

GENERAL ORDERRev. 12/03/08

ALCOHOL CONSUMPTION BY MEMBERS

This order creates new Department policy and procedures concerning alcohol consumption by members.

I. POLICY

A. Members shall not consume any alcoholic beverage while "on duty." Further, members shall not consume alcoholic beverages while:

1. On-duty at events such as conferences, seminars, meetings and training.
2. In uniform whether on or off-duty.
3. Operating a Department vehicle, whether on or off-duty.
4. On standby status.

B. A member, while off-duty and carrying a weapon, shall not consume alcoholic beverages or be impaired.

C. A member shall not be impaired at any time while on duty, while carrying a weapon or while operating a Department vehicle.

D. DEFINITIONS.**1. Impairment:**

Consumption of alcohol that results in either:

- a. The member's mental and/or physical state of being altered so that he or she is impaired in a way that diminishes the member's ability to perform the duties of a sworn officer, or non-sworn employee, as prescribed by Department policies and procedures, or
- b. The member under investigation has tested .015 or higher blood alcohol level.

2. Member: Any sworn officer or non-sworn employee of the San Francisco Police Department.

3. Carrying a weapon: Carrying a weapon on the member's person. An officer who secures a weapon off his or her person – such as in the locked trunk of a

vehicle or a secure container in a residence or building – shall not be considered to be "carrying a weapon" for purposes of this order.

E. ALCOHOL TESTS. When ordered, a member shall submit to either a:

- Blood,
- Breath, or
- Urine analysis to determine the presence of alcohol in his/her blood.

F. RECOMMENDATION OF PUNISHMENT. It is the policy of the San Francisco Police Department that any officer who violates this General Order may be suspended without pay for up to three months or terminated at the discretion of the Commission.

G. REPORT AND INVESTIGATION RESPONSIBILITIES

1. Responsibility for immediately investigating and reporting relevant matters concerning alcohol consumption violations rests with the member's commanding officer or, if not immediately available, the senior-ranking officer on-duty at the time of the reported incident.
2. If the member to be investigated is assigned to another unit, the commanding officer, or the senior-ranking officer on duty at that unit shall assume investigation responsibilities.

H. OFF-DUTY ENFORCEMENT ACTION AND RESPONSE TO CALLBACK

1. An off-duty unarmed officer who has consumed alcohol and may be impaired is not expected to and, depending on all the facts and circumstances, generally should refrain from taking any police action in response to an off-duty incident, other than rendering aid and assistance to the injured, notifying the appropriate authorities, and being available to provide information.
2. An off-duty unarmed officer who has consumed alcohol and is called back to duty in response to an emergency or for any other reason shall immediately inform his or her superior of the facts and circumstances relating to the alcohol consumption. Superior officers shall allow off-duty officers who reasonably believe that they may be impaired to decline to return to duty.

II. PROCEDURES

A. REPORTING AND INVESTIGATING/DUTIES OF INVESTIGATING OFFICER

1. ON-DUTY MEMBER. If a member is on duty and is reasonably believed to be impaired, the investigating officer shall:

- a. Notify the member's commanding officer and Bureau Chief.
 - b. Immediately relieve the member from duty.
 - c. Relieve the member of all firearms (if applicable).
 - d. Order the member to submit to a blood, breath or urine analysis.
 - e. Order the member to submit a report, in his/her handwriting, as a response to the allegations.
 - i. Inform the member of the right to representation before writing the report.
 - f. Not allow the member to drive a vehicle.
 - i. Take reasonable steps to prevent him/her from leaving the police facility unless accompanied by a responsible person.
 - g. Investigate and determine whether any of the member's supervisors may have been negligent, by failing to take appropriate action.
 - h. Prepare a supervisor's investigative report and submit it along with any statements, test record, etc., to the Chief of Police in a sealed envelope clearly marked "confidential" by the end of your tour of duty.
 - i. Forward a copy of the report package in a sealed envelope clearly marked "confidential" to the Deputy Chief of Administration for him/her to review and recommend if intervention of the Employee Assistance Program is needed.
 - ii. When appropriate, and within the scope of a supervisor's duties, refer members to the Behavioral Science Unit or Stress Unit.
2. OFF-DUTY MEMBER. If a member is off-duty, carrying a firearm or driving a Department vehicle, and is reasonably believed to be impaired, the investigating officer shall:
- a. Relieve the member of any firearm he/she is carrying.
 - b. Notify the member's Commanding Officer, who shall notify the member's Bureau Chief.
 - c. Order the member to submit to blood, breath or urine analysis.

- d. Prepare an investigative report and submit it, along with any statements, test record, etc., to the Chief of Police as in II.1.h above.
 - i. Forward a copy of the report package in a sealed envelope to the Deputy Chief of Administration for him/her to review, as in II.1.h.i. above.
 - ii. Recommend if intervention of the Employee Assistance Program is needed.

B. INVESTIGATIVE REPORT. The investigative report must contain the following information:

1. The accused member's name, rank and assignment.
2. The time the commanding officer or senior-ranking officer of another unit was notified (if applicable).
3. Reason the member's conduct was brought to your attention, and the basis for the belief that the member was consuming alcohol, or was impaired.
4. Relevant witness and victim's statements.
5. Other action, including notifications taken. Those actions taken by other supervisors if known.

References

DGO 11.11 Evaluation and Rehabilitation Program
DGO 11.09, Employee Assistance Program/Stress Unit
DGO 11.04, Peer Support Program
DGO 2.08, Peace Officers' Rights
DGO 2.07, Discipline Process For Sworn Officers
DGO 2.03, Drugs Use by Members
DGO 1.06, Duties of Superior Officers
Disciplinary Penalty & Referral Guidelines