

## CHAPTER 109-02-05 OFFICER CODE OF CONDUCT AND OATH

### Section

109-02-05-01 Officer Code of Conduct

109-02-05-02 Oath

#### **109-02-05-01. Officer code of conduct.**

1. This section applies to every officer licensed by the board and every peace officer standards and training board license applicant. This section applies to on-duty and off-duty officers.
2. All applicants for a peace officer license, including a part-time license, reserve, or limited license shall sign a code of conduct on a form provided by the board and shall submit the code of conduct with the application. In the absence of a signed code of conduct, a license shall not be issued.
3. All applicants for a renewal of an officer license shall sign a code of conduct on a form provided by the board and shall submit the code of conduct with the application for renewal. In the absence of a signed code of conduct no license will be issued.
4. It is a violation of this section:
  - a. To possess or consume alcoholic beverages on duty or while in uniform on or off duty except as authorized or required for the lawful performance of the officer's duties.
  - b. To possess, sell, consume, use, or assist in the use of any illegal or unauthorized controlled substances or medications whether on or off duty except as authorized or required for the lawful performance of the officer's duties.
  - c. To engage in conduct that is in violation of the criminal laws of the state or federal government or ordinances of a political subdivision.
  - d. To engage in acts of corruption or bribery or to condone acts of corruption or bribery by other officers.
  - e. To willfully lie, omit, provide false testimony, provide misleading information, or falsify written or verbal communications in reports when the information may be relied upon by the courts, state's attorneys, or other law enforcement officials.
  - f. To willfully provide false testimony, evidence, or misleading information in an application for a search warrant, arrest warrant, or criminal complaint.
  - g. To engage in illegal harassment or intimidation of another individual, or to condone acts of illegal harassment or intimidation by other officers.
  - h. To willfully fail to report the violation of a criminal law or North Dakota Century Code chapter 12-63 by an officer.

**History:** Effective April 1, 2014; amended effective April 1, 2022.

**General Authority:** NDCC 12-63-02.3(5), 12-63-04(2)(d)

**Law Implemented:** NDCC 12-63-02.3, 12-63-04(2)(d)

#### **109-02-05-02. Oath.**

Every officer must be sworn in as an officer and take an oath that substantially complies with the following:

1. The officer will uphold the constitution and laws of the United States, the constitution and laws of the state of North Dakota, and the laws of the community that the officer has been entrusted to enforce.
2. The officer will not betray the officer's code of conduct, the trust of a fellow officer, and the trust of the public.

**History:** Effective April 1, 2014; amended effective April 1, 2022.

**General Authority:** NDCC 12-63-02.3(5), 12-63-04(2)(d)

**Law Implemented:** NDCC 12-63-02.3, 12-63-04(2)(d)