



# Clayton County Police Department

# PROCEDURES

Subject <b>FRATERNIZATION, NEPOTISM &amp; PROHIBITED/CONFLICTING RELATIONSHIPS</b>			Procedure # <b>C12</b>
Authorizing Signature 	Effective <b>01-10-2023</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Rescinds	Total Pages <b>6</b>

## I. PURPOSE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or other actual or potential conflicts of interest by or between employees of the Clayton County Police Department (CCPD).

## II. POLICY

This policy is intended to avoid conflicts of interest by or between employees of the Department, between work-related and personal/family obligations; reduce favoritism or even the appearance of favoritism; prevent personal/family conflicts from affecting the workplace, and decrease the likelihood of harassment and/or discrimination in the workplace.

## III. DEFINITIONS

Conflict of Interest: A situation in which an employee's private interest could reasonably be perceived to lead to a disregard of their employment obligations, or a disregard of their duty to the public.

Criminal Organizations: Any person, organization or group of persons that advocates, incites, or supports criminal acts or criminal conspiracies.

Employee: Any individual employed by Clayton County in a position within the Clayton County Police Department.

Family: A person who is related to an official or employee as spouse or as any of the following whether by marriage, blood or adoption: parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, brother-in-law or sister-in-law.

Fraternization: The engagement of two (2) or more departmental employees in a relationship that is prohibited by departmental policy.

Hate groups: Any person or group that advocates, incites, or supports criminal acts or criminal conspiracies that promotes hatred or discrimination toward racial, religious, ethnic, sexual, gender, or other groups or classes of individuals protected by law.

Intimate Relationship: A relationship between two (2) or more people that involves immediate family, marriage, cohabitation, dating, romance and/or sexual relations.

Nepotism: Favoritism (as in appointment to a job) based on kinship.

Personal Relationship: Includes marriage, cohabitation, dating, or any other intimate relationship beyond mere friendship.

Subordinate: An employee who stands in order or rank below another.

Supervisor: An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and or performance of a subordinate employee.

#### **IV. PROCEDURES**

##### **A. Fraternization**

1. The Department believes that it is inappropriate for a manager or supervisor to become romantically involved with someone they supervise, or with someone whose terms and conditions of employment they have the ability to influence. This prohibition applies to all employees, regardless of their marital status. Even when no inappropriate conduct is involved, management fraternization with a subordinate employee may appear to others to involve improper use of authority, compromise the chain of command, or negate impartiality in the decision making process.

Accordingly, any employee who has the authority to influence the terms and conditions of another's employment shall not fraternize with that employee. The fraternization prohibited by this policy encompasses immediate family, marriage, cohabitation, romance, dating, and sexual relations. This fraternization policy is not intended to otherwise discourage friendship or social activities among employees.

2. The Department recognizes that the question of whether a relationship constitutes fraternization or simply a social relationship is a very personal issue. However, because of the potential for inappropriate conduct and adverse impact in the workplace, any questions regarding fraternization will be directed to the Chief of Police, Assistant Chief or Deputy Chief, or the Commander of the Office of Professional Standards (OPS). These matters shall be handled as confidentially and discretely as possible.
3. To avoid any appearance of impropriety, employees involved with and/or responsible for the supervising, managing, interviewing, selection, hiring, training or field training, appointment, recruitment or promotion of any departmental applicant or employee are prohibited from fraternizing with such applicant(s) and/or employee(s).
4. Should a consensual, personal relationship or dating prohibited by this policy be contemplated, each party is required to immediately notify the Assistant Chief or Deputy Chief in their chain of command. Where a personal relationship prohibited by

this policy exists, the Chief of Police will take whatever action necessary to remove the parties from any continued supervisory lines of authority between them, to include the transfer or reassignment of one (1) or both parties. The timely acknowledgement and reporting of such contemplated, prohibited relationship by the involved parties will not subject them to disciplinary action.

5. This policy does not prohibit employees involved in an intimate relationship from working the same shift within the same Division, provided that they are not assigned to the same District or specialized unit. This policy is subject to availability and seniority.
6. Prohibited Activities
  - a. Any employee who has the authority to influence the terms and conditions of another's employment shall not fraternize with that employee.
  - b. Employees shall not knowingly be assigned to a position in which an employee with whom they have a personal relationship would directly supervise them, be in their direct chain of command, or serve as their subordinate.
  - c. Employees shall not perform any official Department evaluation of another employee with whom they are involved in a personal relationship.
  - d. No employee shall participate, nor knowingly be consulted in the Department's assessment or decision-making process for the appointment, assignment, employment, promotion or advancement, of another employee with whom they have a personal relationship.
  - e. Training officers for the Department and E911 Communications shall not officially train, on behalf of the Department, or supervise another employee with whom they have a personal relationship.
  - f. Employees shall not knowingly be consulted or participate in the Department's administrative process that includes the potential of any disciplinary action and/or recommendation for a disciplinary action on another employee with whom they have a personal relationship.
  - g. It is prohibited for a manager or supervisor of this Department to engage in, any romantic, dating, or similar relationships with any subordinate of the Department.
  - h. Conduct inspired by, arising or resulting from, or which occurs as participation in a personal relationship that adversely affects the workplace environment is prohibited. Adverse effects on the workplace environment that constitute prohibited fraternization include, but it is not limited to, the following:
    - 1) Conduct that damages the effective or efficient functioning of the Department, or is reasonably likely to do so;
    - 2) Conduct that impairs the discipline, morale, harmony, uniformity or trust in or among the employees of the Department, or is reasonably likely to do so;
    - 3) Conduct that has a detrimental impact on close working relationships among employees of the Department, or is reasonably likely to do so;
    - 4) Conduct that constitutes a conflict of interest; or

- 5) Conduct that has resulted in any type of harassment, or is reasonably likely to do so.

## B. Nepotism

1. Employees who find themselves working in the same division as a family member shall promptly notify their chain of command.
2. Prohibited Activities
  - a. No employee shall exert influence, directly or indirectly, concerning the hiring, advancement, promotion, or transfer of a member of their family to any position within the Department.
  - b. It is the policy of the Department that family, as defined earlier in the definition section, shall not be employed in a regular full-time or part-time positions where:
    - 1) An employee would have the authority to supervise, appoint, remove, discipline, or evaluate the performance of a member of their family;
    - 2) An employee would be responsible for approving the work of a member of their family;
    - 3) Other circumstances exist which would place the family members in an actual or reasonably foreseeable conflict between the County's interest and their own.

## C. Other Types of Prohibited/Conflicting Relationships & Associations

1. Except as required in the performance of official duties, employees shall not develop or knowingly commence or maintain personal or financial relationships with any individual who they know or reasonably should know are engaged in criminal activity, is under criminal investigation, indictment, or arrest, or who is a convicted felon, parolee, fugitive, registered sex offender, gang member, or who has a reputation for present or past involvement in felonious criminal behavior.
2. No employee shall join, advocate for, or associate with any hate groups, paramilitary gangs, criminal organizations, or any other person or group, if the employee knows, or should know, that type of association is likely to adversely affect the employee's credibility or the Department's credibility, except as necessary in the performance of official duties.
3. Employees shall not frequent or associate with persons, organizations, or places with a known criminal or bad reputation/background where such associating or frequenting would be detrimental to the image of the Department or the County, except as necessary in the performance of official duties.
4. No employee shall solicit, request, or accept employment with, or render services to, any person/entity, business, or professional association when doing so is adverse to and incompatible with the discharge of their official duties.
5. Additionally, the very nature of police work puts employees in direct contact with witnesses, victims, suspects, arrested persons, criminal defendants awaiting trial and inmates. To avoid any appearance of impropriety, actions that potentially undermine

one's authority as a law enforcement officer or allegations of undue influence, no employee shall fraternize with any witnesses and/or victims during the pendency of matter being handled by this Department, or suspects, arrested persons, criminal defendants awaiting trial or inmates.

6. When personal or family relationships place an employee in conflict with this policy, due to sharing the same household or when such relationships create a need for enhanced security for the officer's weapon, the employee must immediately report the facts in writing via CCPD Memorandum Form to the Chief of Police, or authorized designee; the memo will be forwarded to the Commander of the Office of Professional Standards (OPS) for confidential filing and storage.

#### D. Inmate Workers

Employees shall be aware that inmates are prisoners serving time for violations of the law. There are rules of conduct which will be followed to ensure the safety of the public, County employees, the inmates and the integrity of the Department. All employees will observe and comply with the following rules:

1. Any employee that has an intimate relationship with an inmate sentenced to the Clayton County Correctional Institution will immediately report the facts in writing via CCPD Memorandum Form to the Assistant Chief or Deputy Chief in their chain of command. The memo will be forwarded to the OPS Commander so contact can be made with the correctional facility to ensure that such inmate does not perform any work details within a CCPD facility.
2. Employees shall not make a telephone call on behalf of an inmate nor allow an inmate use of any type of communication device, which is owned by the County and/or an employee.
3. Employees are not allowed to mail anything for an inmate.
4. Employees will not allow inmates access to any personal and/or County keys.
5. Employees will not give money or other unauthorized property to an inmate.
6. Employees will not allow inmates to accompany them to banks, restaurants, or stores except on County business.
7. Employees are not allowed to trade, "tip" or give gifts to an inmate, this includes food and drinks.
8. Employees will not ask inmates for favors of personal benefit to an employee.
9. Fraternization with inmates is strictly prohibited; employees will limit interaction to work duties only and will have no personal conversation with inmates.

#### E. Employee Responsibility

1. Any employee, manager or supervisor who has knowledge of, or suspects and/or discovers a relationship prohibited by this policy will immediately report the facts and/or information in writing via CCPD Memorandum Form to the Assistant Chief or Deputy Chief in their chain of command.

2. 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 their supervisor. If the employee's supervisor is involved, the employee shall notify their uninvolved, next highest level of supervisor.
3. 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 or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify their supervisor. If the employee's supervisor is involved, the employee shall notify their uninvolved, next highest level of supervisor.
4. An employee who has a relationship with a person/entity or an interest in a matter which may be affected by such employee's official acts or actions, or by the official acts or actions of the County, shall disclose the relationship or interest to their supervisor and shall abstain from participating in such official acts or actions affected thereby including engaging in any discussions or debates regarding same. That relationship or interest shall be disclosed by the employee prior to taken any official act or actions or immediately upon such official or employee becoming aware of the relationship or interest. If the employee's supervisor is involved, the employee shall notify their uninvolved, next highest level of supervisor.

#### F. Supervisor Responsibility

1. 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.
2. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations, through the chain of command.
3. When a violation of this policy is determined to have occurred, disciplinary action, up to and including dismissal, may be taken.

## V. CANCELLATION

This procedure amends and supersedes the following standard operating procedure: *C12: Fraternalization, Nepotism & Prohibited/Conflicting Relationships* dated July 27, 2021.