

WATERTOWN POLICE DEPARTMENT GENERAL ORDER



JOANNA W. VITEK
CHIEF OF POLICE

Effective Date: July 1, 2009	Rescinds: Amends:	Number: A-135
Subject: Sexual Misconduct	Re-evaluationDate: July 2012	
Distribution: ALL PERSONNEL	Related CALEA Standards: 26.1.3	

This order consists of the following numbered sections:

1. Purpose
2. Policy
3. Definitions
4. Procedures
5. Discipline

1. PURPOSE

Law enforcement officers are charged by their government to protect the public from criminal activity. When an officer abuses their authority for sexual purposes or violates another person, the officer commits a crime against the victim, and damages the credibility and trust of the entire law enforcement community with the public. The purpose of this policy is to make all department personnel aware that any sexual misconduct will result in severe consequences including prosecution to the fullest extent possible.

2. POLICY

It is the policy of this Department to train all officers concerning the potential for criminal sexual misconduct within law enforcement, how to recognize it, and the requirements for reporting any violation to the appropriate authorities.

3. DEFINITIONS:

- a. **CRIMINAL SEXUAL MISCONDUCT:** Any act by a law enforcement officer for sexual purposes that violate the law.
- b. **SEXUAL MISCONDUCT:** Any sexual activity while on-duty or stemming from official duty. Sexual misconduct includes but is not limited to use of official position or resources to obtain information for purposes of pursuing or engaging in sexual conduct.
- c. **INTIMATE PART:** Genital area, inner thigh, groin, buttocks, or breasts of a person.
- d. **ACTOR:** The person accused of sexual assault.
- e. **SEXUAL CONTACT:** Any contact for the purpose of sexual gratification of the actor with the intimate parts of another person.

4. PROCEDURE:

- a. Sexual activity of any nature while on duty is prohibited.
- b. Sexual Misconduct is prohibited and shall be disciplined in accordance with established procedure.
- c. Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person while on duty is prohibited.
- d. A police officer shall not engage in sexual contact with another person who is in custody.
- e. **Training:** All sworn officers of this department including supervisors will receive specific training about the elements of sexual misconduct involving law enforcement officers. The training will include discussion of this policy.
- f. **Reporting Requirements:** Any employee of this Department, who is made aware of any violation of this policy, must report the violation to their supervisor. The supervisor will immediately contact the Chief of Police or their designee, who will immediately initiate an investigation in accordance with their established investigative policy. The investigation will involve other investigative elements of the Department as necessary and any forensic evidence will be protected and processed immediately. The accused officer's supervisor will not attempt to resolve a complaint of this nature with the complainant, and is required to make immediate contact with Chief of Police or their designee.

5. DISCIPLINE:

- a. Any officer found to be in violation of the provisions of this policy shall be disciplined.

- b. Any employee having knowledge of a violation of this policy, who fails to report said violation may also be subject to discipline. If the violation involves supervisory personnel, the reporting officer will notify the appropriate command level officer and will not be strictly held to his or her chain of command.

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