DOUGLAS COUNTY SHERIFF'S OFFICE		Policy and Procedure
Conduct **Sexual Misconduct**		**P&P-C-102**
Effective Date: 07-09-26 Supersedes: 09-15-25	Approval: Sheriff	Number of Pages: 3
References: DET-K-304	Reevaluation Date: Annually or as needed	Standards: CALEA LE 26.1.3, 26.1.5 ACA 7E-01

I. POLICY

It is the policy of this office that its employees shall not engage in any conduct that would be deemed sexual misconduct and/or harassment. The office has a zero-tolerance policy for sexual misconduct of any kind. <LE 26.1.3>

The following procedures have been established to discourage and prevent sexual misconduct by providing clear definitions of prohibited conduct and establishing uniform methods for the prompt reporting of any violations. <LE 26.1.3><7E-01>

II. SCOPE

This policy applies to ALL Sheriff's Office members without exception including sworn staff, non-sworn staff, volunteers, reserves, interns, contractors, etc.

This policy applies to conduct occurring:

- On duty or off duty, to include on paid breaks or lunch periods when impacting the workplace or agency reputation (may include conduct occurring with victims or witnesses in DCSO cases)
- In all Sheriff's Office or County facilities, vehicles, or other spaces (administrative or operational)
- In any other location the member may be assigned (schools, task force offices, etc.)
- On duty hours during training events, travel, conferences, or assignments
- Through verbal, written, or electronic communication, email, or social media
- While representing the Sheriff's Office in any capacity

Anytime a member brings discredit upon the agency involving sexual misconduct, the member may be subject to discipline up to and including termination from employment.

III. PRISON RAPE ELIMINATION ACT (PREA) EXCLUSION CLAUSE

This policy does not govern PREA related compliance functions. Refer to DET-K-304 *Prison Rape Elimination Act* for all matters involving:

- Inmate sexual abuse or harassment
- PREA reporting, screening, and retaliation monitoring
- Cross-gender searches and viewing
- Inmate medical/mental health response
- Detention facility sexual safety operations

IV. DEFINITIONS

Interference with Official Process

Any failure to report or cover-up of an incident of sexual misconduct, making an allegation or statement that the party or witness knows could not be true, or any other form of failure to cooperate with an investigation or inquiry.

Invasion of Privacy

The act of observing, attempting to observe, or interfering in another person's intimate routine unrelated to the necessary performance of required job duties.

Retaliation

An act of vengeance, covert or overt action, or threat of action, taken against another person (member or non-member) for their filing, reporting, or cooperation during an investigation of sexual misconduct. Examples of actions of retaliation are unnecessary discipline, intimidation, unnecessary changes in work or program assignments, unjustified transfers or placements, unjustified denials of privileges or services.

Sexual Abuse or ***Assault***

Sexual abuse includes, but is not limited to, sexual intercourse, oral and anal sodomy, or sex with instruments.

Sexual Contact / Intimacy

The intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, or inner thighs.

Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual Misconduct

Employees shall not engage in sexual intercourse, sexual contact, or other sexual activity or intimate conduct:

- While on duty
- While attending training in an official capacity and actively participating in agency-sponsored activities
- While actively engaged in agency business or official responsibilities during agency-sponsored travel
- While assigned to special events, conferences, or details and responsible for official duties
- While responsible for agency operations in any capacity

Sexual misconduct also includes, but is not limited to, any unwarranted acts or attempts to commit acts that involve sexual contact, sexual abuse or assault, sexual harassment, invasion of privacy, or sexually implicit or explicit communication whether in:

- Written form: Such as cartoons, posters, calendars, notes, letters, e-mail, text messages, social media or other forms of electronic communication; or
- Verbal form: Such as comments, jokes, gestures, foul/obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated requests for dates.

Nothing in this section is intended to prohibit lawful off-duty conduct occurring during non-working hours when the member is not acting in an official capacity, representing the agency, or otherwise creating a conflict with agency operations or policy.

V. DUTIES AND RESPONSIBILITIES

Members of the Sheriff's Office are responsible for immediately reporting any known or suspected act or allegation of sexual misconduct or retaliation to their immediate supervisor (if involved in complaint/allegation, next higher-ranking supervisor) or the Internal Affairs Unit. <LE 26.1.3><26.1.5> A member's lack of knowledge of a sexual misconduct incident, depending on the circumstances (i.e., member should have known), can be deemed a violation of this policy and appropriate disciplinary action taken against the member. Failure of supervisors to act upon a complaint shall be deemed a violation of this policy.

The Douglas County Sheriff's Office is responsible for investigating all allegations of misconduct brought to its attention involving its members or person(s) that are contracted by the office. <LE 26.1.3> An internal investigation is necessary to clear employees who are falsely accused as well as to discipline those who are guilty of misconduct. Discipline can include termination. The Sheriff's Office is responsible for referring all substantiated sexual misconduct, which violates any statute, to the appropriate office for criminal prosecution, if mandatory or requested by a victim.

IV. STRATEGIES TO REDUCE SEXUAL MISCONDUCT

The office utilizes multi-pronged responses to allegations of sexual misconduct and active strategies to prevent it, including:

-Technical monitoring;
-Proactive reporting;
-Random supervisory checks of all levels;
-Signage, video instruction, electronic instruction and written and verbal instruction for identification and reporting of sexual misconduct.

V. SUPERVISORS

Supervisors will not have intimate relationships with direct report subordinates. Members who develop such a relationship will notify their division chief, or functional equivalent, of such immediately. One or both members will be reassigned to ensure that no member of the Office falls under the supervision of a supervisor with whom they are involved in an intimate relationship. Failure to immediately report such a relationship will be grounds for discipline.

Supervisors who have any other intimate relationship with any member who works in any capacity in their chain of command will notify the Professional Standards Division Chief in writing of that relationship immediately. The Office may then transfer or reassign one or both members to ensure no member falls under the supervision of another member in their chain of command. Failure to immediately report such a relationship will be grounds for discipline.

Members receiving information about such relationships will keep the information confidential and will not discuss the information with any member except within the appropriate chain of command for the purpose of managing the risks associated with such relationships.

By Order of the Sheriff