

# Charleston County Sheriff's Office Policy and Procedures Manual

# **Sheriff Carl Ritchie**

# 2-05 Code of Ethics

☐ New

□ Revised

□ Reviewed

ACA Standards Reference: 5-ALDF-1B-02, 5-ALDF-6B-02, 05, 5-ALDF-7B-05, 5-ALDF-7C-02,

7C-03, 4-ALDF-7E-01

CALEA Standards Reference: 1.1.2

NCCHC Standards Reference:

SCLEA Standards Reference:

SC Minimum Standards: 1037

## I. Purpose:

To provide Charleston County Sheriff's Office personnel with a written code or canon of ethics.

# II. Policy:

A formally adopted code or canon of ethics will be maintained to guide Charleston County Sheriff's Office personnel in maintaining high standards of ethical conduct and professional standards both on and off-duty. (Ref: 5-ALDF-7C-02, 7E-01)

#### III. Definitions:

A. For purposes of this procedure, the word "deputy" applies to all agency employees with a certification classification of Class I, Class II, Class III, or Reserve Deputy, as defined by the South Carolina Criminal Justice Academy.

The following terms are used interchangeably; however, they carry guidance to specific employees based on usage of the term:

- 1. Deputy, deputies, deputy sheriff, detention deputy, sworn employee, uniformed sworn employee, sworn administrative employee, and
- 2. civilian, non-sworn employee.
- B. *Employee:* When used without further clarification, the term employee is inclusive of all agency members (sworn and non-sworn).

#### IV. Procedure:

- A. The Charleston County Sheriff's Office subscribes to the *Canons of Police Ethics* and *Law Enforcement Code of Ethics* as adopted by the International Association of Chiefs of Police (I.A.C.P.) for sworn personnel (see Appendix A and B infra). (Ref: CALEA 1.1.2)
- B. The Sheriff Al Cannon Detention Center (SACDC) has adopted the South Carolina Jail Administrators' Association's (SCJAA) Code of Ethics as part of an essential program to achieve a high standard of professional conduct among its detention deputies (see Appendix C infra).
- C. Civilian Personnel are required to abide by the Code of Ethics as outlined in Charleston County Procedure 4.10 (see Appendix D infra).

(Ref: CALEA 1.1.2)

D. Ethics training will be conducted for all personnel biennially.

(Ref: CALEA 1.1.2)

- E. During an employee's new hire orientation, they will receive initial ethics training and documented acknowledgement of agency rules, regulations, ethics, conditions of employment, specific job criteria (i.e., Planning Stage), and related documents. A copy of the signed acknowledgements will be placed in the employee's training file. (5-ALDF-7B-05, 7C-03)
- F. Employees must always remember that they are public service employees and must provide efficient and impartial service in the dealings with the public.
- G. No employee will use their official position to promote any partisan, political official, or cause. (5-ALDF-7C-02)
- H. No employee, contractor, or volunteer will use their official position to secure privileges for themselves or others, nor will they engage in activities that constitute a conflict of interest or may appear to constitute a conflict of interest.

  (SC Min. 1037, 5-ALDF-7C-02)
- I. No employee, contractor, or volunteer will use their office or authority to obtain goods or services at a reduced rate from any person, business or organization that would not be available to the general public. All employees, staff, contractors, and volunteers are held accountable for compliance with the code of ethics. (5-ALDF-7C-02)
- J. No employee will engage in conduct harmful to the good order and discipline of the Charleston County Sheriff's Office or the SACDC.
- K. Detention deputies will not use their personal vehicle to conduct any County or agency business unless pre-authorized by the Detention Chief or designee. (5-ALDF-1B-02)
- L. Employees will report without hesitation corrupt or unethical behavior which could affect a detainee, SACDC inmate, or the integrity of the Charleston County Sheriff's Office or SACDC (see also Policy <u>2-o6 Duty to Intervene</u>).
- M. Employees will maintain the integrity of private information. Employees will neither seek personal data beyond that needed to perform their duties nor reveal case information to anyone not having proper professional use for such information.

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N. Employees will respect and protect the civil, constitutional, and legal rights of all SACDC inmates without regard to race, sex, creed, national origin, disabilities, or charge(s). (5-ALDF-6B-02, 05)

# V. Appendix:

#### A. Canons of Police Ethics:

Article 1. Primary Responsibility of Job.

The primary responsibility of police service, and of the individual officer, is the protection of the people of the United States through the upholding of their laws; chief among these is the Constitution of the United States and its amendments. The law enforcement officer always represents the whole of the community and its legally expressed will and is never the arm of any political party or clique.

Article 2. Limitations of Authority.

The first duty of the law enforcement officer, as an upholder of the law, is to know its bounds upon the officer in enforcing it. Because the officer represents the legal will of the community, be it local, state or federal, the officer must be aware of the limitations and proscriptions which the people, through law, have placed upon the officer. The officer must recognize the genius of the American system of government which gives to no person, groups of persons, or institution, absolute power, and the officer must be sure that he or she, as a prime defender of the system, does not pervert its character.

Article 3. Duty to be Familiar with the Law and with Responsibilities of Self and Other Public Officials.

The law enforcement officer shall assiduously apply himself or herself to the study of the principles of the laws which the officer is sworn to uphold. The officer will make certain of his or her responsibilities in the particulars of their enforcement, seeking aid from superiors in matters of technicality or principle when these are not clear. The officer will make special effort to fully understand his or her relationship to other public officials, including other law enforcement agencies, particularly on matters of jurisdiction, both geographically and substantively.

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Article 4. Utilization of Proper Means to Gain Proper Ends.

The law enforcement officer shall be mindful of his or her responsibility to pay strict heed to the selection of means in discharging the duties of office. Violation of law or disregard for public safety or property on the part of an officer are intrinsically wrong; they are self-defeating in that they install in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.

Article 5. Cooperation with Public Officials in the Discharge of their Authorized Duties.

The law enforcement officer shall cooperate fully with other public officials in the discharge of authorized duties, regardless of party affiliation or personal prejudice. The officer shall be meticulous, however, in assuring the propriety, under the law, of such actions and shall guard against the use of office or person, whether knowingly or unknowingly, in any improper or illegal action. In any situation, the officer shall seek authority from a superior officer, giving the superior officer a full report of such service or action.

Article 6. Private Conduct.

The law enforcement officer shall be mindful of the special identification of an officer, by the public, as an upholder of the law. Laxity of conduct or manner in private life, expressing either disrespect for the law or seeking to gain special privilege, cannot but reflect on the police officer and the police service. The community and the service require that the law enforcement officer lead the life of a decent and honorable person. Following the career of a law enforcement officer gives no person special requisites. It does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American Public. The officer who reflects upon this tradition will not degrade it, rather the officer shall so conduct his or her private life that the public will regard the officer as an example of stability, fidelity, and morality.

Article 7. Conduct Toward the Public.

The law enforcement officer, mindful of responsibility to the whole community, shall deal with individuals of the community in a manner

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calculated to install respect for its laws and its police service. The law enforcement officer shall conduct his or her official life in a manner such as will inspire confidence and trust. Thus, the officer will be neither overbearing nor subservient, and no individual citizen has an obligation to stand in awe of, or a right to command, the officer. The officer will give service where he or she can and require compliance with the law. The officer will do neither from personal preference or prejudice, but rather as a duly appointed officer of the law discharging a sworn obligation.

## Article 8. Conduct in Arresting and Dealing with Law Violators.

The law enforcement officer shall use the powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. The Office gives the officer no right to prosecute the violator nor to mete out punishment for the offense. The officer shall, at all times, have a clear appreciation of the responsibilities and limitations regarding detention of the violator; officers shall conduct themselves in such a manner as will minimize the possibility of having to use force. To this end, the officer shall cultivate a dedication to the service of the people and the equitable upholding of their laws whether in the handling of law violators or in dealing with the law abiding.

# Article 9. Gifts and Favors.

The law enforcement officer, representing government, bears the heavy responsibility of maintaining, in the officers conduct, the honor and integrity of all government institutions. The officer shall, therefore, guard against placing him or herself in a position in which any person can expect special consideration is being given. Thus, the officer should be firm in refusing gifts, favors, or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing an officer's judgment in the discharge of duty.

#### Article 10. Presentation of Evidence.

The law enforcement officer shall be concerned equally in the prosecution of the wrong-doer and the defense of the innocent. The officer shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In so doing, the officer will ignore social, political, and all other distinctions among persons involved, strengthening the reliability and integrity of an officer's word. The law enforcement officer shall take special

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pains to increase his or her perception and skill of observation, mindful that in many situations the officer is the sole impartial testimony to the facts of a case.

Article 11. Attitude toward Profession.

The law enforcement officer shall regard the discharge of his or her duties as a public trust and recognize his or her responsibility as a public servant. By diligent study and sincere attention to self-improvement the officer shall strive to make the best application of science to the solution of crime and, in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety. The officer shall realize the importance and responsibility of the office and hold police work to be an honorable profession rendering valuable service to the officer's community and country. (Ref: CALEA 1.1.2)

#### B. Law Enforcement Code of Ethics:

As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional Rights of all persons to liberty, equality, and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no comprise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice, or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of law enforcement. I will constantly strive to achieve these objectives and ideals,

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dedicating myself before God to my chosen profession . . . law enforcement. (Ref: CALEA 1.1.2)

## C. South Carolina Jail Administrators' Association's Code of Ethics:

As an officer employed in a detention/correctional capacity, I swear (or affirm) to be a good citizen and a credit to my community, state, and nation at all times. I will abstain from questionable behavior which might bring disrepute to the agency for which I work, my family, my community, and my associates. My lifestyle will be above and beyond reproach and I will constantly strive to set an example of a professional who performs his/her duties according to the laws of our country, state, and community and the policies and procedures, written and verbal orders, and regulations of the agency for which I work.

On the job I promise to:

KEEP The institution secure so as to safeguard my community

and the lives of the staff, inmates, and visitors on the

premises.

WORK With each individual firmly and fairly without regard to

rank, status, or condition.

MAINTAIN A positive demeanor when confronted with stressful

situations of scorn, ridicule, danger, and/or chaos.

REPORT Either in writing or by word of mouth to the proper

authorities those things which should be reported, and keep silent about matters which are to remain confidential according to the laws and rules of the

agency and government.

MANAGE And supervise the inmates in an evenhanded and

courteous manner.

REFRAIN At all times from becoming personally involved in the

lives of the inmates and their families.

TREAT All visitors to the jail with politeness and respect and do

my utmost to ensure that they observe the jail

regulations.

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TAKE Advantage of all education and training opportunities

designed to assist me to become a more competent

officer.

COMMUNICATE With people in or outside of the jail, whether by phone,

written word, or by word of mouth, in such a way so as not to reflect in a negative manner upon my agency.

CONTRIBUTE To a jail environment which will keep the inmate

involved in activities designed to improve his/her

attitude and character.

SUPPORT All activities of a professional nature through

membership and participation that will continue to elevate the status of those who operate our nation's jails. Do my best through word and deed to present an image to the public at large of a jail professional, committed to progress for an improved and enlightened criminal

justice system.

The South Carolina Jail Administrators' Association has approved the AJA Code of Ethics as part of an integral program to achieve a high standard of professional conduct among those officers employed in our nation's jails.

#### D. Charleston County Personnel Procedure 4.10, Code of Ethics:

The County strictly adheres to the provisions of the Ethics Act and expects that its employees be generally familiar with the Act's rules of conduct. The following is a summary of some of the requirements of the Act. In the event any public official or employee has questions concerning his or her conduct, it is their responsibility to seek guidance through their chain of command.

#### 1. Section 8-13-700

No County employee is allowed to use the influence of his government employment to financially benefit himself, a member of his family, or a business with which he is associated.

#### 2. Section 8-13-705

No County employee is allowed to provide anything of value to any public official with the intent to influence decisions made by that public official.

#### 3. Section 8-13-715

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No County employee is allowed to receive anything of value (money or item) for speaking before a public or private group as a County representative, except that the County can be reimbursed for actual expenses incurred by the employee during that speaking engagement.

## 4. Section 8-13-730

No County employee is allowed to serve as a member of any governmental regulatory group or agency that regulates any business with which that employee is associated.

## 5. Section 8-13-775

No County employee can have any economic interest in any contract with the State or County if that employee is authorized to perform an official function relating to that contract. (Ref: CALEA 1.1.2)

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