

NIAGARA FALLS POLICE DEPARTMENT GENERAL ORDER

EFFECTIVE DATE: 08/27/2013	SUBJECT: LEGISLATIVE RESTRICTIONS ON POLICE OFFICERS; CONFLICTS OF INTEREST	Number 115.10 (NYSLEAP A-14-3)
RESCINDS: 04/15/2003		Number of pages 2

I. Purpose:

The following guidelines are provided to inform police officers of legal restrictions placed on them to insure conflicts of interest do not exist.

II. Policy:

It is the policy of the Niagara Falls Police Department that all employees will comply with all restrictions and controls as prescribed by State Law and Department Orders. This Policy will not serve to supersede or in any way negate other restrictions of the NFPD or its Rules and Regulations.

III. Restrictions by Law -- ABC Law:

- A. Members shall not have any interest, either directly or indirectly, in the manufacture or sale of alcoholic beverages or to offer for sale or recommend to any licensee any alcoholic beverages. No member shall be employed at any retail license establishment where the consumption of alcoholic beverages is permitted on premises except when authorized by the ABC Board.
- B. Employment in a licensed establishment for off-premises consumption (deli, etc.) is not prohibited under this procedure.

IV. Racing, Wagering and Breeding Law:

- A. Members of this Department shall not hold, directly or indirectly, any proprietary interest, stock, office or employment with any firm, association or corporation unless with permission of the Superintendent of Police which;
 - 1. Is licensed by the Wagering and Breeding Board to conduct pari-mutuel racing;

2. Conducts its occupation, trade or business at racetracks at which pari-mutuel race meets are conducted;
3. Own or leases to any franchised, licensed association, corporation or race track at which pari-mutuel racing is conducted;
4. Participates in the management of any franchise holder or licensee conducting pari-mutuel racing.

V. Election Law:

- A. The Election Law, (EL, 17-110) prohibits a police officer from using his office or powers to aid or oppose any political party, to reward or retaliate against any police officer with respect to voting or party affiliation, or to solicit funds for a political party or other such organization.

VI. General Municipal Law/Public Officer's Law:

- A. Police Officers are also subject to the provisions of the Public Officer's Law, Article 4, or General Municipal Law, Article 18, respectively. These statutes deal mainly with conflicts of interest. They impose certain prohibitions on activities by public officers and employees of municipal governments. The proscribed activities include:
1. Acceptance of gifts worth more than \$75;
 2. Disclosure of confidential information learned in the course of official duties;
 3. Receiving compensation for providing services relating to matters before an agency of which they are an employee.
- B. The same law also imposes several affirmative duties including:
1. Disclosure of any interest in any contract or dealings with the employing government;
 2. Disclosure of the fact that a municipal or state employee has an interest in any real property for which an application for any sort of variance is made;
 3. Effective January 1, 1991, annual filing of financial disclosure forms is required of certain employees.
- C. These statutes also contain or authorize the adoption of codes of conduct for state or municipal employees as the case may be relating to conflicts of interest.