

Memorandum

TO: ALL DEPARTMENT PERSONNEL **FROM: Edgardo Garcia**
Chief of Police

SUBJECT: DUTY MANUAL REVISION:
C 1302 – LAW ENFORCEMENT
CODE OF ETHICS

DATE: October 30, 2020

Memo# 2020-041

BACKGROUND

On June 12, 2020, the San Jose City Council directed the San Jose Police Department to begin the process of creating rules of professional conduct for San Jose Police Officers.

In 1954, the Peace Officers Research Association of California set out to author a code of ethics as a set of rules for professional conduct among law enforcement personnel. The resulting *Law Enforcement Code of Ethics* contains commitments to service, protection of all people, and respect for the Constitutional rights of all. It includes a commitment to keep our private lives unsullied, to be honest in thought and deed, to enforce the law without fear or favor, and to never employ unnecessary force or violence. The *Law Enforcement Code of Ethics* was adopted by the International Association of Chiefs of Police in 1957 and has been included in Department written policy since 1976. In addition, pursuant to the California Code of Regulations, The *Law Enforcement Code of Ethics* is administered to all peace officer trainees during the basic course and to all other persons at the time of appointment (11 CCR § 1013).

As a practice, San Jose Police Academy recruits memorize the *Law Enforcement Code of Ethics* verbatim, reciting it nearly every morning immediately following the flag raising. Every officer signs an acknowledgement of receipt and understanding of the *Code of Ethics* on an annual basis.

In reviewing the Duty Manual, minor revisions in the *Code of Ethics* are necessary to align it to the current version of the California Code of Regulations.

ANALYSIS

The Duty Manual has been revised to reflect changes described below. Additions are shown in *italics and underlined*. Deletions are shown in “~~strike-through~~” form.

C 1302 LAW ENFORCEMENT CODE OF ETHICS: *Revised 10-30-20*

"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

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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 before ~~G~~god* to my chosen profession... ~~L~~aw ~~E~~nforcement."

* Reference to religious affirmation may be omitted where objected to by the officer.

ORDER

Effective immediately, all sworn personnel will adhere to the above listed Duty Manual changes.

A handwritten signature in black ink, appearing to read 'Edgardo Garcia', with a stylized flourish and the letters 'FGE' written below it.

EDGARDO GARCIA
Chief of Police

EG:SD:MB