



Policy #	Related Policies:
Standards of Conduct	
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by The Pawnee County Sheriff's Office for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Oklahoma Statutes :	
CALEA Standard:	

I. *Purpose*

It is the purpose of this policy to provide specificity to the standards of conduct embodied in the law enforcement employees' code of ethics and The Pawnee County Sheriff's Office of values and mission, so that employees have a clear understanding of agency expectations pertaining to conduct and activities while on and off duty.

II. *POLICY*

It is the policy of The Pawnee County Sheriff's Office that employees shall conduct themselves both on and off duty in a manner that reflects high ethical standards consistent with the values and mission established by the Sheriff's Office and the expectations of the community it serves.

III. *PROCEDURES*

A. General

The following items shall be reviewed and/or developed.

1. A statement that explicitly states the agency's mission, goals, and values;
2. Code of ethics;
3. Oath of honor.

B. Conduct

General conduct includes the following:

1. Employees shall follow the Sheriff's Office mission and values statement, oath of honor, and code of ethics. If an employee experiences an ethical conflict with these items, they should consult a supervisor for further clarification.
2. Employees shall be truthful in all matters and shall not lie, falsify, conceal, purposely distort, diminish, embellish, or fail to fully disclose facts associated with any law enforcement business.
3. Adherence to laws, regulations, and orders:
 - a. Employees shall abide by all laws, regulations, agency policies, rules, and procedures.
 - b. Employees shall obey all lawful orders.
 - c. Employees who are arrested or come under investigation for any offense in any jurisdiction shall immediately report this fact to their supervisor.
 - d. A court conviction for a crime that carries a possible sentence of incarceration shall be prima facie evidence of a violation of this policy.
4. Unbecoming conduct – Employees shall not conduct themselves in a manner, on or off duty, that:
 - a. Casts doubt on their integrity, honesty, moral judgment, or character;
 - b. Brings discredit to this agency;
 - c. Impairs the agency's efficient and effective operation; or
 - d. Insubordination
5. Neglect of duty:
 - a. All employees shall perform their duties faithfully and diligently and shall take responsibility for and exhibit attentiveness, care, and thoroughness in the conduct of assignments and responsibilities.
 - b. Employees shall conduct themselves in an expeditious manner to avoid any unreasonable delays to the public in the performance of law enforcement duties and activities.
6. Accountability and responsibility:
 - a. Employees are directly accountable for their actions, through the chain of command, to the Sheriff.
 - b. Employees shall report for duty, including court and off-duty assignments, at the time and place required.

- c. Employees have a duty to intervene to prevent or stop wrongdoing by another employees when it is safe and reasonable to do so.
 - d. Employees have a duty to report any misconduct of which they become aware and shall notify a supervisor as soon as possible when another member of the agency is violating law or policy.
 - e. Employees shall cooperate fully in any internal administrative investigation conducted by this or any other authorized agency and shall not attempt to conceal, divert, or mitigate any culpability of theirs or others by falsehoods or omissions.
 - f. Employees shall utilize agency supplies, property, and equipment only for their official purpose and in accordance with established agency rules, policies, and procedures and shall not intentionally abuse, destroy, dispose of, or damage these items.
 - g. Employees shall not engage in rumors, speculations, or hypotheticals which may bring the agency or it's members into question.
 - h. Employees shall not release information about the agency without consent from the Sheriff or his/her designee.
7. Conduct toward fellow employees:
- a. Employees shall conduct themselves in a manner that fosters cooperation among members of this agency, showing respect, courtesy, and professionalism in their dealings with one another.
 - b. Employees shall not use language or engage in acts that demean, harass, or intimidate other employees.
 - c. Employees shall not record other employees unless ordered to do so by the supervisor and with the written consent of the Sheriff.
8. Conduct toward the public – Employees shall interact with the public in a civil and professional manner that conveys a service orientation to foster public trust and cooperation and adheres to the concepts associated with procedural justice.
- a. Employees shall treat individuals with courtesy, respect, and dignity.
 - b. Employees shall not employ an officious or overbearing attitude or use language that might belittle, ridicule, or intimidate individuals.
 - c. Employees shall perform their duties equitably in both the enforcement of laws and the delivery of law enforcement services within the community and shall strive to maintain public trust by conducting all law enforcement business in an unbiased, fair, and impartial manner.
9. Abuse of law enforcement authority or position:

- a. Employees may not accept goods, services, or discounts of value not available to the general public and shall report any unsolicited goods or services they receive and the circumstances of the receipt to a supervisor.
- b. Employees shall not use their authority or position:
 - for financial gain;
 - to obtain or grant privileges or favors;
 - to avoid the consequences of illegal acts for themselves or others; or
 - to barter, solicit, or accept any goods or services, such as gratuities, gifts, discounts, rewards, loans, or fees, whether for themselves or others.
- c. Employees shall not purchase, convert to their own use, or have any claim to found, impounded, abandoned, or recovered property or any property held or released as evidence.
- d. Employees shall not permit the use of any agency-issued identification card, badge, or official document by unauthorized persons.
- e. Employees are prohibited from using law enforcement sensitive information gained through their position to advance financial or other private interests of theirs or others.
- f. Employees shall not steal, forge, or tamper with any official law enforcement document. Documents shall not be altered or duplicated unless such actions are approved by a supervisor.
- g. Employees shall not take or release photographs capturing sensitive information or images unless authorized to do so.
- h. Employees shall not undertake any investigation or other official action that is not part of their regular duties without first obtaining permission from their supervisor, unless the exigency of the situation requires immediate law enforcement action.
- i. Employees involved with any civil action that arises from acts performed under color of authority shall inform their supervisor.

10. Prohibited associations and establishments:

- a. Employees shall not knowingly commence or maintain a relationship with any person who is under criminal investigation, indictment, arrest, or incarceration by this or another law enforcement or criminal justice agency or who has an open and notorious criminal reputation in the community (for example, persons whom they know, should know, or

have reason to believe are involved in criminal activity), except as necessary to the performance of official duties or where unavoidable or impractical because of pre-existing familial or marital relationships. In such cases where regular household, physical, or telephone contact is unavoidable, the employees shall inform their supervisor of the relationship.

- b. Employees shall not knowingly engage in social or romantic relationships with confidential informants, victims, or witnesses involved with active investigations.
- c. Employees shall not participate or interfere in investigations involving family members or persons with whom they have a close personal or business relationship.
- d. Except in the performance of official duties, employees shall not enter any establishment in which the law is knowingly violated.
- e. Employees shall not knowingly join or participate in any organization that advocates, incites, or supports criminal acts or criminal conspiracies or that promotes hatred or discrimination toward racial, religious, ethnic, or other groups or classes of individuals protected by law.

c. Public Statements, Appearances, and Endorsements

- 1. Employees shall follow this agency's policy on social media.⁸
- 2. Employees shall not, when officially acting as a representative of this agency:⁹
 - a. make any public statement that could be reasonably interpreted as having an adverse effect upon agency morale, discipline, operations, or public perception;
 - b. divulge or willfully permit to have divulged any information gained by reason of their position, for anything other than its official, authorized purpose; or
 - c. unless expressly authorized, make any statements, speeches, or public appearances that could reasonably be considered to represent the views of this agency.
- 3. Employees shall not solicit or accept contributions for this agency or, as a law enforcement employees of this agency, for any other agency, organization, event, or cause without the express consent of the agency chief executive or their designee.
- 4. Employees may not, as an agent of this agency, endorse, recommend, or

facilitate the sale of commercial products or services without the approval of the agency's chief executive employees or their designee. This includes but is not limited to the use of tow services, vehicle repair shops, attorneys, bail bondsmen, or other technical or professional services. It does not pertain to referrals to appropriate governmental, community, or social services.

D. Political Activity

Employees shall follow applicable laws regarding their participation and involvement in political activities. Where legal mandates are silent on this issue, employees shall be guided by the following examples of prohibited political activities while on duty, in uniform, or otherwise serving as a representative of this agency. Employees shall not:

1. Place, affix, or display any campaign literature or other paraphernalia in or on government-owned or controlled property, to include offices and vehicles;
2. Solicit political funds from any member of this agency or another governmental agency of this jurisdiction;
3. Solicit contributions, signatures, or other forms of support for political candidates, parties, or ballot measures;
4. Use official authority to interfere with any election or with the political actions of other employees or the general public; or
5. Favor or discriminate against any person seeking employment because of political opinions or affiliations.

E. Purpose of Document

This document was designed to accompany the Model Policy on Standards of Conduct developed by the IACP Law Enforcement Policy Center. This paper provides essential background material and supporting documentation to provide greater understanding of the developmental philosophy and implementation requirements for the model policy. This material will be of value to law enforcement executives in their efforts to tailor the model to the requirements and circumstances of their communities and their law enforcement agencies.

The term "employees" is used throughout this document. However, agencies should consider whether sworn, civilian, or reserve employees; volunteers; interns; cadets; explorers; or any individual engaged in agency-sponsored mentoring activities should be cognizant of and adhere to the directives set forth herein.

F. Background

Law enforcement employees confront many difficult decisions that may involve conflicting notions of what is right and wrong and what is expected from them. From the

seemingly benign offer of a free cup of coffee to a substantial financial inducement for an employees to ignore wrongdoing, law enforcement authority can be a source of many temptations that can strain the limits of personal and professional integrity.

Therefore, law enforcement agencies must clearly define what is and is not acceptable conduct. To do their job properly, law enforcement employees must accept and abide by a high ethical and moral standard that is consistent with the rule of law they are sworn to uphold. They must also uphold those beliefs and demonstrate their adherence to those values by consistently employing propriety and discretion in their personal lives that reflect favorably on themselves as professionals and the law enforcement agency that they represent. Without this high standard, agencies cannot expect to gain the trust, respect, and cooperation of community members that are essential to the success of policing.

Personal integrity—a conscious decision to do the right thing even in the face of overwhelming pressure—and acceptance of responsibility for one’s actions are indispensable in achieving high levels of professional conduct. Values, codes of conduct, and ethical standards are important guides; however, it is also critical that agencies make clear what is acceptable behavior in specific situations. This is particularly the case in highly sensitive areas of law enforcement operations.

The rules of conduct set forth in this document are not intended to serve as an exhaustive list of requirements, limitations, or prohibitions on employees conduct and activities. Rather, they are intended to inform employees about some of the more sensitive and often problematic matters involved in law enforcement conduct and ethics; specify, where possible, actions and inactions that are contrary to and conflict with the duties and responsibilities of law enforcement employees; and guide employees in conducting themselves and their affairs in a manner that reflects the high standards of professionalism required of law enforcement employees. Additional guidance on matters of conduct may also be found in specific policies, procedures, and directives disseminated by the agency and in direction provided by employees’ immediate supervisors and commanders.¹

G. Promoting Ethical Policing

Agencies must promote ethical conduct by all employees at all times. While a policy outlining acceptable and unacceptable conduct for employees is necessary, not every situation can or will be covered explicitly. If one does not already exist, agencies should begin by establishing a statement that outlines their mission, goals, and values. In addition, a code of ethics and oath of honor should be utilized.² These broad statements should reflect a general underlying principle requiring ethical conduct that will guide the use of discretion in incidents where no specific rule applies.

Employees should be required to follow each of these items in all situations and use

these principles as the basis for all decision-making. In cases where employees are asked or directed to behave in a manner or are faced with a situation that is contradictory to these items, they should consult a supervisor for further clarification.

The focus on ethics should begin with the selection and hiring process. A variety of screening tools, such as psychological and polygraph examinations may be utilized to determine if an individual has the behavioral characteristics suited to law enforcement work. Once hired, a training and probationary period may be used to further evaluate how the potential employees demonstrates the ethical standards set forth by the agency. In addition, in an effort to develop independent, rational, ethical decision-making skills, agencies may elect to utilize role-playing exercises designed to simulate possible situations where an employees is confronted with an opportunity to act in a corrupt or unethical manner.

H. Policy Rationale

Standards of conduct often involve personal liberties, including freedom of association and freedom of speech, that are among the more closely guarded individual rights. In virtually all work environments, there are limitations upon an employer's ability to dictate the terms of employment with regard to personal conduct of employees. It is reasonable for employers to require that their personnel conduct themselves with decorum and good taste. However, in matters of a more personal nature, employers must be confident that the restrictions or limitations they wish to impose are legally grounded, reasonable, and justifiable as job-related.

The courts have, in many cases, upheld the notion that law enforcement work has distinctive features that distinguish it from other types of employment. As such, certain types of conduct and employee activities are deemed harmful to the efficient and effective operation of law enforcement agencies and can be limited, curtailed, or modified in some manner.

Law enforcement policies generally, and particularly those that have bearing on liberty interests of personnel, must be based on rational, justifiable grounds that can be articulated and relate to the promotion of legitimate law enforcement agency and/or public interests.

I. Prevention of Employee Misconduct – Proactive Measures

As with any other aspect of law enforcement, the best way to solve a problem is to prevent the problem from arising. For this reason, agencies should incorporate proactive, preventive measures for detecting and responding to indications of potential ethical or conduct violations prior to their occurrence.

Pre-Employment Screening and Qualifications. The pre-employment screening stage is an opportune time to ensure that candidates initially selected for a career in law enforcement are the most suitable and most likely to perform in an ethical manner. Agencies should develop and publish pre-employment qualifications and guidelines that specifically outline the desired recruit attributes.³

Individual Responsibility and Accountability. Line employees are key stakeholders in efforts to preserve and enhance the reputation of their agency and their personal pride. These employees are on the front line with the community they serve, and their conduct reflects upon the agency as a whole. It is imperative that organizational pride, self-respect, and respect for the law enforcement profession and agency ethics are continuously emphasized. These concepts must be prioritized in agency mission statements, throughout policy and procedure, and in any training.

Therefore, if an agency is to maintain a professional image, employees must ensure that their behavior complies with professional standards of conduct. Every employee of the agency has a responsibility to adhere to agency standards of conduct, policies, rules, and procedures. Employees should be made fully aware of the fact that they will be held strictly accountable for such adherence. Employees should also be required to report actions or patterns of behavior of fellow employees that breach agency standards of conduct, especially when acts or patterns of behavior by fellow employees threaten the rights of community members and/or the well-being and reputation of other employees and the agency as a whole. The agency should also take a strong stance against retaliatory conduct.⁴ Again, the emphasis must be on individual and organizational pride and respect for the law enforcement field.

Training, Supervision, and Policy Guidance. The law enforcement agency is responsible for providing each employees with sufficient and proper training, supervision, and policy guidance to ensure that they are fully aware of standards of conduct, policies, rules, and procedures. In this respect, policy and procedure development is not static, but a dynamic function subject to continued refinement as the agency's environment and circumstances change. As modifications are made, steps must be taken to ensure that each employees has actual notice of such matters and fully understands what is required. In addition, it is imperative for the agency to continuously promote ethics, integrity, individual and organizational pride, public trust, transparency, and enhanced partnership with the community throughout the agency's mission statement, policy and procedure, and all training.

Responsibility of Supervisors. Supervisors are a law enforcement agency's most important asset for continually reinforcing evolving policies, procedures, goals, and objectives and ensuring that they are carried out properly. The primary responsibility for maintaining and reinforcing employees conformance with the agency's standards of conduct and operational procedures is lodged with first-line supervisors. Supervisors must closely

monitor and evaluate the general conduct and performance of all employees in their unit. Evaluations of employees must be the product of daily observation and close working relationships. Supervisors should remain alert to any indications of behavioral, physical, or other

problems that may affect an employees' job performance as well as any behaviors that may suggest conduct that is inconsistent with agency policy, procedures, and rules. Where observed, any information of this type that is deemed relevant should be documented immediately. When problems are detected, a supervisor may recommend additional training, counseling, or other corrective action.

However, the agency cannot assume that an employees who is promoted to supervisory status necessarily possesses the requisite supervisory or leadership abilities. All supervisory personnel require training in first-line supervision skills if they are to be effective and serve the interests of the agency and the community. This training should encourage supervisors to act as role models for both subordinates and peers, with an emphasis on ethics and professionalism.

Early Identification Systems. Effective early identification systems (EIS) assist supervisors and managers in identifying employees whose performance warrants review and, where appropriate, outlining intervention procedures in circumstances where the employee's behavior may have negative consequences for the employee, coworkers, the agency, and/or the general public.⁵ An EIS allows for identified employees to receive enhanced supervisory attention and more frequent performance evaluation. Mentoring and guidance at this preemptive stage may lead to improved performance and prevention of misconduct.