
GENERAL CONDUCT

Policy #207-R12 (07/31/23)

Applies to all staff.

Person in Custody. Arrestees or persons who are in physical police, jail, or Community Corrections Center custody in any setting, or a person on any alternative detention program.

Public. Any person who is not Sheriff's Office staff.

Staff. Employees, reserve deputies, volunteers, interns, and contract employees of the Sheriff's Office.

The public entrusts Washington County Sheriff's Office ("WCSO") staff to provide quality public service based on the highest ethical and professional standards. The community expects staff to take pride in their commitment to serve, and to uphold high standards of personal conduct, both on and off duty.

1. Professional Conduct

Staff will conduct themselves in the discharge of their duties and their relations with the public and each other in a tactful and professional manner.

- Staff must not publicly criticize the WCSO, its policies, programs, actions, or staff. Nor must they perform any acts or make any written or verbal statements that would impair or diminish the orderly and effective operation, supervision, or discipline of the WCSO.
- Staff may comment on matters related to the WCSO that are of public concern to the community after taking reasonable steps to check the truth of the facts. If a staff member is not speaking as an official representative of the WCSO, the staff member must clearly state that he or she speaks only as a private member of the public.
- Staff must conduct themselves, on duty and off duty, in a manner that, in the mind of a reasonable person, does not damage the positive public image, integrity, or reputation of the WCSO.

2. Truthfulness

Absent legitimate safety or investigative purposes, staff must not lie, give misleading information, withhold information with the intent to deceive, or falsify written, verbal, or electronic communications in official reports or in their actions with another person or organization. Staff will impart the whole truth when giving testimony or rendering an official report or statement.

Examples of situations where giving false information may be acceptable would include hostage situations or when protecting the identity of informants or when performing undercover duties.

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3. Courtesy and Respect

Staff must be respectful, courteous, diplomatic, and civil with the public and each other.

- Staff will refrain from using coarse, loud, indecent, profane, condescending, insolent, or unnecessarily harsh language.
- Staff will maintain command bearing and strive to maintain a professional relationship with the public.
- A supervisor will make any criticism of a subordinate's performance or behavior directly to the subordinate and, when practicable, in private.
- Staff must address any adults in custody (AIC) or other person in custody by their last name, such as Mr. Jones or AIC Jones.
- Staff will verbally identify themselves when making or answering telephone calls. An exception is made for certified staff while undercover.

4. Respect for Diversity

Staff must show respect for the diversity of our community and coworkers. Derogatory remarks, gestures, or other negative actions against anyone based on nationality, race, religion, sexual orientation, gender, gender identity, disability, veteran's status, or age are prohibited.

5. Cooperation

Staff members are expected to seek affirmative ways to cooperate and work with each other, public officials, and staff of other agencies to deliver lawful, effective, efficient, and safe services.

- Staff must make every attempt to understand the duties and responsibilities of other WCSO staff. They must consult with those staff when actions may reasonably affect their duties and responsibilities.
- In the performance of their duties, staff must help their coworkers when a request or need is made known.

6. Rumors

Staff must not spread rumors (circulate a story or report of uncertain or doubtful truth) about WCSO policies, activities, staff, public events, or crimes. Reporting possible staff misconduct or concerning behaviors to a supervisor is required and will not be considered spreading rumors.

7. Knowledge and Enforcement of Laws

All staff will know the law and act, within their authority, to enforce all state and local laws and ordinances. If any staff is granted authority to enforce federal law or directed by a federal judge to act, staff will act within their statutory authority and WCSO policy.

8. Knowledge and Enforcement of Policies and Orders

All staff will be knowledgeable of County and WCSO policies, procedures, and orders that apply to their duties. Any staff member who questions the clarity or intent of a policy, procedure, or order will seek immediate clarification through the chain of command. Staff members will, within their authority, enforce County and WCSO policies, procedures, and orders.

9. Record Confidentiality

Staff must maintain the confidentiality of all records, official reports, or statements within the restrictions of federal or state law. Staff must not grant confidentiality if federal or state law mandates openness on a specific record or meeting.

10. Protection of Records

Staff must not remove, make copies, divulge, alter or enter false data or make personal use of any records, reports, letters, documents, recording tapes, pictures, criminal justice files, or other official files, except in the course of official business, as authorized by law, or as the Sheriff directs. Prohibited personal use includes viewing reports or other sensitive documents absent a job-related need or purpose.

11. Unauthorized Use of Sheriff's Office Information

Staff must not use information obtained by means of their employment or volunteer duties for their personal use or financial benefit. Examples include but are not limited to information received from informants, persons in custody or their family members or acquaintances; learned medical conditions; addresses; and telephone numbers.

12. Withholding Criminal Information

Staff who receive or have knowledge of facts or information relative to a criminal offense must report it to their commanding officer or supervisor. Staff must not divulge information, directly or indirectly, that may enable any person to avoid arrest, conceal or dispose of evidence, or become aware of a criminal investigation against the person by this office or another police agency.

13. Badge and Credentials

Staff must not use another staff member's badge or WCSO credentials without permission of a command officer. Nor may staff knowingly permit anyone not appointed in the WCSO to use an agency badge or credential at any time. Staff should avoid conducting personal business while in uniform or while wearing a badge or other WCSO credentials as it may give others the perception that the staff member is engaged in official business.

14. Misuse of Position

Staff must not use their position with the Sheriff's Office to force or intimidate anyone with whom they are engaged in civil matters to settle the case in their own favor. Staff must not use, permit, or authorize the use of their name, official title, photograph, or other means to identify them as staff of the WCSO in connection with testimonials or advertisements of any product or commercial enterprise, or for any personal gain, without the written approval of the Sheriff.

15. Use of Official Stationery

Staff must not correspond with any person about their official activities except as provided by WCSO orders.

- Staff must not use WCSO stationery or forms for any purpose other than the transaction of official business.
- Staff will write all outgoing WCSO correspondence under the Sheriff's signature. Its point of origin must be from the WCSO, not from an individual's home or other place of business.

16. Competent Performance and Attendance

Staff must consistently display acceptable levels of performance and attendance.

17. Gifts, Gratuities, and Honoraria

Staff are prohibited from accepting gifts, gratuities, and honoraria that are given with the expectation of preferential treatment, service, decision, or other outcome, or when a reasonable person would perceive the receipt as such. Staff are prohibited from soliciting any gift, gratuity, or honoraria.

Completely unsolicited gifts, gratuities, and honoraria offered in appreciation for services rendered which amount to an aggregate total of less than \$50 per year per source may be accepted. It is the responsibility of accepting WCSO staff to notify their chain of command (via e-mail) concerning such acceptance within two business days of receipt.

Gifts and gratuities include any product, item, or service offered at no cost, or at a reduced cost. Honoraria include certificates, plaques, commemorative tokens, or other similar items. Gifts, gratuities, and honoraria with a value greater than \$50 must be either declined or directed to the Sheriff's Office Foundation. The Foundation is an independent non-profit organization that is tax-exempt under section 501(c)(3) of the Internal Revenue Code.

18. Insubordination

Staff are required to observe and obey the lawful verbal and written rules, work instructions, policies, procedures, and practices of the WCSO and to be respectful toward supervisors and command officers.

- Staff must subordinate their personal preferences and work priorities to the lawful verbal and written rules, duties, policies, procedures, and practices of the WCSO, as well as the lawful orders and directives of supervisors and higher-ranking personnel.
- Staff must perform all lawful duties and tasks assigned by supervisory or higher-ranking personnel.
- Insubordination is a display of defiance towards WCSO management.
- Insubordination can include a verbal refusal, a non-verbal refusal, or an unreasonable delay in completing work.
- Insubordination includes disrespectful behavior towards a supervisor or command officer to include cursing, using offensive names, slurs, yelling, attempting to physically intimidate, being argumentative, uncooperative, or threatening.
- Insubordination is aggravated if it includes willful or intentional disregard of lawful direction under this section.

See also policy 109, *Authority of Orders*.

19. Transactions with a Suspect or Person in Custody

Staff must not buy or accept any article, service, or favor from any known suspect, a suspect's associate, or a person in custody.

20. Fraternization with Persons in Custody

The purpose of this section is to avoid inappropriate relationships between staff and persons in police custody that may jeopardize the safety of any person or the security of a facility or the community, or public confidence in the WCSO.

- Staff will avoid conversations with persons in custody that are not job related. Personal conversations are strictly prohibited.

- Staff must inform an on-duty jail supervisor and their own supervisor when they become aware that a friend, relative, or acquaintance is lodged in the jail.
- If contact is unavoidable (such as with an immediate family member), the employee will promptly advise their supervisor.

The Sheriff must approve exceptions to this policy in writing.

21. Impropriety or Appearance of Impropriety with Persons in Custody

WCSO staff with relatives, former relatives, friends, or personal acquaintances in WCSO custody should not be involved or have any influence on their status as a person in custody or their conditions of confinement.

Staff must avoid:

- Accessing any related records, files, or data systems
- Accessing any related activity, telephone, or other communications records
- Having any input on the person's custody level, housing, discipline, work assignment, or release status, in a positive or negative manner
- Asking any coworker to access or share non-public information about them

Staff may access information released to the public by the WCSO through the agency's external website, social media account, or a press release. Staff may be provided information that is available to the public via a public records request.

These requirements continue even after the person in custody is released from WCSO or jail custody.

Nothing in this section is intended to present a barrier for staff to report information on potential safety or security risks associated with a person in custody. Staff must promptly report to a supervisor any information of which they are aware that presents a risk to the person in custody or the WCSO. This includes, but is not limited to, known medical issues, drug abuse, potential for detoxification, mental health, suicidal ideations, or threats.

An exception is allowed for emergency situations where staff must act for safety or security reasons or because no other staff is available or present. Action under this section must immediately be reported to a command officer via the chain-of-command, and the involved staff must make an entry in their duty notebook and submit a formal written information report.

22. Fraternalization With Certain Criminal Offenders in Personal or Social Activities

Staff will avoid fraternizing in personal or social activities with known criminal offenders. This is necessary for the protection of staff, to avoid conflicts of interests with official duties, and to protect our agency from discredit. In this section, "criminal offender" means any person who has been convicted of a felony and is currently on parole or probation, or who is currently required to register as a sex offender, or who has been convicted of a misdemeanor and is on formal supervision in Washington County.

This policy acknowledges that there are times when staff will have inadvertent or unexpected personal or social contact with individuals who are not initially known to be criminal offenders. In those situations, staff must report the circumstances to a command officer at the earliest opportunity upon learning of the person's criminal offender status.

This policy also acknowledges that staff may have family members who are criminal offenders. While this policy will not require staff to avoid contact with family members who are criminal offenders, it does require notification to a command officer, who will provide counsel regarding ways to mitigate potential risks.

Upon notification, the command officer will document the circumstances and any counsel given. The information will be kept confidential in the Professional Standards Unit. Situations involving significant risk will be forwarded to the Sheriff via the chain of command.

23. Engaging in Sexual Relations, Conduct, or Contact With Persons in Custody or Under Supervision of the WCSO is Prohibited

Staff members are absolutely prohibited from engaging in sexual relations of any kind with any person in the custody of the WCSO, any person confined or detained in the Washington County Jail or Community Corrections Center, and any person who is on any form of work crew or work release under the supervision of Washington County. Persons who are in the custody of the jail or Community Corrections Center, and persons under the supervision of the WCSO cannot give consent to sexual contact with staff. Violation of this policy may result in felony criminal charges. The term "sexual relations" includes any conduct by an individual in an attempt to sexually gratify, arouse or gain power over another person or oneself. Examples may include, but are not limited to sexually suggestive comments, gestures, physical displays, touching, kissing, and exchanging gifts or favors, or any other conduct of a sexually intimate nature.

24. Recommending Attorneys

Staff must not suggest, recommend, advise, or solicit for any attorney. Nor may they give counsel on the retention of any attorney, or other person, to anyone that comes to their attention through official business. This does not apply when a relative or friend of a staff member seeks such service or advice.

25. Incurring Sheriff's Office Expenses

Staff must not incur any WCSO expense or liability without prior approval of a command officer or civilian with budget expenditure authority, except when necessary under emergency conditions.

26. Use of WCSO and County Property

Staff must not use, remove, or borrow property of the WCSO or other county departments for other than official business. Property includes supplies, equipment, facilities, and furnishings.

27. Use and Care of Property and Equipment

Staff will properly use and care for WCSO and county-owned property and equipment. They also must properly care for all property the WCSO must hold in custodial status, such as evidence and the personal property of persons in custody. Staff must not duplicate a WCSO or county key. Staff must not loan a WCSO or county key to a person who is not authorized to possess it. Staff members may not use keys in a way that breaches workplace security.

28. Committing Unsafe Acts and Related Conduct

Staff must not commit unlawful acts or behave in such a manner that has the potential for endangering or injuring their self, another person, or the property of another.

29. Unauthorized Use of Uniform

Deputies wearing the official or a specialty-unit uniform must not shop or carry large quantities of merchandise unless it is directly connected with their duty. While in one of these uniforms, deputies may purchase items to consume or use on duty. Unless it is directly connected with their duty, staff will not wear a uniform, WCSO logo wear, or attire that displays WCSO emblems or other identifiers to any establishment or event where a reasonable person could construe the WCSO is officially endorsing the activities or where it could bring discredit upon the agency.

30. Alcohol

Staff, while off duty, must not consume alcohol to an extent that renders them unfit to report for their next regular tour of duty. The consumption of alcohol must not result in the commission of any act that could bring discredit upon the WCSO. (*Note: Alcohol can be an ingredient in fluids such as mouthwashes and cold or flu medicines.*)

- Staff who have the breath odor of or is under the influence of alcohol must not report for duty under any circumstances unless they first inform their supervisor or command officer who then orders them to report.
- Deputies while in uniform, on or off duty, must not consume alcohol in any form.
- Staff must not consume any alcohol while on duty, unless a supervisor approves it and it is in the performance of duty.

31. Smoking and Chewing Tobacco

Staff must not smoke or use chewing tobacco, tobacco alternatives, or similar products in close contact with the public in performance of their duties. Staff must not smoke in any county-owned or leased vehicle or building, except in designated areas. Chewing tobacco, tobacco alternatives, and similar products are allowed in personal work areas, in jail pods, or in vehicles as long as the use or byproducts of use are not noticeable by coworkers or members of the general public.

32. Gambling

Generally, no staff member may engage in any form of gambling while on duty or while in uniform. Exceptions to this policy include events such as office sponsored sports pools and nonprofit raffles. The Sheriff may approve other exceptions.

33. Political Activity

Staff must not solicit funds or otherwise act to influence the results of a political candidate's campaign or election, the passage of any ballot measure, or other political cause while on duty, except when staff are on a break or on release time, such as WCPOA time. Nor may they do so when *acting in an official capacity* or while wearing the uniform (or any of its parts) or civilian attire that displays WCSO emblems or other identifiers, except when on a break or on release time, such as WCPOA time.

- A staff member must not require, directly or implicitly, that other staff solicit or provide service for or contribute to any political cause, candidate, or party.
- A staff member must not engage in political debates or discussions while in uniform or in the workplace to the detriment of good order and discipline.
- They must not display or distribute campaign material while in uniform or in the workplace. This policy does not apply to the display of political materials on personal vehicles in WCSO parking lots.

- While on duty, staff may provide facts to the public on ballot and bond measures that affect the WCSO but may not encourage a person to vote in favor of or against a ballot or measure.
- Staff may use their public employee work title in political activity so long as the title is the only indication that they are acting in an official capacity; staff are encouraged to use caution when using their official title because others could infer they are acting in an official capacity.

Note: The Oregon Secretary of State has indicated that elected officials such as the Sheriff are not public employees for purposes of the statute prohibiting political activity during work hours. The Sheriff may advocate for political positions during work hours and may wear the uniform while engaged in political activities. Likewise, during work hours, leadership of the WCPOA may advocate for political positions related to WCPOA activity.

See ORS 260.432, *Restrictions on Political Campaigning by Public Employees*.

34. Religion

Staff will not engage in religious debates or proselytizing while in uniform or in the workplace. Nor will they engage in religious discussions to the detriment of good order and discipline. They must not display or distribute religious materials while in uniform or the workplace that is not part of a sanctioned WCSO chaplain or AIC program, or an AIC's personal mail. Staff may wear religious-symbol jewelry if it does not detract from presenting a professional image. This policy does not apply to the display of religious materials on personal vehicles in WCSO parking lots. Nor does it apply to the reading of religious material on breaks or meal periods.

35. Personal Mail

Staff may not solicit personal mail that is not related to their profession or duty assignment to be delivered to them at the WCSO, or any county facility, without the authorization of the Sheriff.

- If staff receives unsolicited personal mail at the WCSO, they must take reasonable actions to have the sender stop such mailings.
- Staff must not mail personal letters or packages using the County's mail system.
- Processing staff may open all incoming mail to the WCSO.

36. Rendering Honors to the Flag

When rendering honors to the flag, members will place their right hand over their heart, except that members will salute when in uniform, outdoors, and wearing a hat. All members will render honors on the following occasions:

- When the flag is passing in a parade or review. Honors are rendered at the moment the flag passes
- During the ceremony of hoisting or lowering the flag
- When the National Anthem is playing and the flag is displayed
- Members will place their hand over their heart during the Pledge of Allegiance.
- When the National Anthem is playing and the flag is not displayed, all present should stand, face toward the music, and place their right hand over their heart. All hats must be removed.

Orders may be issued to modify this protocol for specific events.

A [black band](#) worn across the badge may be authorized for certain events. When worn, the band will appear across the badge in a diagonal line that generally crosses from the left shoulder to the right hip.

37. Acting on Violations and Misconduct

Staff must report suspected or actual violations of WCSO orders, policies, or directives or misconduct by any WCSO staff to a supervisor or manager within 72 hours of learning of the misconduct; this includes unconfirmed rumors of staff misconduct. Supervisors must take appropriate action as soon as a potential or actual violation of rules, regulations, policies, or laws comes to their attention.

38. WCSO Staff Have a Duty to Intervene, Stop, and Report Specific Misconduct by Public Safety Officers or Criminal Justice System Associates

Staff who witness another public safety officer or criminal justice system associate who is engaged in specific misconduct must intervene and stop the misconduct in a manner that is safe. This applies to excessive force, sexual harassment, sexual misconduct, discrimination based on race, color, religion, gender, sexual orientation, national origin, disability or age, criminal conduct, or conduct that violates Oregon DPSST standards of moral fitness. Intervention may range from giving verbal commands, to moving to a safe place and calling for assistance, to using force based on the observer's training and the circumstances of the incident.

Staff who witness such misconduct must also report it to a supervisor or higher ranking official in the chain of command within 72 hours of witnessing or learning of the misconduct. The agency will not retaliate against any deputy or reserve for reporting under this section.

39. Consequences of Misconduct

Policy violations for staff misconduct may be cause for disciplinary action up to and including dismissal, may result in criminal charges for abuse of public office or other criminal charges, and in some cases, may lead to decertification by the Oregon Department of Public Safety Standards and Training (DPSST).

REFERENCES

- ORS 162.405 to 162.425, Abuse of Public Office
- ORS Chapter 244, Government Ethics
- ORS 260.432, Restrictions on Political Campaigning by Public Employees
- *Washington County Information Technology User Policy*
- *Washington County Vehicles and Equipment Policy*
- *Washington County Personnel Rules and Regulations*
- *Washington County Purchasing Rules and Regulations*
- *Washington County Reporting of Improper Government Conduct Policy*
- *Washington County Workplace Discrimination, Harassment, Sexual Assault, and Retaliation Prevention Policy*