criminal prosecution will include ensuring members are accorded those rights granted to all citizens of the Commonwealth.

1.31 CARRYING OF WEAPONS AND AMMUNITION

- A. Members, while on duty and in uniform, shall carry the Department-issued pistol and ammunition. Members may also carry one Department-authorized personal handgun and ammunition. The personal handgun and ammunition shall be concealed from public view and may be carried on or about the member.

- B. Members, while on duty and in civilian clothes, shall carry the Department-issued pistol and ammunition or a Department-authorized personal handgun and ammunition. In addition to one of the above-stated handguns, members may also carry an additional Department-authorized personal handgun and ammunition. Any handgun(s) and ammunition shall be concealed from public view. The additional handgun and ammunition may be carried on or about the member.
- C. Prior to carrying any personal handgun on duty, members shall receive authorization from the approving authority, as defined in FR 9-2, Weapons Qualification and Proficiency Training. Authorization from the approving authority is considered effective only while the member is qualified with the handgun in accordance with FR 9-2. Members shall also conform to all other Department requirements and restrictions contained in FR 9-2 and FR 9-3, Weapons Usage and Carry.
- D. Members, while on duty, shall not carry any other weapon (firearm or otherwise) on their person or in any vehicle, unless such weapon is Department issued or authorized by the Commissioner.
- E. Under no circumstances shall more than one Department-issued pistol and one Department-authorized personal handgun be carried by a member while on duty and in uniform, and under no circumstances shall more than two Department-authorized personal handguns be carried simultaneously by a member while on duty and in civilian clothes.

EXCEPTION: Members of the Special Emergency Response Team (SERT) may carry any combination of Department-issued weapons and/or Department-authorized personal weapons deemed necessary for the performance of their duties when actively involved in a SERT response and as governed by the Bureau of Emergency and Special Operations' standard operating procedures approved by the Deputy Commissioner of Operations.
- F. If the carrying of weapons in a court of law is restricted by any federal, state, or county court judge, members shall not carry any weapon(s) in that court and may surrender any weapon(s) for secure storage at the court.
- G. Members, while off duty and in any public place within the Commonwealth, shall endeavor to carry the Department-issued

pistol and ammunition and/or a Department-authorized personal handgun(s) and ammunition. Members, while off duty and outside the Commonwealth, may carry the Department-issued pistol and ammunition and/or a Department-authorized personal handgun(s) and ammunition in compliance with the Law Enforcement Officers' Safety Act. Members who carry the Department-issued pistol and/or a Department-authorized personal handgun(s) outside the Commonwealth while off duty are acting as civilians and are subject to the criminal and civil laws of that jurisdiction.

- H. The provisions of this section do not apply to members carrying weapons/ammunition while off duty, as permitted by law, for purposes such as hunting, fishing, or target shooting.

1.32 USE OF FIREARMS

Members shall handle and use firearms in a careful and prudent manner at all times. Members shall not negligently, carelessly, recklessly, knowingly, purposefully, or in any other way unjustly endanger lives or property through the mishandling of firearms in violation of Department training, policy, rules, regulations, or procedures. The Department's standards with regard to the proper use and handling of firearms shall be strictly interpreted and enforced in accordance with FR 9-2 and FR 9-3.

1.33 OPERATION OF VEHICLES

Members shall drive a vehicle in a careful and prudent manner, obey all laws of the Commonwealth or other state or territory pertaining thereto, and insist on the same department and compliance from the driver of any vehicle in which the member may be a passenger. Members shall, at all times, set a proper example for other persons by their operation of a vehicle.

1.34 QUARRELING OR FIGHTING WITH MEMBERS

Members shall never behave disrespectfully or use threatening or insulting language toward any other member engaged in the execution of their position or duty. Members shall not draw or lift a weapon toward, offer violence against, or strike or attempt to strike any other member.

1.35 GAMBLING

Members shall not engage or participate in gambling in any form while on duty and in uniform, or while in any Department installation. Members shall not engage in any form of illegal gambling at any time, or in any form of legal gambling while on duty, except in the performance of duty and while acting under proper and specific orders from a supervisor.

1.36 FALSE ENLISTMENT

The integrity and high moral standards of the Pennsylvania State Police must be maintained; therefore, no person shall procure their enlistment in the Department by willfully misrepresenting their qualifications, character, reputation, or physical condition.

1.37 DISCRIMINATION OR HARASSMENT

Members shall not discriminate against or harass any other member, employee, or the public on the basis of race, color, sex, religious creed, national origin, ancestry, age, disability, or sexual orientation; nor shall a member prepare any communication which makes reference to a person's race, color, sex, religious creed, national origin, ancestry, age, disability, or sexual orientation, unless it serves a specific and legitimate purpose in accordance with Department directives/regulations. Members shall not engage in the presentation of any racial, sexual, religious, ethnic, or disability-related joke, slur, or story, in any form. Members shall fully adhere to the requirements of AR 4-26, Discrimination, Discriminatory Harassment, Sexual Impropriety, and Retaliation.

1.38 INSUBORDINATION

Members shall not treat with contempt, or be disrespectful in language or deportment towards, a higher-ranking officer in response to official actions taken by that ranking officer, or while that ranking officer is in the execution of their duties. For the purpose of this section, ranking officer is defined as any member of higher rank.

1.39 TEACHING, SPEECHES, AND PROFESSIONAL CORRESPONDENCE

A. Any member who intends to present any material as the Department's position and/or policy shall first receive

authorization from their Commander/Director or other appropriate authority.

- B. Any member who uses or permits the use of his/her Pennsylvania State Police rank, title, or position as part of the biographical details given to identify themselves in connection with their teaching, speech, or writing shall make a disclaimer if the subject of the teaching, speech, or writing deals in significant part with any ongoing or announced policy, program, or operation of the Department, or that individual's duties for the Department, or is based upon training received from the Department.
1. The required disclaimer shall expressly state that the views presented are those of the individual and do not necessarily represent the views of the Department.
 2. When a disclaimer is required for an article, book, or other writing, the disclaimer shall be presented in a reasonably prominent position within the writing itself. When a disclaimer is required for a speech or other oral presentation, the disclaimer shall be given orally at the beginning of the speech or presentation.

1.40 SEXUAL IMPROPRIETY

The Department enforces a zero-tolerance policy towards sexual impropriety (i.e., sexual misconduct or sexual harassment), as defined below:

- A. **Sexual Misconduct:** Sexual misconduct includes any form of uninvited or unwelcome sexual touching, sexual contact, or conduct of a sexual nature which victimizes another. Sexual touching or sexual contact includes intentional touching or other physical contact, whether applied directly to the skin or to clothing covering the skin of one's self or another individual, which is meant to, is reasonably likely to, or is reasonably perceived to abuse, degrade, harass, humiliate, or sexually arouse any person. Sexual misconduct also includes any conduct specified in the following sections of Title 18 Pa.C.S., whether or not criminally charged: Section 3121, Rape; Section 3122.1, Statutory sexual assault; Section 3123, Involuntary deviate sexual intercourse; Section 3124.1, Sexual assault; Section 3124.2, Institutional sexual assault; Section 3125, Aggravated indecent assault; Section 3126, Indecent

assault; Section 3127, Indecent exposure; Section 3129, Sexual intercourse with animal; Section 5901, Open lewdness; Section 6301, Corruption of minors (only as it relates to acts of a sexual nature); and equivalent offenses committed in other jurisdictions (whether or not criminally charged).

- B. Sexual Harassment: Sexual harassment is defined to include any unwelcome sexual advance, request for sexual favor, and/or other conduct of a sexual nature where any or all of the following occur:
1. Submission to, or rejection of, such conduct is an explicit or implicit term or condition of an individual's employment.
 2. Submission to, or rejection of, such conduct is used as a basis for employment decisions affecting the individual.
 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

1.41 PERSONAL USE OF SOCIAL MEDIA

- A. Definitions: The following terms shall apply for the purpose of this regulation, according to these generally accepted definitions:
1. Social Media: An umbrella term that defines the various activities integrating technology and social interactions and generally refers to various online platforms, applications, or technologies which enable the sharing of electronic text, audio, photographic, video, or multimedia files.
 2. Social Media Site (Social Network): An internet site, application, or platform enabling users to create personal profiles, share information and/or user-generated content, and interact with other profiled users on the site. Due to the constantly evolving nature of technology, the absence of or lack of explicit reference to a specific social media site does not limit the scope or application of this policy.

3. Social Networking: Interacting (networking) with other users of a social media site by direct communication or the exchange of information and/or user-generated content.
 4. Speech: Any expression of ideas or beliefs, regardless of the nature or method of expression.
- B. Use: Members shall exercise care during their personal use of social media to ensure that it is clear that whatever information they provide or personally publish, forward, or post to social media represents their own views and opinions and is not endorsed by or in any way represents the views of the Department. Members using social media in a personal capacity shall not:
1. Represent themselves in any way to be an official Department presence.
 2. Use a Departmental email address (i.e., CWOPA) to register with or join a social media site.
 3. Use Department equipment to engage in personal use of social media.
 4. Engage in social networking while on duty using privately owned property.
- C. Content and Speech: This regulation is not intended to prohibit a member's constitutional right to freedom of speech. However, in their personal use of social media, or their personal publishing, forwarding, or posting to the internet, members are expected to assume personal responsibility for the content of their speech and to further avoid speech that:
1. Violates federal law or any statute, regulation, or policy of the Commonwealth of Pennsylvania.
 2. Is disparaging of any race, ethnicity, religion, sex, gender, sexual orientation, nationality, or any other protected class of individuals, groups, or organizations.
 3. Defames another person, group, or organization.

4. Discloses information derived from any criminal, civil, or administrative investigation, inquiry, or proceeding of the Department, or other federal, state, or local agency.
5. Discloses the content of a non-public record or any non-public information derived from a record of the Department or other federal, state, or local agency.
6. Is reasonably likely to compromise or interfere with a law enforcement operation, investigation, or procedure, or that otherwise impedes the administration of justice.
7. Is reasonably likely to compromise or interfere with operational, physical, or personal security by disclosing information regarding Department facilities, equipment, assets, capabilities, or personnel.
8. Reflects opinions or conduct which are reasonably likely to provide grounds for impeachment of their testimony in criminal or civil court proceedings.
9. When presented to them in criminal or civil court proceedings, could question their character or integrity, or present a negative image of the member or the Department.
10. Depicts identifiable images of, or discloses confidential information regarding, other Department personnel without their express permission.
11. Depicts identifiable images of the Pennsylvania State Police uniform patch, badge, or other official Department insignia in a manner tending to imply Department endorsement or approval, without official authorization.
12. Is reasonably perceived as tending to erode public confidence in the Department or its personnel.
13. Would otherwise bring the Pennsylvania State Police into disrepute.
14. Would otherwise be in violation of any other Department regulation(s) or directive(s), or the Governor's Code of Conduct.