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## Kent County Sheriff's Office Policy and Procedure

Subject: Personnel Code of Conduct	General Order: 1. 5. 2
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### I. PURPOSE

The purpose of this policy is to establish the standards of conduct for all Departmental personnel, both on or off-duty, consistent with this agency's values, vision, and mission statement, and based on a public safety code of ethics.

### II. DISCUSSION

The standards established in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they identify many important matters concerning conduct. No employee shall conduct themselves in such a manner as to create an adverse reflection or discredit to themselves or the Department.

### III. POLICY

The continued employment or appointment of every member of this Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines outlined in this policy, whether on or off-duty, may be cause for disciplinary action. Disciplinary action may include a verbal or written reprimand, transfer of assignment, reduction in rank, suspension, and/or termination. Action taken will depend upon the nature of the offense, the record of the employee involved, contractual rights, and the seriousness of the violation. All employees, sworn and non-sworn, must acknowledge and comply with the agency's code of conduct (ethics), which is adopted as part of this order.

### IV. PROCEDURES

#### A. General standards

1. Personnel shall conduct themselves, whether on or off-duty, in accordance with the United States and Michigan Constitutions and all applicable laws,

ordinances, and rules enacted or established pursuant to a legal authority.

- a. Personnel shall conduct themselves in accordance with all Departmental policies.
  - Employees shall maintain a professional demeanor. They shall not commit any act that distracts from the Department's professional image.
  - Employees shall treat supervisors, subordinates, and associates with respect. When on duty, particularly in the presence of others, supervisors shall be addressed or referred to by rank or title.
  - An employee will present a neat and clean appearance unless the assignment makes this requirement impractical.
    - i. No personnel shall carry or wear any article that distracts from the proper performance of duty of the Department's professional image.
  - An employee shall report for duty at the time and place designated by their supervisor or assignment.
  - All personnel are subject to emergency recall or stand-by as deemed necessary to ensure the effective operations of the Department.
    - i. All personnel shall maintain a telephone number and address they can be contacted while off-duty.
    - ii. Any telephone number or address changes must be reported within 48 hours to your division commander and the Office of the Sheriff.
2. Any personnel who has knowledge of the death, serious injury, or illness of another employee or member of the employee's immediate family will promptly notify an on-duty supervisor and provide pertinent information. The supervisor will notify the commander of the division or the on-call commander.
3. All personnel shall advise a supervisor of any unusual activity, situation, or problem in which the Department would logically be concerned.

4. All personnel shall notify their immediate supervisor anytime they become involved in an investigation that has not been previously assigned.
5. MCOLES-certified officers may act in their official capacity consistent with their ordinary departmental responsibilities within the scope of their authority, training, and abilities to successfully intervene if they become aware of an incident that requires police action and time is of the essence to safeguard life or real property.
  - a. While off-duty, a certified officer who takes police action due to a violation of law shall be considered on duty.
  - b. Should an off-duty officer become aware of an incident that requires police action and life or real property is not in danger, they shall report the incident to the appropriate police agency for action.
  - c. Regardless of duty status, officers shall not utilize vehicles that are not equipped with audible and visual emergency signaling devices to stop traffic law violators.
6. If an employee of KCSO is arrested (taken into physical custody) within Kent County (regardless of arresting agency), the employee will be booked and processed at the Kent County Correctional Facility.
  - a. If arrangements are made for the employee to be housed outside Kent County, the transfer will occur after booking and processing.
7. All personnel assigned to agencies outside of the day-to-day operation of the Department shall still adhere to all Departmental policies while working in conjunction with any other agency, organization, or Department.
8. All personnel shall cooperate with inter and intra-departmental investigations and activities in order to assist or achieve effective public safety initiatives.
  - a. Personnel shall cooperate with all law enforcement agencies, other county departments, and public service organizations, providing aid and information entitled to such organizations consistent with Departmental procedures.
  - b. All personnel shall remain respectful throughout court proceedings, including providing accurate testimony and remaining objective

and civil during cross-examination.

- c. Personnel will not give statements, formal or informal, written or oral; depositions or respond to or appear at the request of any attorney, insurance adjustor, or their representatives unless a subpoena has been served on the employee or has been received by the Department except as provided by Departmental directives.

B. Causes for discipline

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct. It does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics, and specific action or inaction detrimental to efficient department operations.

1. Unjustifiably ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, or requirement, or failure to follow instructions.
2. Insubordination  

Insubordination is a deliberate refusal to follow lawful orders or directives from an employee's supervisor or exhibiting disrespectful or defiant behavior toward them. Insubordination generally includes, but is not limited to:

  - a. Disobedience of any legal directive or order issued by any department member of a higher rank.
  - b. Disrespectful conduct, such as actions, words, or gestures that undermine the authority or integrity of a supervisor or the chain of command, whether in their presence or not.
  - c. Defiance of authority by openly challenging, resisting, or disputing the decisions, instructions, or authority of an employee's supervisor.
3. Violation of federal, state, local, or administrative laws, rules, or regulations.
4. The ranking on-duty supervisor at any scene of any police incident shall be in charge and responsible for the proper conclusion of that incident. In the absence of a supervisor, the senior deputy present shall be in charge and accountable for handling the incident. The supervisor or

senior deputy shall remain on scene until the incident is under control or is being properly handled in accordance with existing policies and sufficient instructions have been issued, resulting in the incident's proper conclusion.

C. Rules of Conduct

1. Conduct affecting the reputation of the Department

- a. The conduct of a public employee, on and off duty, reflects upon the Department. Therefore, employees must avoid conduct that might discredit themselves or the good name of the Department.
  - An employee shall not loiter in taverns, theaters, or other public places while on duty in a way that will negatively reflect on the Department.
- b. Employees shall be courteous in their relations with the public, including telecommunications, avoiding harsh, violent, profane, or insolent language or manner, and shall maintain objective attitudes regardless of provocation.
- c. Officers shall verbally provide their name and badge/employee number to anyone upon request unless extenuating circumstances dictate otherwise.

2. Attention to Duty

As most work performed by KCSO personnel is done without close supervision, responsibility for the proper performance of duty lies primarily with the employee. Personnel are responsible for the safety of the community and their fellow employees and discharge that responsibility by faithful and diligent performance of duty. Anything less violates the trust placed in them by the people, and nothing less qualifies as professional conduct.

3. Neglect of Duty

- a. Failure to perform duties because of danger or perceived danger.
- b. Failure to take appropriate action to assist a fellow public safety officer exposed to impending danger.
- c. Unauthorized sleeping during on-duty time or assignments.

- d. Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
  - e. Failure to observe or violate department safety standards for safe working practices.
  - f. Unsafe firearm or other dangerous weapon handling, including loading or unloading firearms in an unsafe manner, either on or off duty.
  - g. Scheduled Overtime Cancellation
    - Any deputy who wishes to be relieved from duty for an overtime assignment will contact the supervisor who originally scheduled the shift and seek permission to be relieved.
    - If the deputy is granted permission to be relieved, the supervisor will determine if it will be the deputy's responsibility to find a replacement or if the supervisor will schedule a replacement.
      - i. If a deputy calls in sick for a special event or scheduled overtime, the deputy will speak to an on-duty supervisor and provide the supervisor with the necessary information for the work detail. The supervisor will make all efforts to find a replacement.
4. Discrimination, oppression, or favoritism
- a. Discriminating against, oppressing, or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition, or other classification protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.
  - b. No person will be deprived of their constitutional rights, and deputies acting within the scope of their authority will not deprive persons of their civil liberties.

- c. Personnel shall not suggest, recommend, or otherwise promote the services of any attorney, bail bondsman, towing agency, physician, or other services to any person with whom they have contact as a result of Departmental business.
- d. Personnel shall not suggest, recommend, or otherwise interfere with the licensing of any person or premise regarding the issuance, revocation, or suspension of any license or permit, except in the discharge of official duty.

5. Integrity

- a. To avoid any appearance of impropriety that might arise from such situations, no personnel may accept, solicit, or receive any gift, gratuity, service, reward, discount, rebate, loan fee, or other special consideration offered or arising because of any direct or indirect relation to his employment.
  - All personnel shall submit a written report to their supervisor referencing any bribery attempts by the end of their shift or within eight hours if the employee is off duty.
    - i. If the bribe is deemed credible, it shall be investigated and forwarded to the prosecutor's office for review.
- b. Acceptance of anything, including services from any liquor licensee, their employees, or agents other than items properly purchased off duty or in the line of duty.
- c. Employees shall not engage in business transactions with suspects, defendants, or prisoners except as authorized by the Office of the Sheriff or designated representative.
- d. Discounts or rebates offered by merchants or financial institutions which are not offered to the general public.
- e. Loans from someone who is not regularly engaged in the business of lending money for profit to the general public.
- f. Officers may accept the following:
  - Free beverages, other than alcoholic beverages, which are offered to an officer while on a call for service (does not

include officers' breaks).

- Beverages, other than alcoholic beverages, and food offered or served while attending meetings or other functions as a representative of the Department.
- g. Gifts, etc., which are received from relatives and close personal friends; however, in case of doubt, the officer shall bear the burden of proving that the other person is a close personal friend and did not offer the gift, etc., because of the officer's public safety employment.
- h. Using or disclosing one's status as a member of the Kent County Sheriff's Office or as a deputy sheriff in any way that could reasonably be perceived as an attempt to gain influence, authority, or avoid the consequences of an illegal act or activity.
- Business cards shall only be used by authorized personnel in conjunction with Departmental activities.
- i. The wrongful or unlawful exercise of authority by any member for malicious purpose, personal gain, willful deceit, or any other improper purpose. Including but not limited to:
- Interfere with the service of lawful process.
  - Interfere unlawfully with attendance or testimony of witnesses or defendants through coercion, bribery, or other means.
  - Attempt to have any criminal charge, traffic citation, or notice to appear reduced, altered, or stricken from the appropriate court document.
  - Attempt to have any legal process dismissed, reduced, voided, go unserved, or stricken from official records except in the interest of justice, and then only in accordance with Departmental procedures.
  - Engage in any action which will interfere with the efficiency or integrity of the criminal justice system. Participation in plea negotiation is not construed as a compromise.
- j. The receipt or acceptance of a reward, fee, or gift from any person



for service incident to the performance of the member's duties (with the exception of lawful subpoena fees and authorized work permits).

- k. Acceptance of fees, gifts, or money contrary to the rules of this Department and/or state laws. Any reward, gift, or fee paid or sent to any officer shall be promptly turned in by that officer to their supervisor with a memo documenting the circumstances of the reward, gift, or fee paid. The supervisor shall forward the memo and gift to the Office of the Sheriff for return to the sender or dissemination/delivery to a charitable organization or program.
  - l. Offer or acceptance of a bribe or gratuity.
  - m. Misappropriation or misuse of public funds, property, personnel, or services.
  - n. Conducting private business while on duty (exception: banking or other things approved by a supervisor).
  - o. Unless approved by the Office of the Sheriff, no personnel shall represent or identify themselves as a Sheriff's Office employee to endorse or subscribe to any testimonial, advertisement, political party, political candidate, or commercial enterprise.
    - Personnel are not authorized to use their title, rank, Departmental affiliation, or photograph without approval from the Office of the Sheriff.
  - p. Any other failure to abide by the standards of ethical conduct.
  - q. Personnel shall not solicit the aid of any individual or group outside the Department for assistance in procuring a transfer, duty assignment, or promotion.
6. Duty to Intervene
- a. Personnel are expected and required to, if given the opportunity and means, intervene or take all appropriate action necessary in any situation where an employee is clearly convinced that an agency employee, another agency employee, or public safety associate is engaged in any violation of departmental directives, dereliction of duty, malfeasance, or conduct by another employee that may

discredit the Department, or any violation of local ordinance, state law, or federal law.

- b. Deputies have a duty to immediately report to their supervisor all instances in which they believe or become aware that an agency employee, another agency employee, or public safety associate is engaged in any violation of departmental directives, dereliction of duty, malfeasance, or conduct by another employee that may discredit the Department, or any violation of local ordinance, state law, or federal law given the circumstances.
  - If the scene or situation is not yet under control, but the alleged violation has already taken place, the employee, if they have the ability or means, will assist in stabilizing the scene and then immediately report the incident to a supervisor.
- c. On or off duty, any time an agency employee witnesses what they reasonably believe to be violations of departmental directives, dereliction of duty, malfeasance, or conduct by another employee that may discredit the Department, or any violation of local ordinance, state law, or federal law, the employee will immediately report such incident to a supervisor or Divisional Commander.
- d. All reported instances will be completely and thoroughly investigated.

## 7. Relationships

- a. Unwelcome solicitation of a personal or sexual relationship while on duty or through the use of one's official capacity.
- b. Engaging in on-duty sexual activity includes sexual intercourse, excessive displays of public affection, or other sexual contacts.
- c. Establishing or maintaining an inappropriate personal or financial relationship as a result of an investigation with a known victim, witness, suspect, or defendant while a case is being investigated or prosecuted or as a direct result of any official contact.
- d. Associating with or joining a criminal gang, organized crime, and/or criminal syndicate when the member knows or reasonably should know of the illegal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise except as directed and authorized by this Department.

- e. Associating on a personal, rather than official, basis with persons who demonstrate recurring involvement in serious violations (all felony and violent misdemeanor cases) of state or federal laws after the member knows, or reasonably should know of such criminal activities, except for circumstances below:
  - Other than disclosure at the time of the hiring process (background investigation), this provision does not include association with members of an employee's immediate family.
8. Correspondence
  - a. Personnel shall not use departmental stationery, templates, or letterhead for private correspondence.
  - b. Personnel shall not correspond in the name of the Department without permission from their division commander.
  - c. Except for official business, an employee shall not use the Department as a mailing address. The Department address shall be entered on documents as the employee's business address only.
  - d. An employee who receives an official communication directed to another shall forward such communication without delay.
    - A supervisor who receives a written communication from a subordinate directed to the higher authority shall indicate approval, disapproval, or notation regarding the acknowledgment of content and forward it to the next person concerned.
  - e. The Department maintains an intra-departmental communications network to provide rapid and efficient response and to facilitate management control. Employees must check all voicemails, emails, or assigned interoffice receptacles every shift and attempt to acknowledge or answer messages as soon as feasible.
  - f. The Kent County email system will be used for official communications accomplished via email. Employees shall not use personal email accounts to communicate official departmental information or complete departmental business.

- g. Text and Chat messaging shall not be used to communicate official information regarding departmental business or information related to an incident or investigation. In the event information specific to an incident or investigation is received via text or chat, a printed or scanned record shall be made and retained as part of the incident file and stored according to the retention mandates commiserated with the record status and type.
9. Department Cell Phones  

Voicemail, text messages, global positioning system reports, and other related recordings or records are not privileged communications and may be monitored by the department. Personal use of devices is allowed to the extent that communication does not lead to additional charges to the department. In the event inadvertent charges are incurred, those costs must be paid by the employee.
  10. Electronic Devices  

Electronic devices such as, but not limited to, tablets, digital audio players, DVD players, laptops, electronic books, cameras, digital monitoring equipment, or any recording devices are prohibited within the secure perimeter of the Correctional Facility unless approved by a Corrections Division Commander or their designee.
  11. Personal Cell Phones in the Correctional Facility
    - a. Staff are authorized to utilize their cell phones in a professional manner while in the secure areas of the Correctional Facility under the following conditions regarding storage and use:
      - Staff may carry their personal cell phone on their person or store them in an area inmates do not have access to (i.e., breakrooms, offices, housing control areas, Central Control, staff restrooms, and dayrooms when all inmates are locked down).
      - All personal cell phones carried by staff must be password or biometrically protected and must be on vibrate or silent mode.
      - Unless otherwise authorized by the Jail Administration, cell phones will not be utilized in the immediate proximity of inmates (i.e., occupied dayroom areas, hallways/corridors,

elevators, inmate-occupied video courtrooms, and inmate-occupied medical exam areas).

- Cell phones can be utilized in break rooms, housing controls, Central Control, offices, inmate recreation areas when not accessible to inmates, video courtrooms and the medical deputy station when not occupied by inmates, and dayrooms when all inmates are locked down.
  - Cell phones are only to be utilized when they do not cause a distraction or delay in staff performing their job duties and do not create a safety or security risk.
  - Cell phone use should be limited to brief personal communications. At no point should employees be watching movies/TV, reading books, video messaging or recording, photographing, or utilizing social media accounts on their cell phones while in the secured perimeter of the Jail.
  - Staff may connect to the facility's Wi-Fi. However, the use of the Wi-Fi can be monitored and falls within the Kent County Acceptable Use Policy.
  - The Kent County Sheriff's Office is not responsible for loss or damage that may occur to a staff cell phone.
  - Under no circumstance is an inmate allowed access to or view of an unlocked cell phone screen.
  - If a phone becomes misplaced or stolen, staff must report it immediately to their supervisor.
  - Utilizing a cell phone shall never interfere with a personnel's ability to complete scheduled tasks or cause neglect of duty due to distraction by a cell phone.
- b. Any violation of the above guidelines regarding staff cell phone access can result in discipline in accordance with **1.4.1 – Disciplinary Procedures**.

12. Department-Owned Vehicles

To ensure that the Kent County Sheriff's Office fleet vehicles are used efficiently, safely, and effectively to deliver public safety services to the

community, the following procedures shall be followed in accordance with **2.1.8 – Vehicle Fleet Use**.

- a. Personnel authorized to operate department-owned vehicles shall ensure they are driven safely and in accordance with all State and local laws and regulations.
- b. No member of this Department shall take a department-owned vehicle that is not assigned to them without obtaining permission from supervisory personnel or their designee ordinarily responsible for the assignment of that vehicle.
  - Deputies assigned to Special Events shall contact a supervisor before taking a vehicle, if they are not already assigned one, to verify a specific vehicle is not assigned for the event.
    - i. Considerations should be made for the vehicle type and equipment necessary to complete the assignment.
- c. The driver of the assigned vehicle will leave the vehicle at a KCSO parking area while absent from the regular work schedule unless authorized by a Divisional Commander.
- d. Operators of department-owned vehicles are responsible for conducting basic vehicle inspections (i.e., mileage for oil changes, fuel levels, windshield washer solvent) during each operation.
- e. Personnel driving county-owned vehicles are responsible for keeping the exterior and interior of the vehicles clean and well-maintained. This includes removing debris and personal items from the vehicle to maintain an orderly appearance before another operator takes it.
- f. Servicing of Vehicles
  - Any vehicle with service issues should be immediately reported to a supervisor and taken out of service.
    - i. This shall include updating a Fleet Services Work Order:  
<https://form.kc.gov/Sheriff/FleetServiceWorkOrder/Default.aspx>.

- The supervisor shall notify Fleet Services to include the reported issue with descriptive information of the vehicle's problem.
13. Unauthorized access, disclosure, or use of information
- a. Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this Department.
    - Departmental personnel files and shift rosters are considered confidential.
  - b. Unauthorized access to the Records Management System and other databases, whether digital or physical, with sensitive information is strictly prohibited for personal use, including but not limited to personal gain, curiosity, or any purpose unrelated to their official duties. This ensures the integrity and confidentiality of information.
  - c. Disclosing any active investigation information to any unauthorized person.
  - d. The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this Department for personal or financial gain or without the express authorization of the Office of the Sheriff or the authorized designee.
  - e. Loaning, selling, allowing unauthorized use, giving away, or appropriating any Kent County Sheriff's Office badge, uniform, identification card, or department property for personal use, personal gain, or any other improper or unauthorized use or purpose.
  - f. Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment, and non-subpoenaed records.
    - Deputies shall not resolve their personal disputes (e.g., neighborhood issues or domestic) by use of official police authority. If police action is deemed appropriate, notification

will be made to dispatch or the appropriate agency.

- g. Failure to disclose, misrepresenting material facts, or make any false or misleading statement on an official document, report, or form during any work-related investigation.
- h. The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction, and/or mutilation of any department record, public record, book, paper, or document.
- i. Disparaging remarks, criticism, or conduct to the extent that such behavior disrupts the efficiency of this Department or that would tend to discredit any of its members.
- j. Social Security Numbers

All employees of the Kent County Sheriff's Office will comply with the Michigan Social Security Number Privacy Act, which is Act 454 of the Public Acts of 2004, MCL 445.81 et seq., and the County of Kent Administrative Policy; "Privacy of Social Security Numbers" as required.

- Law Enforcement Division Personnel  
All law enforcement personnel who obtain a social security number during the course of an investigation shall record the information on the appropriate subject screen in the Report Management System. It should not be dictated in the body of the report. Any SSN in any file shall be kept in a secure manner, consistent with all confidential police files.
- Corrections Division Personnel  
All corrections personnel who obtain social security numbers during the course of their assignment shall record such information into the JMS system. Any social security number in a written working or non-working file shall be kept in a secure manner, consistent with all confidential police files.
- Disposal  
Documents containing Social Security Numbers shall be destroyed by shredding or verified burning at the County Incinerator in accordance with **Appendix Q1 – KCSO**



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***Retention Schedule.***

14. KCSO Personnel Involvement in Court Orders
  - a. Personnel arrested for domestic violence charges or served a Personal Protection Order or other court order shall advise a KCSO Command Officer without unnecessary delay.
    - USC Section 922(g) makes it unlawful for any person convicted of a misdemeanor crime of domestic violence to ship, transport, possess, or receive firearms or ammunition. This statute applies to governmental employees, including police officers, and would prohibit a law enforcement officer from carrying or possessing a firearm even as required by the job.
    - Deputies are entitled to seek an expedited hearing to address the Personal Protection Order.
      - i. MCLA 600.2950 and MCLA 600.2950a require the Court to schedule a hearing within five days of filing a motion by a law enforcement officer to modify or rescind a PPO that prohibits the purchase or possession of a firearm.
    - Personnel shall provide a KCSO Command Officer a copy of any Personal Protection Order, bond condition, or no-contact orders they have been served or are filing against another individual.
15. Gambling
  - a. Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
    - While on department premises.
    - At any worksite, while on duty, in uniform, or using any department equipment or system.
      - i. Gambling activity undertaken as part of a public safety officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

16. Improper political activity
  - a. Unauthorized attendance while on duty at official legislative or political sessions.
  - b. Solicitations, speeches, or distribution of campaign literature for or against any political candidate or position while on duty or on department property except as expressly authorized by County policy, the collective bargaining agreement, or the Office of the Sheriff.
  - c. No officer shall become a member of any organization, association, movement, or group which the officer knows, or should have known, advocates or approves of the commission of acts of force or violence to deny others the rights under the Constitution of the United States of America or the laws thereof or which the officer knows, or should have known seeks to alter the form of government by unconstitutional means.
  - d. Unauthorized attendance while on duty at official legislative or political sessions.
17. No deputy shall arrest any person or search any premises or person except with an arrest warrant, a search warrant, or when such arrest or search is authorized without a warrant under the laws of the State of Michigan, the United States, or the ordinances of the County of Kent.
18. Protection of prisoners and their property
  - a. All personnel shall protect the rights of any person held in custody, and no officer shall verbally abuse or use any unnecessary violence against any person.
  - b. No deputy shall falsely arrest, imprison, or direct malicious prosecution against any person.
  - c. No personnel shall willfully mistreat or give inhumane treatment to any person held in custody.
  - d. Deputies shall only use such force necessary to effect an arrest.
  - e. Any personnel who has lost, damaged, or destroyed any property or equipment belonging to a person in custody or coming into the

custody of the Department shall notify a supervisor of the property loss.

19. Evidence and property

- a. Deputies shall submit all property and evidence found by, confiscated by, or relinquished to them without undue delay and in any event before their duty shift has ended.
  - At no time shall evidence remain in possession of a deputy beyond their shift and shall not be stored in the deputy's duty bag, vehicle, mailbox, or locker at any time beyond the shift in which the evidence was found, confiscated, or relinquished to them.
    - i. Expectations of this policy can be made for the investigative division with supervisory approval under extenuating circumstances.
  - No property received by an employee shall be used, copied, converted, etc., for personal use.

20. Intoxicants

- a. Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication, or drugs, whether legal, prescribed, or illegal.
- b. Possession or use of alcohol at any worksite or while on duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- c. Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug, or non-prescribed medication to any work site.

21. Conduct

- a. Failure of any member to promptly and thoroughly report activities on their part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

- b. Unreasonable and unwarranted force to a person encountered or under arrest.
- c. Exceeding lawful peace officer powers by unreasonable, unlawful, or excessive conduct.
- d. Unauthorized or unlawful fighting, or threatening or attempting to inflict unlawful bodily harm on another.
- e. Engaging in horseplay that reasonably could result in injury or property damage.
- f. Discourteous, disrespectful, or discriminatory treatment of any member of the public or any member of this Department or the County.
- g. No personnel shall ridicule, mock, taunt, or belittle any person at any time. Neither shall he willfully embarrass, humiliate, or shame any person or do anything likely to incite any person to violence.
- h. Use obscene, indecent, profane, or derogatory language while on duty or in uniform.
- i. Criminal, dishonest, or disgraceful conduct, whether on or off-duty, that adversely affects the member's relationship with this Department.
- j. Unauthorized possession of, loss of, or damage to department property or the property of others or endangering it through carelessness or maliciousness.
- k. Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel, or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- l. Activity incompatible with a member's conditions of employment or appointment as established by law or violates a provision of any collective bargaining agreement or contract, including fraud, in securing the appointment or hire.
- m. Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment

without first notifying the Office of the Sheriff of such action.

- n. Personnel should avoid incurring financial obligations beyond their ability to satisfy.

22. Relief

- a. Except in emergencies, an employee shall not leave a post or assignment without being properly relieved. In such situations, the employee will notify their supervisor as soon as possible.
- b. Any supervisor may relieve an employee from duty to prevent embarrassment or discredit to the Department.

23. Benefit Time Management

- a. KCSO personnel are responsible for managing their benefit time banks.
- b. Personnel will ensure they have sufficient benefit time in their banks, as recorded on the employee's latest pay stub, prior to requesting time off from work.
- c. Absent any mitigating circumstances (e.g., approved leaves of absence, extended FMLA, S&A leave), an unapproved off-payroll incident may result in disciplinary action in accordance with **1.4.1 – Disciplinary Procedures**.
  - Subsequent off-payroll events are subject to progressive discipline.

24. Trading Shifts

Personnel mutually requesting to trade shifts must receive supervisor approval with sufficient lead time as determined by the respective Division Commander or their designee.

- a. Enforcement Division
  - Deputies requesting to trade shifts must complete an **Appendix E2 – Enforcement Division Shift Trade Request** form and submit it to a supervisor at least 72 hours prior to the earliest requested trade date.

- Trades shall be limited to employees whose classification and/or work assignments are the same.
  - Trades shall be limited to one hundred forty-four (144) total hours per calendar year (e.g., a trade between two employees working twelve (12) hour shifts would be calculated at 24 total trade hours for each employee).
  - Shift trades shall not result in any overtime liability to the employer.
  - Exceptions granted are to be done so at the discretion of an Enforcement Division Command Officer.
- b. Corrections Division
- Deputies requesting trade shifts must complete an **Appendix F4 - Corrections Division Shift Trade Request** form and submit it to a supervisor at least 72 hours before the earliest requested trade date.
    - i. The trading staff must confirm trade approvals before the requested trade date(s).
  - Trades shall be limited to employees whose classification and/or work assignments are the same.
  - Trades shall be limited to three hundred and sixty (360) total hours per calendar year (e.g., a trade between two employees working twelve (12) hour shifts would be calculated at 24 total trade hours for each employee).
  - Trades must only involve two individuals.
  - Partial shift trades are permitted.
  - Probationary employees cannot trade shifts without prior approval from the Jail Administration.
  - Shift trades shall not result in any overtime liability to the employer.
  - Exceptions granted are to be done so at the discretion of the Jail Administration.
- c. Communications Division
- Communications personnel requesting a shift trade must submit a request at least 72 hours prior to the earliest requested trade date via email to all affected shift supervisors, with a copy to the other ECO involved in the shift trade.

- i. Requests received within 72 hours of a trade may be considered on a case-by-case basis.
    - A response to the trade request will be sent via email by a supervisor or manager who is higher in rank than the trading parties.
    - A supervisor or manager may deny requests at their discretion.
    - Trades should be limited to employees whose classifications are the same whenever possible.
  - i. A trade between different classifications may be granted at the discretion of the supervisor.
    - CTOs (Communications Training Officers) with a trainee may only trade with another CTO to ensure there is no impact on training.
    - The employee agreeing to work the traded shift is responsible for the shift being covered. Failure to report shall be deemed an unexcused absence and may result in discipline.
    - Shift trades shall not result in any overtime liability to the employer.
25. Recognizing detectives
- a. No personnel will give any sign of recognition to a detective unless the detective first extends recognition.
    - The intent of this rule is to prevent jeopardy or compromise to any investigation in which the detective might be engaged.
26. Departmental credentials
- a. All KCSO personnel will be issued a departmental identification card with their credentials.
    - Sworn personnel shall have credentials in their immediate possession unless extenuating circumstances dictate otherwise.
    - Any loss of a departmental identification card shall be reported immediately to the employee's supervisor.
  - i. A supervisor report referencing the loss of credentials shall be completed and forwarded through the chain of command.

- ii. As soon as practical after the loss of departmental credentials, the appropriate notifications to disable the card's access should be made to the Records Unit Supervisor.

27. Fraternalizing with inmates

- a. Personnel are required to interact with inmates professionally at all times. While it is essential to be courteous and civil while dealing with inmates, employees should refrain from any contact with inmates that jeopardizes a professional relationship.
  - Examples of prohibited contact include, but are not limited to:
    - i. Any form of competition with an inmate.
    - ii. Giving or receiving gifts to or from an inmate.
    - iii. Selling or buying any articles to or from an inmate.
    - iv. Showing favoritism or providing extra privileges to an inmate or group of inmates.
    - v. Exchanging personal information about oneself or others that would reflect poorly on the Department.

**V. CANCELLATIONS**

**02/06/2023 1.5.2 – Personnel Code of Conduct**

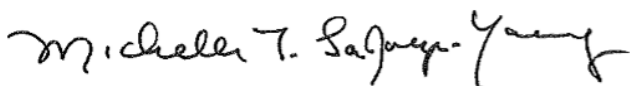
**08/29/2023 1.5.2 – Personnel Code of Conduct**

**01/22/2024 1.5.2 – Personnel Code of Conduct**

**02/28/2024 1.5.2 – Personnel Code of Conduct**

**12/23/2024 1.5.2 – Personnel Code of Conduct**

Authorized by:





Michelle LaJoye-Young  
Sheriff

Index as:

Standard 1.5.2

***Appendix Q1 – KCSO Retention Schedule***  
***Appendix E4 - Enforcement Division Shift Trade Request***  
***Appendix F4 - Corrections Division Shift Trade Request***

*Application: This directive constitutes department policy and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third-party claims insofar as the employer's or employee's legal duty as imposed by law.*

**KENT COUNTY SHERIFF'S OFFICE**