


<p align="center">FAIRFAX COUNTY POLICE DEPARTMENT</p>  <p align="center">REGULATION</p>	<p>SUBJECT: PROHIBITED ACTIVITIES</p>		<p>NUMBER: 202</p>
	<p>EFFECTIVE DATE: May 9, 2025</p>	<p>REVIEW: May 2028</p>	
<p>RESPONSIBLE ENTITY: PLANNING AND RESEARCH BUREAU</p>			<p><input type="checkbox"/> New Directive <input type="checkbox"/> Replaces: <input checked="" type="checkbox"/> Revised: 05-09-25</p>
<p>ACCREDITATION STANDARDS</p>	<p>CALEA: 26.1.1</p> <p>VLEPSC: PER. 09.01</p>		

202.1 LOITERING, SLEEPING, LOAFING ON DUTY

No member of the Department shall loiter, sleep, or loaf on duty in a manner that avoids the responsibilities of their performance of duty.

202.2 MALINGERING

Employees may be absent from duty due to sickness only when (1) suffering from a contagious disease where attendance would jeopardize the health of others, (2) when suffering from an illness or injury that prevents proper performance of duty, or (3) while utilizing Family and Medical Leave Act (FMLA) sick leave in accordance with the [Fairfax County Personnel Regulation, Chapter 10, Sections 10.21 and 10.22](#). Employees shall not feign sickness or disability, nor attempt to deceive a supervisor as it pertains to their physical or medical condition. Notification of the use of sick leave shall be made to the employee's supervisor prior to the employee's scheduled reporting time. Supervisors may request a medical statement for sick leave whenever it occurs before or after a holiday or other scheduled day off or whenever in excess of two workdays. Before a supervisor may require a medical certificate for each day of sick leave under circumstances where the employee demonstrates a record of repetitious usage of short amounts of sick leave, the employee shall be provided advance notice that a medical certificate will be required for future absences.

202.3 USE OF TOBACCO PRODUCTS ON OR OFF-DUTY

Sworn employees shall not smoke or use tobacco products any time while on or off-duty. Smoking shall be prohibited for all employees in all motor vehicles and any building owned, leased, or used by the County for the purposes of conducting County government business or functions.

202.4 CONSUMPTION AND PURCHASE OF INTOXICANTS

Employees shall not consume intoxicants while off-duty to the extent that evidence of such consumption is apparent whenever reporting for duty, or to the extent that the ability to perform one's duties is impaired. Employees, unless in the performance of official business, shall neither consume nor purchase any intoxicants while on-duty, and shall not bring onto, nor keep, any intoxicants on departmental premises unless required by their duties. Intoxicants shall not be transported in any County owned or leased vehicle, on or off-duty, except as necessary in accordance with the performance of official duties.

202.5 USE OF ALCOHOL AND DRUGS

Employees shall never be intoxicated while on-duty, nor shall they ever appear intoxicated in public view at any time. Employees who are prescribed medication shall inquire as to whether the drug contains potential side effects that may interfere with their ability to perform essential job functions. Where a prescriber advises such side effects are possible, employees shall notify their supervisor prior to commencement of their next shift that they are unable to safely perform their duties as required and the duration of time they will be affected. Supervisors, in consultation with their commanders, may request that the employee obtain the prescriber's opinion in writing, however, the specific type of medication or illness shall not be requested. The affected employee's commander shall determine whether the employee is permitted to continue performing their essential job tasks.

202.6 PERSONAL PUBLICITY

Employees shall not use their position with the Department to enhance or promote any private enterprise or seek personal publicity in order to protect both the officer and the Department from potential conflicts of interest.

202.7 DEBTS AND INCURRING OF PAYMENT

Employees shall make all reasonable efforts to pay debts for which they are legally responsible.

202.8 ACCEPTING SPECIAL FAVORS, PRIVILEGES, OR DISCOUNTS

Employees shall not accept special favors, privileges, or discounts under any circumstances that may be reasonably construed as influencing the performance of official duties.

202.9 OTHER TRANSACTIONS

Employees shall not buy, sell, or barter anything of value, from or to, any complainant, suspect, witness, victim, defendant, prisoner, or other person involved in any case which has come to their attention or specifically arose out of their Department employment unless specifically authorized by the Chief of Police.

202.10 SOLICIATION OF GIFTS ON BEHALF OF THE DEPARTMENT

Employees shall neither solicit nor accept any gift, donation, or property any individual or organization on behalf of the Department without approval of the Chief of Police. Donated property shall be reported via email, along with the circumstances surrounding receipt of the item, to the Internal Affairs Bureau (IAB) commander. The IAB commander shall inform the Chief of Police and a determination shall be made regarding disposition of the gift and the need for any further action. Acceptance of any donated item or service valued at \$5,000 or greater shall comply with Section 6, Donations, of the Fairfax County Purchasing Resolution and shall be reported to the Department's [Accountable Equipment Manager](#). The receipt of money, not specifically donated for an approved account, shall be immediately forwarded to the Financial Resources Division. The custodian of any Department approved account (ex: Special Olympics, Bike Patrols, CAC) shall document all donations and maintain records of all activities of the account.

202.11 RECEIVING AND REPORTING GIFTS AND BENEFITS BY EMPLOYEES

Employees shall neither solicit nor accept any gift, reward, compensation, or material benefit from any individual or organization in return for performing or refraining from performing an official act. The offer or receipt of any gift, reward, or item of material benefit shall be reported via email with the circumstances surrounding the offer or receipt to the FCPD Internal Affairs Bureau (IAB) Commander. The IAB Commander shall inform the Chief of Police and a determination shall be made regarding the disposition of the gift and the need for any further action. The employee shall be notified of the disposition as soon as practical.

202.12 COMMERCIAL TESTIMONIALS

Employees shall not permit their names or photographs to be used in endorsement of any product or service connected to law enforcement without the express permission of the Chief of Police or their designee, nor allow their names or photographs to be used in any commercial testimonials which alludes to their position or employment with the Department.

202.13 MEMBERSHIP IN ORGANIZATIONS

Except for Armed Forced Reserve components, employees shall not become affiliated with any organization which would exact prior consideration, or prevent its members from rendering, proper and efficient service to the Department.

202.14 POLITICAL ACTIVITY

Employees shall not use their position within the Department to endorse political candidates nor use their position to solicit, directly or indirectly, funds or other services in support of a political issue. Employees shall not use their official capacity in any manner to influence the outcome of any political issue. Nothing in this section is intended to prevent employees from exercising their rights under [Section 3-1-19 of the Code of the County of Fairfax](#).

202.15 LOBBYING

Employees shall not use their position or official capacity with the Department to directly lobby (as defined per the [Code of Virginia](#)) the Virginia General Assembly, Governor's Office, or any other state agency or official on any issue. Nothing in this section prohibits any member of the Department from lobbying these entities as a private citizen, nor does it prohibit any Department entity from maintaining a professional relationship with any state agency.

202.16 PERSONAL PREFERMENT

Employees shall not seek the influence or intervention of any individual outside of the Department for purposes of personal preferment, advantage, transfer, advancement, or to gain favor or preferential treatment of any kind.

202.17 SURREPTITIOUS RECORDINGS

Employees shall not surreptitiously record any other Department or County employee or official without the express permission of the Chief of Police or their designee. For purposes of this regulation, surreptitious recordings are defined as covert, clandestine, or secret audio, video, or photographic recordings of another person without their knowledge and consent.

Regulation 202 becomes effective on the above date and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

A handwritten signature in black ink, appearing to read "Chris Davis". The signature is written in a cursive, flowing style. The first name "Chris" is written with a large, looped 'C' and the last name "Davis" follows in a similar cursive script.

Chief of Police