

	<b>LANE COUNTY SHERIFF'S OFFICE POLICY</b>	Number: <b>G.O. 4.02</b>
		Issue Date: March 21, 2005; April 26, 2007
		Revision Date: September 4, 2019; August 31, 2020; January 6, 2021
<b>CHAPTER:</b> Employee Conduct		Related Policy: G.O. 3.01 (Sheriff's Office Manual and Relationship to Other Documents), G.O. 3.13 (Internal Investigations), G.O. 4.01 (General Responsibilities of Employees), G.O. 4.03 (Employee Status While Off-Duty), G.O. 4.05 (Alcohol and Drugs), G.O. 4.06 (Job Related Harassment), G.O. 4.07 (Sexual Misconduct with Suspects, Inmates, or Other Persons), G.O. 4.08 (Relations Between Sheriff's Office Employees and Inmates), G.O. 7.16 (Avoidance of Liability), G.O. 6.21 (General Causes for Discipline), G.O. 7.45 (Bias Based Profiling), APM, Chapter 3, Section 52; (Corrective Action)
<b>SUBJECT:</b> Code of Conduct		Related Laws:

**POLICY:** Employees are expected to conduct themselves in a manner that is consistent with their oath of office, general order policies, rules and procedures and other documents as described in G.O. 3.01, and the Law Enforcement Code of Ethics. This code of conduct is established in addition to rules established in other general orders contained in this Manual.

### “LAW ENFORCEMENT CODE OF ETHICS”

As a LANE COUNTY PUBLIC SAFETY EMPLOYEE, my fundamental duty is to serve mankind; to safeguard lives and property; to protect all persons against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all people to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities, or friendship to influence my decisions. Without compromise and relentlessness, I will uphold the laws affecting

the duties of my profession courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence, and never accepting gratuities. I RECOGNIZE my position as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the Criminal Justice System. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession.

**RULE (s):**

1. Abuse of Position

- a. Employees shall not interfere with the proper administration of the court system, either by action or lack of action, nor shall they in any way compromise the prosecution of a case.
- b. Employees shall not use their position, official identification, or badge
  - (1) for personal or financial gain or advantage;
  - (2) to obtain privileges;
  - (3) to avoid consequences of illegal acts;
  - (4) to gain information from another agency or computer system for personal use; or
  - (5) avoidance of financial detriment.
- c. Employees shall not lend their identification cards or badges, or permit them to be reproduced, without approval from the Sheriff.
- d. Employees shall not permit the use of their name, photograph, or titles that identifies them as an employee for testimonials or advertisements without approval from the Sheriff.
- e. Employees shall not allow personal motives to govern decisions or actions.

2. Attendance

- a. Employees shall notify their immediate supervisor or an appropriate on-duty supervisor if, for any reason, they are unable to report for schedule work.
  - (1) Such notification shall be made as far in advance of the scheduled duty time as possible.
  - (2) When an employee is absent from duty for more than a single shift, it shall be his/her responsibility to keep their immediate supervisor advised of the circumstances and anticipated date of return.
  - (3) Absence of an employee from duty including any absence for a single day or part of a day, which is not authorized by specific grant or leave of absence, shall be deemed an unexcused absence. Any unexcused absence shall require that immediately upon their return to work, the employee submit a memorandum to his/her immediate supervisor with an explanation for the absence and the date and time missed. The employee shall also complete a Schedule Transaction Form (STF) deducting any time missed from scheduled work from the employees leave bank. Unexcused absences may be grounds for immediate disciplinary action.

- (4) Absence due to sickness or injury in excess of three (3) days may require verification by a health care provider at the request of the Division Commander or designee.
  - (a) Appropriate documentation may be required for absence of less than three (3) days if the Division Commander or designee has reasonable suspicion (based upon a pattern of absences over a minimum of a three month period of time) that misuse or abuse of sick leave exists
  - (b) Substantiation of illness, injury or emergency may be required when a pattern of excessive use of leave banks without prior supervisor approval interfering with operations has been documented.
- (5) Supervisors may require an employee to attend a conference, meeting or training session.
  - (a) If the required session is being held during an employee's off-duty time, the employee shall be compensated as stipulated by applicable labor agreements and/or County policy.
  - (b) Failure to attend a mandatory session shall be grounds for disciplinary action.

3. Attitude

Employees shall demonstrate personal attitude in a manner that shall not have a negative effect on coworkers and/or the public.

- a. No employee shall maliciously gossip regarding any employee, policy, rule procedure, order, case or event that should remain confidential. They should not attempt to discredit, lower or injure the morale of the Sheriff's Office or any individual of the Sheriff's Office.
- b. Constructive criticism of any Sheriff's Office operation, employee, or policy of local government is encouraged. Such constructive criticism shall be directed to the appropriate supervisors of the Sheriff's Office and shall be transmitted through the chain of command for appropriate action.

4. Code of Ethics

Employees shall perform their duties and conform their conduct at all times in a manner consistent with the spirit and intent of the Law Enforcement Code of Ethics.

5. Duty to Intervene

Deputies and reserves are required to intervene or stop another law enforcement officer engaged in misconduct that they knowingly or reasonably should know is misconduct. The only exception is if the deputy or reserve cannot intervene safely. All witnessed misconduct must be reported to a supervisor as soon as possible not to exceed 72 hours. Misconduct for these reporting requirements include:

- a. Unjustifiable or excessive use of force
- b. Sexual harassment or sexual misconduct
- c. Discrimination against a person based on race, color, religion, sex, sexual orientation, national origin, disability or age
- d. A crime
- e. A violation of the minimum standards for physical, emotional, intellectual and moral fitness for public safety personnel established under ORS 181A.410.

6. Conduct Detrimental to the Sheriff's Office

- a. Employees shall conduct themselves, on or off duty, in a manner that will not bring embarrassment disgrace, or dishonor to the Sheriff's Office, directly or indirectly. This includes any conduct that tends to:
  - (1) lessen their credibility or ability to efficiently and effectively perform their assigned duties;
  - (2) damage the image, reputation, public confidence or support of the employee or the Sheriff's Office; or disrupts the general good order and internal discipline of the Sheriff's Office, even if not specifically mentioned or prohibited in general orders or other documents.
- b. Employees shall obey all laws of the United States, including any state or local jurisdiction in which they are present. The Sheriff's Office will not take action against employees for parking or minor traffic violations unless they are flagrant or repeated.

7. Conformance to Directives

Employees shall not commit any act that violates any policy, rule or procedure of the County or the Sheriff's Office, whether stated in this manual or elsewhere.

8. Courtesy

Employees shall be courteous to fellow employees and the public at all times; tactful in the performance of their duties; and shall not use coarse, violent or profane, insolent language or gestures. Employees shall control their tempers and exercise the utmost patience and discretion and shall not engage in argumentative discussions, even in the face of extreme provocation.

9. Cowardice

Employees of the Sheriff's Office shall discharge their duties in a professional manner. In time of peril they shall act together and protect each other in the restoration of peace and order. Cowardice in the face of danger will constitute grounds for discipline.

10. Discrimination

Employees shall obey all laws protecting the civil rights of all persons. Personnel shall not engage in any discussion or action that will humiliate, belittle or violate the civil

rights of any person on the basis of race, ethnicity, color, language, gender identity, sexual orientation, political affiliation, homelessness, disability, religion, age, sex or national origin. This rule includes, without limitation, a prohibition on the stopping, detention and search of persons under ORS 810.410 when the action is motivated by the employee's perception of the person's race, ethnicity, language, gender identity, sexual orientation, political affiliation, homelessness, disability, age, religion, color, sex or national origin and when the action would constitute a violation of the person's civil rights.

Employees shall not express any prejudice concerning race, ethnicity, color, language, gender identity, political affiliation, homelessness, disability, religion, age, sex, sexual orientation, national origin or similar personal characteristics.

11. Sheriff's Office Issued Equipment

Only authorized items of equipment will be carried, displayed or used by Sheriff's Office employees. All equipment will be used according to policy, procedure and rules for its intended purpose. Employees shall provide proper care and maintenance of Sheriff's Office equipment and shall not abuse, damage or lose equipment. Loss, damage or malfunction must be reported to the appropriate supervisor.

- a. Upon termination of employment and/or upon the demand of a supervisor, any or all Sheriff's Office issued equipment shall be returned in the same condition as it was issued, except for reasonable wear.
- b. When an employee terminates, they shall be required to turn in all Sheriff's Office identification cards, badges and DPSST cards in addition to all equipment issued to them.
- c. Any item of Office-issued equipment, which requires repair or replacement, will be turned in before a replacement item is issued except when the item is lost or stolen.
- d. Employees who receive equipment shall be responsible for the repair or replacement of those items if it is determined that the repair or replacement was required due to the employees' failure to provide proper care of the item.

12. Extra-Duty Employment

Extra-duty means that duty beyond an employee's regularly scheduled shift for which they will be compensated as required by applicable labor agreements, State and Federal laws and/or County policy and procedure. The Sheriff's Office shall authorize such duty. Employees working extra-duty assignments shall be functioning as representative of the Sheriff's Office.

- a. Whether the assignment of extra duty is voluntary or assigned, personnel shall not be required or allowed to work more than 16 consecutive hours, nor more than 16 hours out of a 24-hour period. At least eight hours of time shall have elapsed between work periods that have been extended beyond the employee's normal shift for a period of 12 hours

- b. An employee shall not be required or allowed to work more than 60 hours total during any workweek without the expressed approval of involved employee's supervisor.
- c. Limitations to working hours may be waived upon the approval of a Sergeant. In the case of an extended emergency, personnel may be placed on a schedule consisting of 12 hours of duty followed by 12 hours returning for another 12 hours of duty, until the emergency has been resolved.
- d. Personnel may be required to work overtime. Assignment to and payment for such duty must comply with County policies and procedures, State and Federal laws and applicable labor agreements.
- e. Community law assignments are extra duty assignments arranged through the Sheriff's Office by special-interest persons for Law Enforcement services beyond that which could be provided by normal Sheriff's Office operation.

13. Free admissions ,Passes, Gifts, Rewards and Gratuities

Employees shall not solicit free admission to theaters, places of amusement, recreation and/or events or obtain free food for themselves or others. Employees shall not receive a fee, reward, gift, payment of fines or other monies not issued or regulated by the Sheriff's Office or personal gratuities. This does not prohibit employees from receiving wages or salaries while working an off duty job that has been approved by the Sheriff through the collateral employment process.

14. Gambling/Vice

Employees shall not knowingly visit, enter or frequent a house of prostitution or engage the services of a prostitute; enter or frequent a gambling house or any establishment where the laws of the United States, the State or local laws or ordinances are violated. Employees shall report any knowledge of such ongoing activities in Lane County to their supervisor in a timely manner but no later than their next scheduled work shift.

15. Initiation of an Investigation

Employees shall not initiate any investigation or other official action not part of their regular duties except:

- a. By order of a supervisor who has proper authority to issue such order.
- a. When the employee reasonably believes that an injustice would result from failure to initiate an investigation.

16. Interagency Cooperation

Employees shall cooperate to the extent possible with other Law Enforcement agencies and will perform their duties in a manner that will promote a positive working relationship.

- a. Employees shall, upon formal request, provide other Law Enforcement agencies with information contained in Sheriff's Office records or reports, unless such information must be maintained in confidence by law or Sheriff's Office order. Personnel records will remain confidential at all times unless ordered released by a court of law.
- b. When Deputies of this Sheriff's Office observe a crime being committed by a Peace Officer, or have probable cause to believe such, they are charged with the obligation to take proper police action. In such cases, the arresting Deputy will immediately notify their immediate supervisor of the situation and be guided by the supervisor's instructions.

17. Insubordination

Employee shall not fail or refuse to obey any lawful order of a supervisor, this shall include orders relayed from a superior ranked employee by an employee of the same or lesser rank. Any act of blatant disrespect or undermining the authority of any supervisor shall be deemed insubordination, unless the conduct was solely due to an unlawful order. Responsibility for refusal to obey order rests with the employee, who shall be required to justify the refusal.

18. Intervention

Employees shall not interfere with cases being handled by other employees or another agency except:

- a. By order of a supervisor with proper authority to issue such order.
- b. When the employee reasonably believes that an injustice would result from failure to intervene.

19. Judgment

Employees are expected to use good judgment at all times. "Good Judgment" is defined as those decisions and actions which a reasonable employee in similar circumstances would use or take, given the information the employee knew or should have known at the time.

20. Labor Relations

The Sheriff's Office recognizes the rights of certain public employees to bargain collectively for wages, working conditions and benefits. No employee will be discriminated against because of his or her involvement in the collective bargaining process.

- a. Sheriff's Office personnel will not allow their participation in collective bargaining activities to interfere with the performance of their assigned duties. Such activities shall not conflict with Sheriff's Office policy or procedure.

- b. Except where otherwise agreed upon by written labor agreements, personnel will not participate in collective bargaining or other labor relation activities while on duty unless such activities are part of an employee's assigned duties.
- c. In the event that an immediate Sheriff's Office emergency should arise which conflicts with labor relation activities, such emergency shall take priority.

21. Neglect of Duty

Employees shall not neglect their duties by engaging in activities that detract from the performance of their duties. The following list is not exclusive but provides examples of activities that may be considered neglecting duty.

- a. Sleeping, loafing or idling.
- b. Purchasing or drinking of any alcoholic beverages (except in the performance of assigned duties and with the specific consent of an appropriate supervisor and never in uniform).
- c. Gambling (except in the performance of assigned duties and with the specific consent of an appropriate supervisor and never in uniform).
- d. Sexual activities.
- e. Conducting personal business (except when authorized by an appropriate supervisor, or any activity that causes neglect or inattentiveness to duty).
- f. Leaving an assigned duty post or area during their tour of duty except when authorized by proper authority.

22. Punctuality

Employees shall report for work at the time and place designated, in the uniform of the day as required by the Division Commander, accompanied with all equipment required or necessary for the successful accomplishment of their duties. If an employee is late reporting to work, they shall submit a memorandum to his/her immediate supervisor with an explanation for the tardiness and the amount of time missed.

- a. Employees who are late more than five minutes shall also complete a Schedule Transaction Form (STF) deducting the time missed from the employees' leave bank.
- b. Tardiness may result in disciplinary action.

23. Recommendation of Products or Services

Employees shall not recommend specific products or services, including attorneys and tow services to persons requesting such recommendation. Employees shall provide such information, either by means of a prepared list or referral to a directory, telephone book, or other service and allow those persons to make their own choice. Employees shall not make statements, which could be construed as legal advice.

24. Relief



Employees shall remain at their assigned duty post or area assignment and on duty until properly relieved by another employee or until dismissed by appropriate authority.

25. Reports

Employees shall submit such reports as are required in the performance of their duties or by an appropriate authority prior to going off duty unless specifically authorized not to do so by an appropriate supervisor. All reports shall conform to the standard Report-Writing Manual or policy in effect at the time. All reports shall be truthful, accurate and complete. No false, inaccurate or improper information shall be recorded.

26. Transactions with Complainants, Suspects, etc.

Employees shall not knowingly buy, sell or otherwise acquire anything of value from, or to any complainant, suspect, witness, defendant, prisoner or other person involved in any case which has come to their attention or which arose out of the performance of their Sheriff's Office duties except as may be specifically authorized by the Sheriff or designee.

27. Truthfulness

Employees shall not knowingly, recklessly, maliciously or negligently convey or provide information that is dishonest, misleading, a partial truth or a misrepresentation of facts or statements except as necessary in the course of conducting an investigation.

Employees shall truthfully answer and respond fully to any question asked by a supervisor or fellow employees that is related to their employment.

With respect to internal investigations, employees shall provide all information they have related to the investigation including information that could or will result in disciplinary action against themselves or any other employee.

28. Unlawful Orders

No employee shall issue an unlawful order that would require unlawful action, prohibit action required by law or require any other employee to carry out an unlawful order.

29. Unsatisfactory Performance

Employees are expected to perform all aspects of their job as well as they reasonably can.

Examples of unsatisfactory performance include, but are not limited to:

- a. Lack of knowledge of the law, policy, or procedure
- b. Unwillingness or inability to perform assignments
- c. Failure to conform to standards established for your rank or position.
- d. Failure to take appropriate action

e. Failure to perform professionally

30. Vehicle Operations

Employees are expected to drive in a safe and prudent manner dictated by the circumstances while driving Sheriff's Office vehicles to prevent damage to Sheriff's Office vehicles, damage to any other property or injury to any person.

31. Use of Drugs, Narcotics or Intoxicants

Employees shall not use intoxicants or drugs while on duty (refer to G.O. 4.05) unless the use is necessitated by the nature of their duties while acting under proper and specific orders from an appropriate supervisor or are under a physician's care.

32. Use of Threats

Employees shall not unjustly or inappropriately issue or use threats of any type, either verbal or written, toward other persons.

33. Use of Tobacco (All Forms)

Employees shall conform to County Policy APM Chapter 1 Section 6.

34. Voiding Traffic Arrest

Employees shall not attempt to have any traffic citation or notice to appear reduced, voided or stricken from the court calendar, except with the expressed approval of their supervisor and in accordance with Sheriff's Office procedure. This shall not apply when such action is initiated by the District Attorney's Office. Employees having knowledge of such action shall inform their supervisor of the circumstances.

35. Contact with Law Enforcement

Employees shall report any contact with law enforcement to their supervisor when that employee is the subject of the contact. This also includes contact for traffic related incidents, such as traffic citations and accidents. If the employee is a witness to an incident and contacts the police it is recommended they notify their supervisor.

**PROCEDURE:** None