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## **POLICIES AND PROCEDURES**

### **FLAGS OF THE UNITED STATES AND ARIZONA DISPLAY, ETIQUETTE AND MAINTENANCE**

NOVEMBER, 1997

**POLICIES AND PROCEDURES  
FLAGS  
DISPLAY, ETIQUETTE AND MAINTENANCE  
ARIZONA STATE CAPITOL COMPLEXES**

**Date: 10/15/97**

**2 of 13 pages**

**PURPOSE:**

Since the Arizona State Capitol Complex is the seat of State Government, it becomes imperative that the flags of our country and state be treated with the utmost respect and are appropriately displayed. As a result, the Arizona State Capitol Police have been given the duty and responsibility of ensuring that the flags are flown and displayed properly.

The purpose of this policy is to develop uniform and standardized procedures, methods and guidelines for the Capitol Police that are in compliance with the laws and established etiquette in handling and displaying the flags of the United States and the State of Arizona.

# **POLICY:**

## **I. LAWS**

### **Laws that apply to the Federal and State flags**

#### **United States Flag Code:**

##### **36 USC § 171 - 178**

**Public Law 94 - 344** Amends the Codes as they apply to proper display and respect for the United States Flag

( Note) The Federal Code contains no penalties and is intended for use by civilians, civilian groups or organizations who may not be required to conform with other regulations enforced by other branches of the Government of the United States.

#### **Description of U.S. flag:**

The flag of the United States has 13 horizontal stripes, alternating seven red and six white. Red stripes form the Flag's top and bottom borders. The canton, or blue field, occupies the upper left-hand quarter next to the staff and extending from the flag's top to the lower edge of the fourth red stripe. The canton has 50 five-pointed stars representing the states. Each star has one point upwards. There are nine horizontal and eleven vertical rows of stars. From the top down, rows 1, 3, 5, 7 and 9 have six stars each. Rows 2, 4, 6, and 8 have five stars, each positioned diagonally between the stars in the longer rows.

#### **Arizona Revised Statutes**

#### **Description of Arizona State flag:**

##### **ARS 41-851 State Colors; state flag**

##### **B. The flag of the State shall be of the following design:**

The lower half of the flag shall have a blue field and the upper half shall be divided into thirteen equal segments or rays which start at the center of the lower line and continue to the edges of the flag, colored alternately light yellow and red, consisting of six yellow and seven red rays. In the center of the flag, superimposed, there shall be a copper-colored five pointed star, so placed that the upper points shall be one foot from the top of the flag and the lower points one foot from the bottom of the flag. The red and blue shall be the same shade as the colors in the flag of the United States. The flag shall have a four-foot hoist and a six-foot fly with a two-foot star, and the same proportions shall be observed for flags of other sizes.

##### **C. The flag represents the copper star of Arizona rising from a blue field in the face of a setting sun**

**ARS 41-852 Display of State flag; death of incumbent elective state officer.**

**A.** The State flag shall be displayed alongside the flag of the United States on or in front of the State Capitol building, and institutional and educational buildings of the State as the governor directs, on or in front of the courthouse of each county and other institutional buildings of each county as the board of supervisors directs, and on or in front of the city or town hall of each incorporated city or town, and other municipally owned buildings as the governing body of the municipality directs

**B.** On the death of an incumbent elective state officer, each State flag displayed pursuant to subsection A shall be flown at half staff for a period of seven days beginning on the day following the death of the officer.

## II. DISPLAYING THE FLAG

### United States Flag

**1. Time** The flag of the United States should be flown daily from sunrise to sunset from public buildings, schools (on school days), from permanent staffs in the open, and in or near polling places on election days. The flag may be displayed 24 hours a day on special patriotic occasions or for a patriotic effect if properly illuminated during the hours of darkness. The flag should not be displayed on days when the weather is bad, except when an all-weather flag is used. The flag should always be flown on national and state holidays and on those occasions proclaimed by the President. On Memorial Day, the flag should be flown half staff until noon.

**2. Hoisting and Retiring the Flag** The flag should be hoisted briskly and lowered ceremoniously. It should never be dipped to any person or thing nor should it ever be displayed with the union down except as a signal of dire distress. When retiring the flag, it should be tri-folded. The flag is tri-folded to symbolize the shape of the cocked hats worn by soldiers of the American Revolutionary Army.

### The proper method of folding the U.S. flag is

- Two persons, facing each other, hold the flag waist high and horizontally between them.
- They fold the lower striped section, lengthwise, over the blue field. Fold bottom to top holding the edges together securely.
- Then fold the flag again, lengthwise, folding edge to open edge.
- A triangular fold is then started along the length of the flag, from the end to the head... That is from the striped end towards the blue field ... by bringing the striped corner of the folded edge to meet the open edge.
- Outer point is then turned inward parallel with the open edge. This forms a second triangle.
- This forming of triangular fold is continued until the entire length of the flag is folded.
- When the flag is folded properly and complete, only the triangular blue field should be visible.

**3. Speaker's Platform** When flown from a staff on a speaker's platform, the flag should be placed to the speaker's right and the audience's left. If any other flag is flown it should be to the speaker's left and the audience's right.

**4. When Flown with State, Local or Organizational Flags** When state local or organizational flags are flown from the same halyard, the U. S. flag should always be at the top of the staff and the other flags should be flown below the U. S. flag. When flown on a separate staff the U. S. flag should always be hoisted first and lowered last. The U. S. flag should always be on a taller staff than the other adjacent flags.

**5. When Flown with Other Nations Flags** When flags of two or more nations are displayed, they should be of equal size and flown from separate staffs of the same height. The international usage forbids the flag of one nation to fly above another in peacetime.

**6. Half Staffing the Flag** Half staffing the Flag is an official gesture of gratitude, respect and mourning. When half staffing the flag it is not necessary to take the term half staffing literally. The flag should be at a suitable height down from the top of the staff based on the size of the flag and the height of the pole. When half staffing the flag it should be hoisted to the peak of the pole and then lowered to the appropriate position on the pole for half staffing, when retiring or lowering the flag, it must again be raised to the peak of the pole and ceremoniously lowered.

**Authority** Only the President of the United States, directly through Proclamation or Executive Order, has the authority to order the flag to be flown at half staff on Federal property. The exception is Memorial Day when the Federal flag will be flown half staff from sunrise to noon.

On State property, the decision of whether the Federal flag will be flown half staff lies with the Governor.

**The Federal flag will be flown half staff for the following**

- The death of a principal figure of the United States Government and the Governor of a State, territory or possession, as a mark of respect to their memory.
- In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law.
- In the event of the death of a present or former official of the government or any state, territory, or possession of the United States, the Governor of that state, territory, possession, may proclaim that the National Flag shall be flown at half-staff.
- The flag shall be flown at half-staff thirty days from the death of the President or a former President.
- Ten days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives.
- From the day of death until interment of an Associate Justice of the Supreme Court, a Secretary or an executive of the military department, a former Vice President, or the Governor of a State, territory, or possession.
- And on the day of death and the following day for a member of Congress.

**As used in this subsection**

- The term half-staff means the position of the flag when it is one-half the distance between the top and bottom of the staff.
- The term executive or military department means any agency listed under Section 101 and 102 of Title 5, United States Code; and
- The term Member of Congress means a Senator, Representative, a Delegate, or the Resident Commissioner of Puerto Rico.

## **ARIZONA STATE FLAG**

### **The Arizona State Flag shall be displayed alongside the flag of the United States**

- on or in front of the State Capitol building and institutional and educational buildings of the state as the Governor directs
- on or in front of the courthouse of each county, and other institutional buildings of each county as the Board of Supervisors directs,
- and on or in front of the city or town hall of each incorporated city or town, and other municipally owned building as the governing body of the municipality directs

## **HALF-STAFFING THE STATE FLAG**

**Authority** Only the Governor of the state has the authority to direct the state's flag to be flown half-staff on state properties, the County Board of Supervisors over county properties and the governing body of municipality over city properties.

**ARS 41-852 B** The Arizona State Flag will be flown half-staff for the following:

On the death of an incumbent elective state officer, each State flag displayed pursuant to ARS 41-852 subsection A, shall be flown at half-staff for a period of seven days beginning on the day following the death of the officer. (Note) While the President of the United States has no authority to order a state flag flown at half-staff, any time he orders the U S flag flown at half-staff it has the effect of ordering all flags flown in proximity to a U.S. flag to be lowered to half-staff, because no flag may be flown above the United States Flag

### **III. ETIQUETTE AND RULES OF RESPECT**

#### **UNITED STATES FLAG**

##### **The following are the proper etiquette and rules of respect in handling the flag**

- The flag should never be permitted to touch the ground.
- The flag should never touch anything beneath it nor should it ever be carried flat or horizontally, it should always be held aloft and free.
- The flag should never be used as wearing apparel, bedding, drapery or decoration, for carrying or holding anything, or stored in such a manner that it will be damaged or soiled.
- The flag should never be fastened, displayed, used or stored in such a manner as to be easily torn, soiled or damaged. It should never be used as a cover or a ceiling.
- The flag should never be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When a flag is displayed on a car, the flag's staff should be fixed firmly to the chassis or clamped to the right fender.
- The flag or its staff should never be used for advertising purposes in any manner whatsoever. Nor should any picture, drawing, insignia or other decoration be placed upon or attached to the flag, its staff or halyard.
- The flag should not be embroidered on cushions, handkerchiefs or other personal items nor printed on anything designed for temporary use and then discarded. However, a flag patch may be affixed to the uniform of military personnel, fireman, policemen and members of patriotic organizations.
- When the flag is so worn or soiled that it is no longer suitable for display, it should be destroyed in a dignified manner, preferably by burning.

#### **ARIZONA STATE FLAG**

##### **ARS 13-3703. Abuse of venerated objects; classification**

###### **A. A person commits abuse of venerated objects by intentionally**

1. Desecrating any public monument, memorial or property of a public park
2. In any manner likely to provoke immediate physical retaliation.

(a) Exhibiting or displaying, placing or causing to be placed, any word, figure, mark, picture, design, drawing or advertisement of any nature upon a flag or exposing or causing to be exposed to public view, a flag upon which there is printed, painted or otherwise produced or to which there

is attached, appended or annexed, any word, figure, mark, picture, design, drawing or advertisement; or

(b) Exposing to public view, manufacturing, selling, offering to sell, giving or having in possession for any purpose, any article of merchandise or receptacle for holding or carrying merchandise upon or to which there is printed, painted, placed or attached, any flag in order to advertise, call attention to, decorate, mark or distinguish the article or substance; or

(c) Casting contempt upon, mutilating, defacing, defiling, burning, trampling or otherwise dishonoring or causing to bring dishonor upon the flag

**B. The provisions of this section shall not apply to**

1. Any act permitted by a statute of the United States; to
2. Any act permitted by United States military regulations; or
3. Any act where the United States government has granted permission for the use of such flag; or
4. A newspaper, periodical, books, pamphlet, circular, certificate, diploma, warrant, commission appointment to office, ornament, picture, badge or stationery of which shall be printed, painted or placed such flag and which is disconnected from any advertisement for the purpose of sale, barter or trade.

**C. For the purposes of this section**

1. "Desecrate" means defacing, damaging, polluting or otherwise doing a physical act in a manner likely to provoke immediate physical retaliation
2. "Flag" means any emblem, banner or other symbol of any size, composed of any substance or represented on any substance that evidently purports to be the flag of the United States or of this State

**D. Abuse of venerated objects is a class 2 misdemeanor**

## **IV. STATE COMMEMORATIVE FLAG PROGRAM**

The State of Arizona continually receives requests for U.S. and State flags that have been flown over the State Capitol Building. These flags are generally to be given to private citizens for everything from service awards to retirement gifts. Because these gift flags are given in the spirit of National and State pride and are a gesture of gratitude, respect and honor to the individual, a partnership between the Arizona Secretary of State's Office and the Arizona State Capitol Police has been formed and the following State Commemorative Flag Program procedure has been developed:

### **When the Capitol Police receive a request for a commemorative flag they will follow these steps**

#### **1. The requesting party will be advised of the following:**

- They will need to furnish their own flag.
- The overall process generally can be completed within a 24 hour time frame, excluding weekends and State recognized holidays.
- They will need to deliver the flag to the Capitol Police offices at 1700 West Washington St. Room B-15 Phoenix, Arizona between 8:00 AM and 5:00 PM, Monday through Friday.
- At the time the flag is delivered, the Capitol Police will need to know the following information: The desired date they want the flag flown, if that is of importance to the recipient or the presentation, and the exact wording desired on the Secretary of State's flag certificate.
- The necessary certificate information will be faxed or delivered to the Secretary of State's Office so the certificate can be prepared.
- The flag will be assigned to a member of the Capitol Police to be raised and lowered over the Capitol at the specific time and date.

After receiving the completed flag certificate from the Secretary of State's Office and the flag has been raised and lowered by Capitol Police Staff, the person will be notified that the commemorative flag is ready for pickup.

#### **2. Out Of State Or Out Of Area Requests**

If the request for a commemorative flag is made by a person living outside the Phoenix area and they are unable to deliver or pickup the flag, they may give the necessary commemorative information to the Capitol Police and make arrangements with any number of flag companies to deliver the flag to the Capitol Police Offices. The certificate information will be forwarded to the Secretary of State's Office for the completion of the certificate and the flag will be assigned to a member of the Capitol Police to be raised and lowered over the Capitol. After the certificate is returned from the Secretary of State's Office the Capitol Police will mail the certificate and flag to the requesting party.

## **V. FLAG MAINTENANCE SCHEDULE**

### **PURPOSE**

The purpose of this flag maintenance schedule to establish a system that will keep clean and serviceable flags within the Arizona State Capitol Complexes in Phoenix and Tucson, additionally, this process will extend the life of the flags by providing for proper repair and cleaning

### **PROCEDURE**

The Chief of the Capitol Police or his designee shall appoint a flag administrator for both the Phoenix and Tucson Capitol Complexes

The flag administrator will be responsible for the ordering, storing, cleaning repair and the replacement of worn and damaged flags The flag administrator will have the responsibility of collecting the soiled and damaged flags for repair and cleaning or in the case of severally worn or damaged flags their retirement from service each month and furnishing clean serviceable replacement flags for the Complexes

The flag administrator shall make sure clean serviceable flags are available for shift I personnel the last Saturday of each month.

Shift I personnel shall be charged with the responsibility of changing the flags each month They will take down the soiled flags on the last Saturday of each month and replaced them with clean serviceable flags no later than the next day Damaged flags will be changed as needed The soiled and damaged flags will be turned in to the flag administrator

### **ADOT FACILITY'S FLAGS**

The exception to this flag maintenance schedule is the Arizona Department of Transportation facilities that are within the Capitol Complex. The Capitol Police are under contract to ADOT in the form of an Interagency Service Agreement for the security and law enforcement services within their Complex, but the Capitol Police are not responsible for the cleaning, repair, or replacement of the flags within the ADOT Complex.

If ADOT Desires the Capitol Police personnel to service the flags within the ADOT facilities at the same intervals as the rest of the Complex, then ADOT's Facilities Management Office will need to make arrangements with the flag administrator so the clean and serviceable flags will be available on the scheduled days

### **TIME FOR DISPLAYING THE FLAGS**

All flags of the United States and the State of Arizona shall be flown daily from sunrise to sunset US Flags may be displayed 24 hours a day on special patriotic occasions or for a patriotic effect if properly illuminated during the hours of darkness.

**FLAGS** \* - This symbol preceding the building name identifies the location where the flags are illuminated

<b>Flag Location</b>	<b>ADDRESS</b>	<b>TYPE</b>	<b>SIZE</b>	
ADOT's Administration Building	206 South 17th Ave.	US Arizona	5X8 5X8	
ADOT's Motor Vehicle Division Building	1801 West Jefferson	US Arizona	5X8 5X8	
*Old Capitol Building, House /Senate	1700 West Washington	US Arizona MIA	12X18 8X12 3X5	
Executive Towers /West Wing	1700 West Washington	US Arizona	6X10 6X10	
*Wesley Bolin Memorial Park	USS Arizona Anchor Site	US Arizona US Navy	5X8 3X5 3X5	
	USS Arizona Mast Site	US Arizona US Navy US Marines Ships Flags	6X10 3X5 3X5 3X5 3X5	
	Korean War Memorial	US Arizona Korean UN MIA	5X8 5X8 5X8 5X8 3X5	
	Vietnam War Memorial	US MIA	5X8 3X5	
	Health Services Building	1740 West Adams	Arizona	5X8
	Annex West Building	1688 West Adams	US Arizona	5X8 5X8
Lab and Data Buildings	1520 and 1510 West Adams	Arizona	5X8	
*Corporation Commission Building	1200 West Washington	US Arizona	5X8 5X8	
*Attorney General's Building	1275 West Washington	US Arizona	5X8 5X8	
State Office Building	1300 West Washington	Arizona	5X8	
State Office Building	1400 West Washington	Arizona	5X8	
Child Development Center	1937 West Jefferson	Arizona	5X8	
Department of Corrections	1601 West Jefferson	Arizona	5X8	
State Personnel Building	1831 West Jefferson	Arizona	5X8	
State Office Building	1645 West Jefferson	Arizona	5X8	
Department of Education	1535 West Jefferson	Arizona	5X8	

## **VII FLAG RETIREMENT**

### **U.S.C. Title 36, Chapter 10, Section 176 - Respect for the Flag**

**When a flag is in such condition that it is no longer a fitting emblem for display, it should be destroyed in a dignified way, preferably by burning in private.**

**The Capitol Police have a State contract with a Commercial flag company to clean and repair the state flags found to be in need, during the course of the monthly flag maintenance change out. The soiled and damaged flags are sent to the flag company for evaluation, cleaning and repair. When it is determined that a flag is to badly soiled to be cleaned or to badly damaged to be repaired, the flag company will notify the Capitol Police flag administrator who will authorize the destruction of the flag by burning.**