



Approved:

*Chief Marcia Harnden*

Subject:

# 830. Conflicting Relationships

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## 830.1: PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination, or actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, promotion, use of facilities, access to training opportunities, supervision, performance appraisal, purchasing and contracting, discipline and workplace safety and security.

### 830.1.1: DEFINITIONS

- a. **Business Relationship** – Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction where the Department employee's annual interest, compensation, investment or obligation is greater than \$250.
- b. **Conflict of Interest** – Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee's action, inaction, or decisions are or could be influenced by the employee's personal or business relationship ([ORS 244.020](#)).
- c. **Nepotism** – The practice of showing favoritism to relatives in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.
- d. **Personal Relationship** – Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.
- e. **Public Official** – Any person who is serving the State of Oregon, any of its political subdivisions or any other public body as defined in [ORS 174.109](#) as an elected official, appointed official, employee or agent, irrespective of whether the person is compensated for the services (ORS 244.020).
- f. **Relative** – The spouse of the member, any children of the member or of the member's spouse, and brothers, sisters, half-brothers, half-sisters, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, stepparents, stepchildren or parents of the member or of the member's spouse, or any individual for which the member has a legal support obligation (ORS 244.020).
- g. **Subordinate** – Any employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

- h. **Supervisor** – An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

### 830.2: POLICY

**It is the policy of the Albany Police Department to ensure that personal relationships do not interfere with the Department's achievement of its objectives.**

### 830.3: RESTRICTED DUTIES AND ASSIGNMENTS

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply:

- a. Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative, who resides with the member or with whom they are involved in a personal or business relationship ([ORS 244.179](#)).
- 1) If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
- 2) When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations.
- A. The Department reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.
- b. Employees are prohibited from participating in, contributing to, or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or who resides with the member or with whom they are involved in a personal or business relationship ([ORS 244.177](#)).
- c. Whenever possible, FTOs and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.
- d. To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of, or as a direct result of, any official contact.
- e. Except as required in the performance of official duties or, in the case of immediate relatives, employees **should** not develop or maintain personal or financial relationships with any individuals they know or reasonably should know are under criminal investigation, are convicted felons, parolees, fugitives, registered sex offenders or who engage in serious violations of state or federal laws.

**830.3.1: ACCESS BY CRIMINAL JUSTICE AGENCIES**

- a. Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninformed, next highest level of supervisor.
- b. Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative, individual who resides with the member or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninformed, immediate supervisor.
- c. In the event that no uninformed supervisor is immediately available, the employee shall promptly notify dispatch to have another uninformed employee either relieve the involved employee or minimally remain present to witness the action.

**830.3.2: SUPERVISOR RESPONSIBILITY**

- a. Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible.
- b. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations, through the chain of command.