

<b>DOUGLAS COUNTY SHERIFF'S OFFICE</b>		<b>Policy and Procedure</b>
<b>Conduct</b>		<b>P&amp;P-C-101</b>
<b>General Conduct</b>		
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References: 16-3-110, 30-10-109, 24-72-301 CRS, PP-I-101, PP-I-102	Reevaluation Date: Annually	Standards CALEA LE 1.2.7, LE 1.2.10, LE 12.1.3, LE 12.2.1, LE 26.1.1, LE 84.1.1, COM 1.2.2, 2.1.3, 2.1.5, 2.2.2, 3.6.1, ACA 1A-21, 1C-06, 7A-01, 7C-01, 7C-02, 7C-03, 7D-17

**I. KNOWLEDGE OF, AND ADHERANCE TO, LAWS AND OFFICE POLICIES AND PROCEDURES** <LE 26.1.1>

**A. Ethical Behavior**

The Office looks to the Law Enforcement Code of Ethics, which is made a part of this manual, for guidance in measuring members' behavior. All members shall abide by, as well as, read and provide signature in PowerDMS for the Code of Ethics and make themselves aware of its principles. <LE 2.2.2> <COM 2.2.2>

Every member shall be faithful to their oath of office, the principles of professional policing, and the objectives of the Office and the County; in the discharge of their duties, members must not allow personal motives to govern their decisions and conduct. <7A-01>

**B. Conformance to Law**

Office employees shall obey all laws of the United States and of any State or local jurisdiction in which they are present.

Any member of this office, whether on or off duty, who is arrested, charged or convicted of any crime, or detained by any law enforcement agency or criminal justice agency regarding a criminal offense, shall notify their supervisor of that fact immediately. Within the following eight hours such members must forward a memo detailing their arrest or detention, through their chain of command, to the Sheriff. If the member is unable to generate a memo then it shall become the responsibility of their supervisor.

When an employee is arrested, issued a criminal summons or a traffic summons (not including penalty assessment citations) or is the subject of a restraining order the member must notify their supervisor immediately. Members cited for any traffic violation while operating a County-owned vehicle are bound by the same reporting requirements.

The dismissal or other disposition of any criminal offense shall not prevent the Administration from bringing charges against the affected employee.

A conviction for the violation of any law shall be prima facie evidence of a violation of this policy. The material elements constituting a violation of these policies to be proven shall be based upon the elements of law, statute or ordinance alleged to have

been violated and through a preponderance of evidence. If a member is found guilty by a judge or jury or pleads guilty or *nolo contendere* to any charge or violation of law, the Office need not reestablish that a violation of law occurred.

C. Respect for Constitutional Rights

Members shall not knowingly violate the constitutional rights of any person. No person has a constitutional right to violate the law; neither may any person be deprived of his or her constitutional rights merely because they are suspected of having committed a crime. A member who lawfully acts within the scope of his or her authority does not deprive persons of their civil liberties. An employee may, within the scope of his or her authority, make reasonable inquiries, conduct investigations, and arrest upon probable cause. However, when an employee exceeds his or her authority by unreasonable conduct, the employee violates the sanctity of law which he or she is sworn to uphold.

Office employees shall not make any arrest, search, or seizure which is not in good faith and is not supported by a law.

D. Assuming Command

At the scene of any event under investigation, the ranking officer present must assume command and direction of Sheriff's Office personnel in order to assure the most effective and efficient delivery of police services, unless the ranking officer chooses to delegate his/her authority. Such delegation shall not remove or abrogate the final responsibility from the command officer.

E. Use of Force

Members shall not use more force in any situation than is reasonable and necessary under the circumstances. Employees shall use force in accordance with Office procedures.

F. Knowledge of Policy

It is the responsibility of every member to read, understand and comply with all policies, orders, directives, rules and regulations of the Office. <7C-03>

G. Violation of Rules

Employees shall not commit or omit any acts which constitute a violation of any rules, regulations, directives, orders, or policies of the Office, whether stated in this policy or elsewhere. Employees shall be responsible for their own acts, and they shall not shift to others the burden or responsibility for executing or failing to execute a lawful order or duty. <LE 12.2.1g><LE 12.2.1h><COM 2.1.5h>

H. Reporting Violations of Law or Rules

Employees knowing or suspecting of other employees violating laws, ordinances, or written directives of the Office, shall report same in writing to their immediate supervisor within five working days of first having knowledge of the violation. Employees may report the violation directly to the Internal Affairs Unit within five days of first having knowledge of the violation if in the employee's judgment it is the

most appropriate method of disclosure given the circumstances. This policy is not intended to alleviate an employee's responsibility to report any event governed by mandatory reporting requirements as established by state statute. <LE 1.2.10>

## II. GUIDELINES, WORK RULES AND EXPECTATIONS

### A. Hours of Duty

Every employee shall be assigned regular hours of active duty. Members shall be considered 'off-duty' during other hours.

Peace officer personnel, although technically off-duty, shall act as deemed appropriate on any situation in which a felony or misdemeanor has been or is being committed in such officer's presence. Authority to act shall exist regardless of whether deputies are in their own jurisdiction or within another jurisdiction in the State of Colorado. All regular peace officer personnel, regardless of assigned duty hours or assignment, are obligated to act as peace officers when matters come to their attention concerning any criminal acts (felony or misdemeanor) and/or public safety matter which requires immediate intervention or attention (see also 16-3-110 C.R.S. - Peace Officer Duties).

A supervisor must approve all overtime, extra time, and the use of reschedule time.

Sworn personnel are required to respond to duty when summoned by the office, even when otherwise considered 'off-duty' (see 30-10-109 C.R.S. – *Office hours*).

### B. Duties of Peace Officer Personnel

Peace officer personnel shall

- Protect life and property,
- Preserve the peace,
- Prevent crime,
- Not display cowardice or fail to support their co-workers in the lawful performance of their duties,
- Detect and arrest violators of the law, and
- Enforce federal, state and county laws and ordinances in a manner set forth by law and Office policy.

### C. Duties of All Employees

All employees shall carry out specific duties and responsibilities assigned to them, carry out any duty required by lawful order, and within a reasonable time, report and/or take proper action in any situation encountered which requires action by this Office. <LE 12.1.3> <COM 2.1.3>

### D. Exchanging Duties

Members shall not change duties or portions thereof, nor shall they change duty times or portions thereof, without authority from their supervisor.

### E. Punctuality

Employees shall be punctual when reporting for all duty and special assignments. Subpoenas pertaining to Office business, extra-duty work assignments and training assignments, including range practice, shall constitute an order to report for duty under this section.

F. Refusing to Work

Members shall not engage in strikes or similar concerted activities which include, but are not necessarily limited to concerted failures to report for duty, unauthorized willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a physician's statement, work stoppages, work slowdowns, 'blue flu', or failure to properly perform the duties of employment for the purposes of inducing, influencing, or coercing a change or changes in working conditions, rights, privileges or obligations of employment. <1C-06>

G. Absence

Except when sick or injured, or when there is a death in the immediate family, an employee shall not be absent without prior authority or leave. Employees intending to be absent because of personal illness or injury shall notify their immediate supervisor of such intention prior to the beginning of their next scheduled tour of duty. They shall also remain at their residence or place of confinement unless otherwise directed by a physician.

Members shall, while off duty due to illness or injury - except while hospitalized - contact their supervisor each day to report their condition and progress of their recovery, unless such reporting requirement is waived by the supervisor.

No employee shall feign sickness or injury to deceive the Office regarding his or her condition.

H. Chain of Command

Members shall adhere to the authority levels delineated in the Office chain of command.

Nothing in this part H shall be construed to prohibit an employee from making use of the Sheriff's 'open-door' policy.

I. Insubordination

Members shall be deemed insubordinate for failing or refusing to promptly obey a lawful order given by a supervisor. Ridiculing a supervisor's order(s) whether or not in their presence shall also be deemed insubordination.

J. Unlawful Orders

No supervisor shall knowingly issue any order which a violation of is or tends to nullify any law, ordinance or DCSO policy, rule or procedure. No member of this Office is required to obey any order which is contrary to federal, state, county or local law or ordinance or DCSO policy, rule or procedure. <LE 12.1.3> <COM 2.1.3>

K. Neglect of Duty

Employees shall not engage in any activities or personal business which would cause them to neglect or be inattentive to duty. Neglect of duty specifically includes sleeping while on duty.

L. Loitering

Members off-duty in uniform and employees on-duty shall not loiter in cafes, service stations, or other public places. Members off-duty are not to loiter in Office areas when it may affect the normal operations.

M. Fitness for Duty

Members shall maintain sufficient physical and psychological condition in order to handle the variety of activities required of a law enforcement officer or the duties of their assignment.

Members who are 'on-call' and cannot fulfill their obligations due to the use of alcoholic beverages, or other substances may be subject to discipline. Those members who are 'subject to call' shall excuse themselves if called to duty if under the influence of alcoholic beverages, or other substances.

N. Personal Information

Members shall provide the Office with personal data such as their correct name, complete home address, telephone number, and the name of the person and physician to be notified in case of emergency. They shall be responsible for keeping the Office informed as to any changes in this information by use of proper forms and reports. Changes will be made at the first possible opportunity.

O. Mailing Address

No employee shall give, as his personal address, the address of this Office. Private correspondence and registration of private vehicles shall be addressed to each person's home and not this Office.

P. Availability by Telephone

All personnel shall have a working telephone in their home or place of residence so that they may be contacted in case of emergency (cellular telephones will suffice under this policy). The intent of this policy is that personnel are available to the Office should a need arise. If a member's only telephone is a cellular phone, the member is expected to answer it promptly; it is not acceptable that the telephone be disabled or turned off during off-duty periods.

Personnel who are issued a pager or cellular phone for official business shall keep it powered on at all times (other than pre-approved vacation periods). Such personnel shall promptly respond to an authorized supervisor (designee) in the event they are paged or called.

Q. Use of Communication Equipment

Members shall not use Office communication equipment, including but not limited to, business cards, correspondence, computers, pagers, or Office telephones / cellular phones for personal, social, union, political or financial gain, or any unofficial purposes unless authorized by the Sheriff. <7C-02>

No Office employee may use a digital audio or visual recorder (or any other type of recording device) that has not been issued or authorized by the Office while on-duty or performing any official function. To obtain authorization for a digital recorder or other recording device not issued by the Office, the employee must complete and submit a Request for Supplemental Equipment memo to their division commander. If approved, this memo must be placed in the employee's Guardian Tracking file.

R. Neighborhood Disputes

Members shall not use their police authority and / or law enforcement association to become involved in neighborhood disputes while on- or off-duty, unless specifically assigned in performance of their duties.

Members shall not make arrests in their personal quarrels or those of family members or neighbors unless such action is warranted by the immediate threat of serious physical injury or severe property damage. Such matters will be adjudicated by a disinterested party, including the appropriate law enforcement agency.

S. Use of Vehicles

Members shall not use any county vehicle without the knowledge and permission of their supervisor. Certain personnel may be assigned a county vehicle for use outside their normal work hours due to their position and job responsibilities. This is strictly for the benefit of the Office and the County, recognizing the need for certain personnel to respond immediately, without delay to certain emergency situations. Vehicles will be assigned by the appropriate division commander based on assigned personnel needs and operational objectives.

During the operation of any Douglas County vehicles, all employees and volunteers will adhere to the following rules:

1. Members driving a County-owned vehicle shall possess a valid Colorado driver's license.
2. Members shall operate the vehicle in a manner that does not bring discredit to the employee, volunteer or the Office. All laws and on-duty policies and procedures apply to off-duty and on-duty use.
3. Members must be properly attired all times and commissioned members must be ready to perform law enforcement functions as applicable. Proper attire includes weapon, ammunition, badge, identification card, and handcuffs. Wearing of flip-flops/sandals is unacceptable. Collared shirts (Polo style) and long dress shorts are acceptable.
4. Unattended vehicles will always be locked and turned off (exception for canine).
5. All communication will be turned on at all times when the vehicle is in operation. The member will use their assigned radio call number and respond to the radio.

Vehicles will not be used in conjunction with secondary employment. (Special assignments managed by and authorized by this office are not considered secondary employment for the purposes of this policy).

6. Any member involved in a collision (of any nature) will notify dispatch at the time of the event.
7. No member shall operate or be 'in actual physical control' of a vehicle when the employee or volunteer is using alcohol or medication which affects their ability to drive to the slightest degree. No member may drive a car when his blood alcohol concentration is greater than .000g due to the consumption of alcoholic beverages. A supervisor may test an employee or volunteer at any time.
8. During vacation or absence of a scheduled week (4x10 or 5x8) or more, the vehicle will be parked on the Sheriff's Office lot unless a division commander or Executive Staff person authorizes other accommodations.
9. When off-duty, a marked patrol car cannot be taken out of the County without permission of the supervisor.

T. Safeguarding Persons in Custody

Members having in their custody any person under arrest or detention shall properly safeguard such person(s) and their property.

U. On- and Off-Duty Conduct

Members must not engage in any activity or conduct, on- or off-duty, which discredits them, the county or the Office.

V. Use of Tobacco

Members shall not smoke or use tobacco products on duty while in direct contact with the public.

County buildings are designated as no-smoking areas. Members shall not use tobacco products inside County buildings or within the 100-foot boundary established by ordinance. <1A-21>

Members shall not smoke or use tobacco products in government owned and leased vehicles.

Use of vapor cigarettes, vapor pipes and other vapor smoking devices or E-cigarettes are considered use of tobacco products.

Further, as a condition of employment, employees hired on or after January 1, 1991 are prohibited from using any tobacco products while on duty, including meal and rest breaks, and including during training, on- or off-site.

W. Safety

Members shall observe safe-working practices at all times.

Members should bring unsafe working conditions, practices, or procedures to the attention of their supervisors who should correct any possible safety hazards.

X. Intoxicants

Members shall not abuse chemical substances. <7C-01>

Employees will not report to duty while impaired to the slightest degree by alcohol or intoxicants or with blood alcohol content greater than .000g due to consumption. <LE 26.1.1>

Y. Taking Medication

Members shall not take any medication which may diminish their alertness or impair their senses prior to or after reporting for duty unless directed by a physician.

When employees are required to take any prescription medication or any non-prescription medication which may diminish their alertness or impair their senses, the employee shall notify their supervisor of the medication, its properties, the dosage and the period during which the employee is required to take the medication. This information so provided shall be confidential. Affected employees may be eligible for modified duty assignments or other options consistent with this policy.

Z. Possessing Intoxicants

Members shall not store or bring into any County facility or vehicle used for law enforcement purposes alcoholic beverages, controlled substances, narcotics, or hallucinogens except when such substances are necessary for official training or held and processed under Sheriff's Office procedures as evidence, found property, property for safe keeping, or seized as contraband or for destruction. Possession or use of any alcoholic beverages, controlled substances, narcotics, or hallucinogens during Office duties must be specifically approved.

AA. Consumption of Alcohol on Duty or In Uniform

Members shall not consume intoxicating beverages while in uniform or on duty, except in the performance of duty and subject to the approval of a supervisor.

BB. Off-Duty Alcohol Consumption

While off duty, members shall refrain from becoming intoxicated to the extent that such intoxication results in behavior which discredits the employee, the Sheriff's Office, or the County.

CC. Exercising Discretion

All members are expected to rely on good judgment. Official decisions must be reasonable, well articulated, warranted and justified and, of course, consistent with applicable law. <LE 1.2.7> Members who engage in conduct that is, or reasonably appears to be, excessive, unwarranted and/or unjustified may be investigated for either a specific act of misconduct or an allegation of failure to exercise appropriate judgment and discretion.

DD. Completing Reports, Processing Evidence, And Other Official Activity

All members shall promptly report any information or incident coming to their attention that might indicate the need for action by this Office.



EE. Participating in Election Campaigns

Members shall not engage in any political activity while on duty, or while in uniform, or at any other time if to do so would conflict with their duties or impair their ability to perform their duties.

Members may contribute funds or any other thing of value to candidates for public office subject to the provision of law governing such contributions.

Members shall not directly or indirectly use or attempt to use their official position to influence the political activity of another person.

Members shall not display any political material on any government property or on their person while on duty or in uniform.

FF. Religious or Political Discussions

Members shall not engage in religious or political discussions to the detriment of good discipline while on duty. <7C-02>

GG. Patriotic Courtesy

During the Pledge of Allegiance, the national anthem, the raising, lowering or passing of the American flag, uniform members shall face the flag, stand at attention and render a salute and remain silent until its conclusion. Nonuniform members shall face the flag and stand at attention with the right hand over their heart.

HH. Unsatisfactory Performance

Members shall perform their duties efficiently and to the satisfaction of the Administration. 'Unsatisfactory performance' may be established when a member:

1. Receives unsatisfactory work performance evaluations.
2. Is unwilling or unable to perform assigned tasks.
3. Fails to achieve a passing score in any required training or qualification session.
4. Performs at a level significantly below the standard achieved by others in the member's rank, grade unit or position.
5. Violates Sheriff's Office directives, rules, policies or procedures as set out in this manual or elsewhere
6. Fails to submit reports, citations, or other appropriate paperwork in a timely manner.
7. Is found by the Accident Review Board to have been the driver of a County-owned vehicle involved in a 'preventable' collision four times within any 36-month period.
8. Otherwise fails to meet Sheriff's Office standards.

II. Inspections and Searches

The Sheriff's Office reserves the right to conduct an inspection and/or search to help maintain a safe, healthy and efficient working environment, and to protect Sheriff's Office property, equipment, operations as well as its employees and citizens.

Agency correspondence (written and electronic), use of telephones and fax machines, electronic devices and internet usage, may be subject to public inspection under the C.R.S. 24-72-301, *Criminal Justice Records Act*. Employees shall have no expectation of privacy, with limited exceptions, under this Act. <COM 1.2.2a>

With respect to any and all Sheriff's Office owned property, such as computers, desks, offices, agency mail & correspondence, file cabinets, lockers, agency telephones, fax machines, etc., employees have no privacy interest and the Sheriff's Office reserves the right to search such property if necessary. For further information on inspections and searches, please see [PP-I-101 – Complaint Handling/Investigative Procedures](#).<COM 1.2.2b-e>

### **III. HONESTY AND INTEGRITY**

#### **A. Commission of a Deceptive Act**

Members shall not knowingly make a misleading or inaccurate statement relating to their official duties. Members shall not willfully, intentionally, or knowingly commit a materially deceptive act, including but not limited to verbally departing from the truth, making a false report, or intentionally omitting information. This applies to untruthfulness violations that are made to a supervisor or command officer, that impact an official investigation or other proceeding, or that amount to a willful disregard of the Office's core values of honesty, integrity, and accountability.

Any member who commits a deceptive act is subject to termination. A factor that may be considered in mitigation is that the untruthfulness would or may not have been discovered had not the member come forward and made truthful the statement. However, the reverse will be true for a member who knowingly withholds information they knew should have been disclosed. The commission of a deceptive act will justifiably raise questions of the integrity and trustworthiness of any member. Further, in the case of commissioned personnel, such instances may also have to be disclosed to the District Attorney's Office in order for prosecutors to meet their discovery obligations.

Nothing in this section shall be construed to prohibit sworn members from using deception as a bona fide investigative technique during the course of an active criminal investigation.

#### **B. Integrity**

Members must carefully avoid any conduct which might compromise their integrity or that of their coworkers or the Office and shall report the dishonesty of others. Members shall not disseminate fictitious statements about Office personnel or citizens while in, or as a result of their encounters in, the line of duty.

Members shall not make false accusations of a criminal or traffic charge.

Members shall report any information concerning suspected criminal activity of others.

C. Gambling

Members shall not engage in illegal games of chance for stakes or wagers, except as may be required in the line of duty.

D. Financial Obligations

Members shall not incur debts or financial obligations which are beyond their ability to reasonably satisfy from their wages.

E. Gifts, Rewards, Etc.

Members shall not directly or indirectly solicit, accept or agree to accept any benefit not allowed by law to influence the performance of their official duties. <7C-02>

F. Fraternalization & Transactions

Except as permitted by authority of the Sheriff, members shall not knowingly fraternize with, engage in the services of, accept services from, or do favors for any person in the custody of this Office or recently released from custody of this Office or any other agency. <7C-02>

Members shall not knowingly fraternize or socialize with the spouse of any person in the custody of this Office, or victim of a crime investigated by this agency.

Any member contacted by, or on behalf of, a recently discharged prisoner shall immediately report this to his supervisor.

Members shall immediately notify their supervisor or on-call watch commander if a relative is arrested and booked into the Douglas County Jail and / or other local, county, city, state or federal correctional institution. The supervisor or watch commander shall then immediately notify their respective chain of command or on-call commander. The jail commander shall be notified of the inmate's relationship to the member.

Members are prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any pending case which has come to their attention or which arose out of their employment with the Sheriff's Office.

Members shall avoid association or dealings with persons or businesses who they know, or should know, are persons under criminal investigation for present involvement in criminal behavior, except as necessary in the performance of official duties.

Unless expressly authorized by the Sheriff, members are prohibited from fostering personal relationships with inmates who are currently incarcerated at DCSO and / or other local, county, city, state, or federal correctional institution. This does not preclude members from interacting respectfully with inmates in the performance of their duties.

#### G. Confidential Information

The official business of this Office is confidential. Members shall only discuss or give official information:

- To persons for whom the information is intended;
- As directed by their supervisor;
- As required by law. <7D-17>

#### H. Recommending Lawyers or Bondsmen

Members in their official capacity shall not recommend or suggest the name or employment of any person, firm or corporation to act as attorney, counsel, bondsman, or private process server. This does not restrict the rights of employees in seeking recommendations in respect to administration of their private lives.

#### I. Possessing Keys

No member shall possess Office keys not specifically issued to them or Office keys not needed in the performance of their official duties. (Nothing in this provision shall prohibit members from making or exchanging fleet keys for Office vehicles.)

### IV. CONTROL OF PROPERTY AND RECORDS

#### A. Removal of Records

Members shall not remove, or otherwise extract any official record or report or any copy thereof from the Office except as authorized. When a report is filed with this Office, it becomes an official record. Only Records personnel, in accordance with their standard operating procedures and applicable state statutes, shall release official records. Office personnel are authorized to print copies of reports from the imaging system as needed for the completion and/or performance of their assigned duties, as authorized by this Office and in accordance with applicable state statutes regarding official records.

#### B. Purchase of County Property

No member may purchase, bid on, or otherwise acquire any property (personal or real), which has been or will be sold at any Sheriff's sale. This means that friends and family members may not bid on or purchase any property as an agent of Office members. This includes property sold under civil or criminal action where the Douglas County Sheriff's Office is directly involved.

1. Members are prohibited from making a *direct purchase* of ANY equipment/property that is designated as property/equipment of the County or the Sheriff's Office.
2. Members may only purchase County equipment/property that is being offered through a public auction/sale.

#### C. Incurring Liability against the Office

No employee shall incur a liability chargeable against the Office without proper authorization. When authorized, members will follow established purchasing guidelines.

#### D. Forwarding Communication

Any member who receives written communication for transmission to a higher command shall in every case forward such communication. The receiving member shall indicate approval, disapproval, or knowledge prior to forwarding.

#### E. Care of Property

Members shall care for, maintain and service all property issued to them by the Office and use it only for its intended purpose. Members shall promptly report the loss, damage, or disrepair of such property to their appropriate supervisor. Personal property authorized by the Office for use on duty must be serviceable. Possession / control of all Office issued, or registered firearms must be maintained at all times.

'Unserviceable' uniforms and equipment are defined as those which are worn or damaged and can no longer be used for duty. Issued equipment (except uniforms) that is deemed unserviceable will be promptly returned to the asset management technician for disposal. In the event that a uniform item becomes unserviceable, the member shall:

1. Promptly report the damage or disrepair to their appropriate supervisor. Any replacement must be authorized by the member's division lieutenant/manager.
2. Remove all Office patches and insignia and return the patches to the asset-management technician for disposal, and;
3. Cut the sleeves off a uniform shirt or jacket and throw the uniform item away, or:
4. Cut the legs off any unserviceable pants and throw them away.

#### F. Return of Office Property

When an employee resigns, or is separated from the Office for any reason, they shall return their identification card, badge, and all other property entrusted to them by the Sheriff's Office.

'Serviceable' uniforms and equipment is defined as those which are in good condition and can still be used for duty. During a member's employment any serviceable uniforms and/or issued equipment that are no longer being used by the member will be promptly returned to the asset management technician.

#### G. Property Damage

Members shall promptly submit a written report of any damage to real or personal property resulting from the execution of their official duties or responsibilities. Damage to any Office vehicle that was caused while it, or another vehicle, was in motion requires that a motor vehicle crash report be completed and routed to Professional Standards.

#### H. Money and Property of Others

Members shall deliver to the proper custodian any monies or other property not their own which comes into their possession as a result of their official duties. A report to include a property receipt shall be completed for each transaction.

J. Misappropriation of Property

Members shall not appropriate for their own use any property or evidence, found or recovered property, or any property of any kind to which they are not entitled.

K. Safeguarding Money, Property, Evidence and Non-Evidence

Members shall safeguard money, property, evidence, and non-evidence while it is in their possession. They shall exercise care when handling money and do so consistent with Office rules and procedures. Members shall log all property/evidence and place it in the appropriate property/evidence facility before the member ends their shift. <LE 84.1.1a><LE 84.1.1b>

L. Care of Identification Items

Members shall exercise care for items of identification; i.e. badges, proximity cards and I.D. cards. Members shall immediately report the loss of such articles to their supervisor and prepare a written report of the circumstances. In addition, should a member lose their proximity card, they will immediately notify DCSO Technology Services in order for the proximity card to be deactivated. I.D. cards will not be cut, altered, or changed in any manner.

In certain circumstances, as authorized by the Sheriff and permitted by policy, a member may be permitted to retain old badges and insignia. In those authorized cases, badges and insignia shall not be sold, given, or lent to non-members unless authorized by the Sheriff.

M. Tampering with Evidence

Members shall not fabricate, alter, withhold, or destroy evidence.

N. Employment Records and Recommendations

No member will give information to anyone regarding any aspect of another member's employment record with this Office unless authorized by policy and procedure and consistent with state law. Individuals requesting employment information may view past or current employee files only if they have a notarized release of information from the employee they are inquiring about. Nothing concerning the job performance of an employee will be sent in writing or given over the phone without prior approval of the Professional Standards Captain. Public information, i.e. salary, position and employment dates, may be released verbally and/or in writing. The Hiring Unit generally will be responsible for release of this information. If a member of this Office is specifically listed as a reference on an application of a past or current employee, the member may only provide personal information such as to character or family life. No written letter of reference will be written on Office letterhead without the approval of the Sheriff.

O. Non-Disclosure of Strategies, Techniques, and Training Methods

As a matter of officer and public safety, it is contrary to the public interest to disclose tactical information that might provide a tactical advantage to those persons who would do harm to law enforcement personnel or to the public. Accordingly, it is the policy of the DCSO not to disclose information pertaining to deployment strategies

and techniques or training methods used in special assignments including, but not limited to, SWAT, SORT, Bomb Unit and K-9.

## **V. MAINTAINING A RESPECTFUL WORKPLACE**

### **A. Courtesy**

Members shall be professional and courteous at all times, whether in person or through any other means. Members shall conduct the business of the Office with a business-like attitude toward employees and the public.

When meeting in public, members shall address law enforcement personnel and coworkers in a dignified manner suitable to the formality of the situation.

### **B. Derogatory Language**

Members must not use words which imply derogatory connotations or manifest contempt or disrespect toward a gender, race, creed, religion, sexual orientation, or national origin in the course of their duties or any other time so as to bring the Sheriff's Office or themselves into disrepute.

Profanity is strongly discouraged. The use of profanity will be judged based upon the totality of the circumstances in which it is used.

No employee shall write, draw, or otherwise compose any statement, poem, sketch, composition, or document pointing ridicule, shame, or embarrassment to any member of this Office.

### **C. Criticism of Members and Orders**

Gossip about another employee will not be tolerated.

Members shall refrain from all communication to another member's discredit, except to their supervisors when it is their duty to report a neglect or disobedience of orders. Members shall not speak critically or derogatorily of other members or supervisors of the Office or to any person outside of the Office regarding orders or instructions issued by any supervisor; however, in cases where there is a reason to believe that such orders or instructions are inconsistent or unjust, it is the right of any employee to respectfully call it to the attention of the supervisor issuing the order.

### **D. Notices**

Members shall not mark, alter, or deface any posted notices of this Office. Notices or announcements shall not be posted on bulletin boards without approval and notices of an inflammatory or derogatory nature shall not be posted at any time. Notices shall not be placed anywhere on Office property except on bulletin boards established for such purposes.

### **E. Duty to Identify**

All Office personnel are required to carry on their person the Office identification card at all times whether on- or off-duty. Full-time sworn personnel are required to carry or have an authorized weapon available at all times when on- or off-duty,

except where otherwise prohibited by policy or law. Upon demand or request by the public or other staff, all members, shall provide their name, OSN and, when appropriate, picture ID in a courteous manner. All members must provide verbal identification over the telephone. If a member is working in an undercover assignment, they are not required to show identification if it jeopardizes their cover.  
<LE 22.2.7>

## **VI. CIVIL AND CRIMINAL JUSTICE SYSTEMS**

### **A. Court Cases**

Members shall not take part or be concerned, either directly or indirectly, in making or negotiating any compromise arrangement with a view toward permitting any person to escape the penalty of law or office rules, except that they may cooperate with the prosecutor in the interests of justice. They shall not, out of friendship, or for any other reason, or in any way, interfere with the courts of justice or the disciplinary procedures of the Office.

Members subpoenaed in a court case, which is unrelated to their official duties, or functions at this office or other law enforcement agency must attend on their own time and not while on duty.

### **B. Expert Testimony**

Any member who is asked to provide expert testimony in any court case must receive prior approval from their commanding officer.

### **C. Initiating Civil Actions**

Prior to initiating a civil action for damages sustained while working on- or off-duty in a law enforcement capacity or which arises by virtue of the member's employment with the Douglas County Sheriff's Office, he shall report his intention in writing, to the Sheriff.

### **D. Recommending Dispositions**

With the exception of pre-sentence investigations, no member below the rank of lieutenant shall make any recommendations regarding the disposition of any pending court case investigated by this office to any court or other judiciary.

### **E. Manner of Dress**

Members appearing before a court in their official capacity shall wear their official uniform or business attire, in deference to the dignity of the court.

Members appearing in an unofficial, personal capacity are prohibited from appearing in uniform.

### **F. Reporting Court-Ordered Restrictions**

Any member having any of the following restrictions imposed on them by a court shall report the restriction to their immediate supervisor without delay:

- Protection orders
- Anti-harassment orders



- Driving privilege suspension / revocation, to include administrative actions.

A copy of such report will be forwarded to the Office of Professional Standards.

G. Posting Bail

Employees shall not post bail for any person in custody, except relatives.

H. Discipline

All members, regardless of rank, are subject to discipline. Discipline is administered as provided in [P&P-I-102 \*Disciplinary / Corrective Action\*](#).

By Order of the Sheriff