

# Reporting of Employee Convictions

## 1005.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

## 1005.2 DOMESTIC VIOLENCE CONVICTIONS AND PROTECTION ORDERS

Missouri and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

## 1005.3 CRIMINAL CONDUCT

Any person convicted of a felony is prohibited from being a peace officer in the State of Missouri (§ 571.070, RSMo).

If an officer has committed any criminal offense, whether or not a criminal charge has been filed, the officer may have their POST certification suspended or revoked (§ 590.080, RSMo; § 590.090, RSMo).

While legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

### 1005.3.1 COURT ORDERS

All employees shall promptly notify the Department if they are part of any criminal or civil court order, including foreign court orders. Court orders may prevent peace officers from possessing a firearm or require suspension or revocation of their peace officer POST certificate.

## 1005.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any criminal arrest or conviction, regardless of whether the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

# Excelsior Springs Police Department

Excelsior Springs PD Policy Manual

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Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.