



## **General Order 26.1 – Code of Conduct, Appearance and Discipline**

**PURPOSE:** Contained within this general order are policies, procedures, and guidelines for the application of code of conduct, appearance and discipline.

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ISSUED BY: Sheriff Jeffrey T. Easter

REVIEWED BY: Policy Committee

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## DEFINITIONS:

- A. **26.1.1 CODE OF CONDUCT AND APPEARANCE** The code of conduct is expressed as rules and regulations of the Sheriff's Office and can be found in Appendix A. The Uniform Dress Code of appearance can be found in [Appendix B](#). The Civilian Dress Code of appearance can be found in [Appendix C](#).
- B. See section [26.1.2](#) for guidelines as to disciplinary applications.
- C. The appearance code in this section applies to all personnel when on duty, except:
  - 1. Deputies working undercover assignments;
  - 2. Personnel attending authorized in-service training; and
  - 3. Personnel authorized by a division commander or higher for a special duty assignment.
- D. The division commander has final authority to define the subjective statements outlined within this appearance code. If the employee disagrees, a written complaint may be filed as specified in section [25.1.1 C](#).
- E. The non-uniform appearance code is:
  - 1. Male personnel:
    - a. Business casual wear is authorized for non-uniform personnel. The definition for business casual is: sport coats/business suit coats may be worn with slacks or casual style pants. When a tie is not worn, a polo style, oxford style, open collar, or collarless style shirt may be worn. Casual shirts with various insignias or logos will not be worn, unless it is the shirt manufacturer logo with the exception of:
      - 1. Logos displaying a recognized law enforcement association. (i.e., Southern Police Institute, FBI National Academy, Kansas Sheriffs Assoc., Kansas Peace Officers Assoc., etc.)
      - 2. An approved quality department emblem. (The departmental polo shirt is not considered business casual.)
    - b. Whether business or business casual, professional appearance is important. Deputies are expected to wear coat and tie for court, formal public meetings and at other times where appropriate.
    - c. While in public view, non-uniform deputies carrying firearms will have them covered. If the oxford shirt with the embroidered badge is worn and the issued badge is displayed, covering the firearm is not required.
    - d. Footwear -- The style is not limited, but dress-type footwear or boots, either leather or simulated leather, may be worn if kept in a polished and neat condition.

2. Female personnel:

a. Appropriate business attire, which includes, but is not limited to:

- Dresses or suits.
- Skirts -- May be worn with a blouse and/or sweater.
- Pant suits -- Slacks with a blouse or sweater, or slacks with a coordinated jacket and blouse or sweater.
- Leather or simulated leather dress/casual shoes or boots.
- Jewelry -- Moderate and in good taste, conventional jewelry, watch, small chain, or bracelets, small earrings.
- Cosmetics/nail polish -- Conservative and in good taste.

b. Examples of inappropriate business attire include, but are not limited to:

- Halter tops.
- Sweat pants.
- Leggings or tights.
- T-shirts.
- Tennis shoes.
- Shoes commonly known as thongs or flip-flops.

3. Personnel attending authorized in-service training may wear non-uniform attire consisting of:

- a. Collared sport or polo type shirt, or the oxford shirt with departmental logo embroidered on the front. (No T-shirts or ball caps.)
- b. Casual slacks or denim trousers may be worn. Denim trousers that are acid washed, stonewashed, frayed or display holes or tears are not authorized.

4. Bureau, division or section commanders are authorized to allow non-uniform attire to be worn when these regulations interfere with carrying out the mission of the section, division, or organization.

F. Uniformed Deputies Hairstyle and Grooming Standards

1. All sworn members will keep their hair clean, neatly trimmed and combed.
2. Dyed, tinted or bleached hair must be within a naturally occurring color range and must be professional in appearance. Natural occurring color range does not include unique hair colors such as pink, blue, purple or green.

3. Hair must be styled in such a manner so that it does not interfere with uniform headgear or any specialized equipment and will not interfere with officer safety and effectiveness.
4. The back of the hair for male deputies shall be trimmed, so that it cannot hang over the collar when personnel are standing in an upright position.
5. Hair shall be styled to present a professional appearance. Plain and conservative pins, combs, barrettes, etc., similar to the individual's hair color is permitted to keep hair in place.
6. Female hairstyle is traditionally longer than that of males. While longer hair length is permissible within the boundaries of the stated guidelines, female personnel should remain cognizant of the fact that long hair provides a "handle" for suspects to use against a deputy during a physical altercation.
7. Hair ornaments, such as jeweled pins shall not be worn.
8. Female hair should not extend beyond the bottom of the deputy's shoulder blades. Hair longer in length will be worn in a ponytail or bun. Hair should also not be so free flowing that it falls forward toward the facial area of the deputy.
9. Non-uniform, sworn members may be temporarily excused from these hair and grooming regulations while on undercover assignment. However, such members will again comply with these regulations once the special assignment is completed or whenever wearing the official uniform.
10. Facial hair may not be more than ½ inch in length, and must not interfere with the natural seal of the issued gas mask.
11. A neatly trimmed mustache of a natural color may be worn. Mustaches shall not extend below the vermilion border of the upper lip and may not extend to the side more than an inch beyond the corners of the mouth.
12. Beards and goatees of natural color are permitted, but must be neat, clean and well maintained to present a professional appearance. Beard and goatee facial hair shall not exceed ½ in length, must be accompanied by a mustache, and is contiguous with no designs shaved into it. The beard or goatee will not exceed past the jaw line. If a sheriff's office member intends to grow facial hair, they must initiate growing the facial hair during a period of at least two consecutive days off to not give the appearance of failing to shave.
13. Sideburns shall not extend below one-half inch above the bottom of the earlobe. The flare (terminal portion of the sideburn) shall not exceed the width of the main portion of the sideburn and shall be worn in a clean-shaven, horizontal line. "Mutton-chop" type sideburns will not be allowed. The sideburns shall be trimmed and neat in appearance at all times.

#### G. Non-sworn, Male and Female Hairstyle and Grooming Standards.

1. All Non-Commissioned members will keep their hair clean, neatly trimmed and combed. Hair must be styled in such a manner as to not interfere with the duties assigned within their respective division.
2. Dyed, tinted or bleached hair must be within a naturally occurring color range, and be professional in appearance. Naturally occurring color range does not include unique hair colors such as pink, blue, purple or green.
3. Hair must be styled in such a manner so that it does not interfere with any specialized equipment and will not interfere with member safety and effectiveness.
4. Mustaches and beards are allowed. They must be kept neatly trimmed.
  - a. An employee's facial hair is subject to a determination by the Sheriff or his/her designee's, i.e. supervisors, as to whether it complies with this policy.
  - b. Sworn and Non-Commissioned employees who violate this policy could be subject to a 6-month suspension of growing any facial hair.
  - c. Command Staff and Honor Guard members will be required to shave beards and goatees while wearing the Command Staff jacket or Honor Guard uniform.
  - d. Permission to wear beards/goatees may be withdrawn by the Sheriff at any time.

#### H. Tattoos, Brandings & Body Art

1. Tattoos, Brandings and Body Art that display any type of offensive design, logo or wording shall not be displayed while the deputy wears the authorized uniform of the sheriff's office, nor shall they be displayed while dressed in plain clothes when representing the Sheriff's Office.
2. Tattoos, Brandings and Body Art that display any type of offensive design, logo or wording and are not concealed by the authorized uniform or plain clothes, shall be covered in some fashion by an appropriate shirt, slacks, or a flesh colored bandage/ covering when representing the Sheriff's Office.
3. Offensive designs, logos or wording include designs that reflect nudity, contain racist content, gang affiliation or any image or phrase that offends must be covered.

4. No visible body piercings (to include tongue/mouth piercings), other than small earrings as authorized by section [E.2.a.](#) will be allowed while the deputy wears the authorized uniform of the Sheriff's Office or while dressed in plain clothes when representing the Sheriff's Office.
5. Any other visible body modifications are prohibited. Body modifications include any object inserted under the skin or alter skin appearance through the introduction of a foreign object.

### **26.1.2 DISCIPLINARY SYSTEM**

- A. Discipline is a process to stimulate employee morale and motivation through fairness to all employees and consistency in disciplinary applications. In furtherance of this goal, this section shall outline procedures and criteria for deciding when and how to impose discipline.
- B. Documentation of any disciplinary or non-disciplinary action taken will be entered into the Sheriff's Office electronic filing system(s).

### **26.1.3 NON-DISCIPLINARY ACTIONS**

- A. Not all poor performance or conduct will require imposition of discipline. In some cases, non-disciplinary actions such as coaching, remedial training, or a Performance Improvement Plan may be more appropriate.
- B. The purpose of non-disciplinary action is to inform the employee of a potential problem, which may result in discipline if it continues and to help correct the problem before it becomes significant and/or to advise the employee of expected behavior.
- C. Coaching is the on-going process whereby the supervisor directs the development of the employee through regular performance feedback. If the employee is meeting the Sheriff's Office's expectations, positive feedback can be used to reinforce performance and further motivate the employee to even higher levels of performance. When coaching is used, it should include a personal meeting between the supervisor and the employee for a discussion on the issues and provide the employee the expectations for improvement. All coaching discussions should be documented in the employee's electronic personnel file.
- D. Remedial Training may be a viable option to correct a deficiency. A supervisor may schedule employees for training classes to correct a particular problem. Remedial training should be documented in the employee's electronic personnel file.
- E. A Performance Improvement Plan (PIP) may be implemented by a supervisor if the employee needs improvement in any area of their work performance.
  1. Improvement plans will be set for a period of no less than 30 days and no more than 90 days.
  2. The Performance Improvement Plan form will be completed, and the issuing supervisor will sign the form, as will the employee. Upon successful completion, the issuing supervisor will again sign the form declaring that the employee

completed the steps outlined in the plan. Copies of the form will be kept in the employee's file in Guardian Tracking.

3. Employees who do not show improvement within the designated time frame may be placed on Disciplinary Probation as outlined in [General Order 26.1.9](#).

#### **26.1.4 DISCIPLINARY ACTIONS**

- A. The purpose of discipline is to ensure effective and efficient operations and employee adherence to reasonable and acceptable rules of performance and conduct.
- B. After the non-disciplinary approach is used or in some initial instances of misconduct or poor performance, the supervisor must impose discipline. Generally, discipline will follow a progressive method.
- C. Disciplinary Actions consistent of the following (least to most severe):
  1. Letter of Counseling,
  2. Letter of Reprimand,
  3. Shift Suspension,
  4. Demotion, and
  5. Dismissal.
- D. If an employee is to receive disciplinary action, other than a letter of counseling as defined in this order, an investigation must be completed.
- E. Sergeants are authorized to investigate all "A" penalty violations identified in [General Order 26.1, Appendix A](#).

#### **26.1.5 LETTER OF COUNSELING**

- A. Counseling occurs when there are performance problems and may be used to assist the employee in achieving a satisfactory level of performance. In such cases, the supervisor shall meet with the employee to clarify performance expectations and determine what obstacles are impeding the employee's ability to perform to the standard. The supervisor conducting the counseling will document the facts which identified the performance issues, the rule or regulation they have violated, and a reckoning period. The counseling will be given to the employee in person and documented in the employee's electronic personnel file.

#### **26.1.6 LETTER OF REPRIMAND**

- A. Acts involving repeat offenses or a disregard for policy are appropriate for a letter of reprimand.
- B. The supervisor will conduct an investigation into the incident/complaint and document their findings. The supervisor shall properly complete a report of the investigation using the Administrative Investigation Format. The report will include a specific issue, narrative of the investigation, summary of facts, analysis, and conclusion of fact.

- C. The administrative investigation report will be routed through the chain of command to the Sheriff. Supervisors reviewing the report will include a recommendation on action to be taken.
- D. The letter of reprimand will be given to the employee in person and documented in the employee's electronic personnel file.

#### **26.1.7 SHIFT SUSPENSION, DEMOTION, OR DISMISSAL**

- A. Acts involving repeat offenses or violation of B, C, or D penalty codes are appropriate for a shift suspension, demotion or dismissal.
- B. All investigations involving a possible violation leading to a suspension, demotion, or dismissal will be coordinated through the respective Bureau Commander or Sheriff to determine who will conduct the investigation.
- C. The supervisor will conduct an investigation into the incident/complaint and document their findings. The supervisor shall properly complete a report of the investigation using the Administrative Investigation Format. The report will include a specific issue, narrative of the investigation, Summary of Facts, Analysis, and Conclusion of fact.
- D. The administrative investigation report will be routed through the chain of command to the Sheriff. Supervisors reviewing the report will include a recommendation on action to be taken.
- E. The disciplinary action will be given to the employee in person and documented in the employee's electronic personnel file.

#### **26.1.8 PENALTY CODES**

- A. The following guidelines will be adhered to when taking disciplinary action:
  - 1. Penalty codes specified shall be a guide for disciplinary action in the interest of uniformity and fairness.
  - 2. A progressive discipline process will be applied when determining the level of discipline. Progressive discipline is a process of review and consideration of an employee's history of discipline as a factor for a recommendation of discipline on new sustained policy violations.
  - 3. The standard penalties in this policy do not preclude the application of a more or less severe penalty for a given infraction when specific circumstances require it. Each offense shall be dealt with as objectively as possible.
  - 4. The Rules and Regulations of the Sheriff's Office shall apply to and govern the conduct of all employees of the department.
    - a. Civil Service Board policies apply to all employees.
  - 5. Disciplinary actions taken under the Sheriff's Office rules and regulations will be in accordance with the Civil Service Board Policies, state law, or federal employment regulations.



6. Policy violations are categorized into five basic groups. Those groups are:
    - a. Motor vehicle accidents
    - b. Booking and release errors
    - c. Attendance
      1. Hours without Pay (HWOP)
      2. Sick Call Patterns
      3. Lateness
      4. Mandatory Overtime (MOT) Refusals
      5. Essential Overtime (EOT) Refusals
      6. All other attendance related issues
    - d. Failure to Qualify with a Firearm
    - e. All others.
  7. Multiple offenses within each group of the above should be progressively disciplined. For example, if an employee is found in violation of a policy and is in a reckoning period for a violation in the same group, the latest violation is considered a second offense.
- B. The "reckoning period" as used in this section is that period of time during which an employee is expected to have a record free of further violations of the rules and regulations, policies, and procedures. Reckoning periods shall be computed from the date the employee was given notice they have become the subject of an administrative investigation. Another offense committed after the reckoning period expires counts as a first offense.
1. Disciplinary action is defined as the date when the highest authorizing authority orders completion of disciplinary action.

C.

Penalty Code	First Offense	Second Offense	Third Offense	Fourth Offense	Fifth Offense	Reckoning Period
A	Counseling up to Written Reprimand	Written Reprimand up to 3 shift suspension	1 shift up to 5 shift suspension	5 shift up to 22 shift suspension, demotion or dismissal	Dismissal	1 year

B	Written reprimand up to 3 shift suspension	1 shift up to 5 shift suspension	5 shift up to 22 shift suspension, demotion or dismissal	Dismissal	N/A	1 year
C	1 shift up to 5 shift suspension	5 shift up to 22 shift suspension or demotion	5 shift up to 22 shift suspension, demotion or dismissal	Dismissal	N/A	2 years
D	Dismissal					

When a violation has multiple penalty codes, one code will be selected by the supervisor taking disciplinary action and the reckoning period will correspond to the table above.

NOTE: Suspension shall not exceed 30 shifts.

The code of conduct found in [General Order 26.1, Appendix A](#) reflects recommended penalty codes as outlined in this section.

### **26.1.9 DISCIPLINARY PROBATION**

- A. When a division commander or above deems an employee's misconduct or inadequate work performance is such that dismissal is imminent unless such work performance is corrected, the division commander or above may, at his/her option, place the employee on disciplinary probation for a period of thirty (30) days to ninety (90) days.
- B. A Disciplinary Probation Form will be completed and the issuing commander will sign the form, as will the employee. Upon successful completion, the issuing commander will again sign the form declaring that the employee completed the probation period. If the employee on disciplinary probation does not take appropriate steps to correct his/her conduct during the probation period, the division commander or above, may recommend a demotion or dismissal. If a disciplinary demotion is recommended, it shall follow [Civil Service Policy 3.05](#) regarding demotions. If a demotion is not possible due to rank or the inability of the employee to correct his/ her conduct, the division commander or above shall initiate steps to terminate.
- C. The use of disciplinary probation does not affect any disciplinary action the employee may receive.
- D. The disciplinary probation forms will be given to the employee in person and documented in the employee's electronic personnel file.

#### **26.1.10 SUPERVISORY ROLE IN DISCIPLINARY PROCESS**

- A. All supervisors have two (2) key responsibilities in disciplinary matters: either taking appropriate disciplinary action or recommending appropriate disciplinary action. Each supervisor in the chain of command has the responsibility for administering discipline to subordinates.
- B. First-line supervisors are in a position to observe the conduct and appearance of employees under their command and to detect instances where disciplinary action would be appropriate.
- C. A supervisor may be alerted to a potential violation of conduct, appearance, or regulation through observation, citizen complaint, or employee complaint. When a supervisor receives any information that an act has been committed or omitted that might result in a disciplinary action, the following guidelines will be followed:
- D. The supervisor will gather the information and submit it into Blue Team. It will be routed to the highest level of supervision based on the alleged violation. After coordinating with the division commander, bureau commander or Sheriff the potential violation will be assigned to be investigated.

#### **26.1.11 AUTHORITY OF SUPERVISORY LEVELS RELATIVE TO DISCIPLINARY ACTIONS**

- A. The following is a list of the attendant authority that is inherent at each level of rank within the department:
  - 1. Unclassified employee -- Has the authority and obligation to report violations of rules and regulations, policies, and procedures.
  - 2. Law Enforcement and detention deputies -- Have the authority and obligation to report violations of rules and regulations, policies, and procedures.
  - 3. Supervisory personnel have the authority to receive and initiate reports of violations of rules and regulations, policies, and procedures. As circumstances require, supervisors may:
    - a. Relieve employees of duty (see [section 52.3.3](#)); or
    - b. Require remedial training.
  - 4. Disciplinary actions will be coordinated through the chain of command.
  - 5. A bureau commander may suspend an employee with or without pay and recommend dismissal.
  - 6. The sheriff may take any disciplinary action deemed necessary, which may include suspension, demotion, or dismissal. Only the sheriff may demote or terminate an employee.

#### **26.1.12 EMPLOYEE STATUS CONFERENCE**

- A. The Employee Status Conference ("ESC") provides non-probationary employees an opportunity to be heard before a dismissal action is formally taken. Employer representatives at the ESC will determine whether there are reasonable grounds to support dismissal of the employee.
- B. The Sheriff's Office will serve the employee with reasonable written notice of the ESC and provide the employee with an opportunity to respond. The notice shall include the policies the employee is alleged to have violated and a summary of the factual basis of each policy violation. When served the notice, the employee will also receive the analysis section of the internal investigation.
- C. Parties present during the ESC are limited to the employee, the employee's bureau Colonel or designee, and the Sheriff or designee.
- D. During the ESC, the employee is provided an opportunity to respond and can present information regarding the allegations which the Sheriff's Office will consider before making a final decision regarding dismissal.
- E. Probationary employees are not entitled to an ESC before notification of dismissal.

#### **26.1.13 MISCONDUCT RESULTING IN DISMISSAL**

- A. Employees who are dismissed as a result of misconduct shall be notified in writing of the reason for the dismissal.

#### **26.1.14 CONCLUSION OF FACT**

- A. Each allegation of misconduct investigated will include a "conclusion of fact" in its written documentation.
- B. "Conclusion of fact" will be determined from one (1) of the five (5) following criteria:
  - 1. Unfounded - Either the allegations are demonstrably false or there is no credible evidence to support it.
  - 2. Not Sustained - The incident occurred, but the action was lawful and consistent with agency policy.
  - 3. Sustained - The allegation is true. The action of the agency or the employee was inconsistent with agency policy.
  - 4. Sustained In Part - Part of the allegations are true. The agency or the employee's actions were in part consistent with agency policy and in part inconsistent with agency policy.
  - 5. Inconclusive - There is insufficient proof to confirm or to refute the allegations.
- C. A "conclusion of fact" will allow all interested parties to be aware of changes in policies, procedures, rules, and regulations that may be needed to prevent future allegations of misconduct, as well as the need (if any) to modify or expand training.

#### **26.1.15 MAINTENANCE AND FORM OF DISCIPLINARY ACTIONS**

- A. Disciplinary actions are recorded in Sheriff's Office approved formats. The deputy's report for discipline actions shall be as follows:
  - 1. The subject of the report shall indicate it is a discipline action and cite the section violated.
  - 2. The section violated shall be quoted.
  - 3. The report shall include a brief statement of the incident or facts surrounding the infraction.
  - 4. A list of witnesses to the violation will be included.
  - 5. The action required from the employee to correct the situation will be specified.
- B. A letter of counseling issued by a sergeant or lieutenant must be reviewed and signed by the division commander and then signed by the employee acknowledging receipt.
  - 1. The employee receives the original.
  - 2. The disciplinary action will be given to the employee in person, and a copy will be documented in the employee's electronic personnel file.

#### **26.1.16 APPEALING DISCIPLINARY ACTIONS**

- A. Appealing disciplinary actions shall be according to procedures outlined in [General Order 25.1](#).

#### **26.1.17 DETENTION BOOKING/INMATE PROPERTY AND RELATED ERRORS**

- A. The following guidelines will be adhered to when addressing disciplinary procedures on booking/inmate property and related errors that do not involve significant dereliction of duty:
  - 1. Booking/inmate property errors shall be classified into two groups: major and minor.
  - 2. The major group will be significant policy violations as defined in Section B
  - 3. The minor group will be errors as listed in Section C.
- B. Booking/Inmate Property and related errors shall include but are not limited to the following:
  - 1. Improper releases (i.e. wrong person, early release, late release);
  - 2. Improper booking;
  - 3. Insufficient supervisory review of booking/release paperwork;
  - 4. Inaccurate release date computation;
  - 5. Lost property; and

6. Money errors
- C. Errors that can be corrected without having a profound effect on the courts and/or don't rise to a bad release will be tracked and noted in the divisional folder once an employee reaches five errors in a 90 day period, appropriate disciplinary action will be taken. Such minor errors shall include but not be limited to:
1. Incorrect court date/time;
  2. Incorrect bond amount;
  3. Fingerprint/photograph errors;
  4. Incorrect statute/charges;
  5. DNA errors;
  6. Incorrect case/warrant numbers;
  7. Name/information typos, unless it leads to a bad release;
  8. KDAR/Digi-scan errors; and
  9. Classification errors.

This policy is a guideline in managing booking/inmate property errors but is not all inclusive.