

MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 013		TITLE: Code of Conduct
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REFERENCE:		RESCINDS: Chapter 13: Disciplinary Procedures and Code of conduct (effective date 05/25/09)
 Sheriff of Monroe County		

PURPOSE

The purpose of this directive is to establish a Code of Conduct for all agency members.

DISCUSSION

This directive shall apply to all Sheriff's members, both on and off duty. For the purposes of this chapter "member" includes reserve and auxiliary deputies. All members are expected to abide by the laws of the land and the Rules and Regulations of the Sheriff's Office. Members are expected to abide by the Code of Ethics. All members should be cognizant that their actions on and off duty could reflect on the agency. Members are therefore expected to conduct themselves courteously and professionally and refrain from any conduct that will bring discredit to themselves or the agency.

POLICY AND PROCEDURE

Members shall follow the general rules and regulations outlined in the General Orders and the specific rules, regulations, and directives for their particular job description. Members shall also abide by the specific directives listed below. Violations of the rules will be categorized as follows:

Classification of offenses - Violation of rules and/or procedures shall be classified according to general categories in separate sections of the rules and regulations as follows:

- Insubordination offenses
- Unlawful conduct offenses
- Improper conduct offenses
- Job knowledge and performance

A. Insubordination Offenses

1. **Respect toward superiors** - Members shall display respect and shall address Supervisors and superior officers by proper rank or title.
2. **Abusiveness** - Members shall not use abusive language, publish abusive statements in any form of media or gestures toward any other member, supervisor or superior officer of the Sheriff's Office.

3. **Criticism of orders or policies** - Members shall support the policies, orders, and procedures of the Monroe County Sheriff's Office, and shall not criticize or ridicule the Monroe County Sheriff's Office, its policies, orders, or personnel by speech, writing, or other expression where such interferes with the maintenance of discipline or otherwise undermines the effectiveness of the Sheriff's Office.
4. **Compliance with a lawful order of a superior** - Members shall promptly execute the lawful orders and/or instructions of a Supervisor or superior officer of the Sheriff's Office, and shall not delay or fail to carry out such orders or instructions.
5. **Compliance with direct order of an Internal Affairs Investigator** - Members shall obey the lawful orders of Internal Affairs Investigators or superior officers related to internal investigation.
6. **Concerted job actions** - Members shall not engage in concerted job actions such as curtailment or restriction of work output, or interfere with work in or about other Sheriff's work stations including, but not limited to, instigating, leading, or participating in any walk-out, strike, sit-down, stand-in, slow-down, refusal to return to duty at the scheduled time, or otherwise instigate, lead, or contribute to job actions which undermine supervisory authority and which affect discipline, morale, or organizational effectiveness.

B. Neglect of Duty Offenses

1. **Neglect of duty** - Members shall be attentive to job duties, be aware of job requirements and shall adhere to procedures, policies, directives, orders, rules and regulations and shall faithfully execute all of the duties and responsibilities of their assigned position.
2. **Failure to Report for Work / Tardiness** - Members shall promptly report for duty properly prepared at the time and place required by assignments or orders. Members who are unable to report for duty for any reason shall notify the duty supervisor not less than three (3) hours prior to the scheduled reporting time.
3. **Failure to respond to subpoena** - Members shall respond to all lawfully issued subpoenas. Those who are unable to respond to a subpoena for any reason shall notify the issuing authority and their supervisor prior to the scheduled appearance time and as soon as the employee becomes aware that he/she may not be able to comply with the subpoena.
4. **Horseplay, loafing, distraction of others** - Members shall perform their duties in a conscientious manner and shall not engage in horseplay while on duty or at a Sheriff's Office facility or work station, shall not loaf or give the appearance of loafing, and shall not distract others who are performing assigned duties.
5. **Careless handling or intentional abuse of equipment / weapons / vehicles** - Members shall utilize Sheriff's Office equipment, weapons, and vehicles for their intended purpose in accordance with established procedures, and shall not subject such equipment to loss or damage through careless handling or intentional mishandling.
6. **Cowardice** - Sheriff's deputies shall not fail to perform their required duties because of fear or cowardice.

C. Unlawful Conduct Offenses

1. **Non-criminal violations** - Members shall adhere to all federal, state, and local laws and ordinances including those punishable by no other penalty than a fine, forfeiture, or other civil penalty. (Including, but is not limited to, traffic infractions)
2. **Commission of a crime** - Members shall not commit any act defined by state law, federal law or local ordinance as a criminal offense, whether chargeable or not. (Violations of Civil Rights Acts under color of law 18 USC 241 and 242 are felony offenses).

D. Improper Conduct Offenses

1. **Violation of official procedures and/or directives** - Members shall not ignore or violate official directives, policies, procedures, orders, or supervisory instructions, or knowingly fail to properly execute the duties and responsibilities of their assigned position.
2. **Courtesy** - Members shall be polite and courteous in contacts with the public and with other Sheriff's personnel.
3. **Neighborhood and or family disputes** Members shall avoid involvement in neighborhood controversies, matters of personal interest, or family disputes in an official capacity. Such disputes shall be investigated by impartial on-duty officers. Deputies shall not attempt to exercise authority or to make arrests in their own quarrels, but shall contact a superior officer who shall investigate and take any action needed. The officers involved shall be impartial having no personal interest in the dispute.
4. **Gossip** - Members shall not engage in or convey gossip detrimental to other personnel or the agency.
5. **Use of profanity or vulgarity** - Members shall not use profanity or vulgarity in speech or gestures.
6. **Use of Agency Address** - Members shall not use the Monroe County Sheriff's Office or any of its facilities as a mailing address for private or personal purposes. The Monroe County Sheriff's Office address shall not be used on any personal motor vehicle registration, operator, or chauffeur's license. Monroe County Sheriff's Office letterhead shall not be used for personal or private correspondence.
7. **Misrepresentation/ speeches** - Members shall secure the consent of the Sheriff prior to any public appearance or testimonial, appearing in any advertisement, publishing any article, or releasing any official information which is not within their official duties, when such speech, appearance, or publication may be viewed as representing the agency or agency policy or positions.
8. **Recommending attorneys or bail bondsmen** - Members shall not recommend or suggest to any person arrested, prisoner, or any other person concerned with a prisoner in custody, the employment or hire of any specific attorney or bail bondsmen.
9. **Providing bail** - Members shall not become surety, guarantor, or furnish bail for any person arrested or charged with a crime except members of their immediate family and then only after notifying his/her commanding officer.
10. **Unfitness for duty** – Members shall not report for duty or remain for duty in an unfit condition due to the use of alcohol, drugs, prescription medication or with the odor of alcohol on the breath or on or about their person.

11. **Entering or frequenting liquor establishments** - Unless in the discharge of official duties, members, while on duty, shall not enter or frequent places established primarily for sale, storage, or consumption of alcoholic beverages, or adult entertainment for sale or display of pornographic pictures and materials.
12. **Misrepresentation of position and/or authority** - Members shall not misrepresent their position or authority to any person for personal reasons or gain.
13. **Improper use of official position** - Members shall not use their official position for improper personal gain or to receive a gratuity.
14. **Interfering with official investigators** - Members shall not interfere or attempt to interfere with any investigation conducted by other deputies of the Monroe County Sheriff's Office or any other governmental agencies, nor undertake any investigation or other official action not part of their regular duties unless ordered to do so by a superior.
15. **Recognition and exposure of undercover officers** - Members shall protect the identity of officers engaged in covert operations, and shall not intentionally expose the identity or occupation of officers engaged in covert operations.
16. **Dissemination of information** - Members shall treat the official business of the Monroe County Sheriff's Office as confidential. Information regarding official business or personal information about other members shall be disseminated only by those authorized and only to those for whom it is intended and in accordance with established procedures. Members may remove or copy official records or reports only in accordance with established procedures.
17. **Communicating criminal information** - Members shall maintain the security of confidential information, and shall not intentionally communicate or give law enforcement information to any non-authorized person.
18. **Association with dissident groups** - Members shall not knowingly associate with any person or organization which advocates or is instrumental in fostering hatred or persecution of any person or group and shall not knowingly associate with any person or group which advocates the overthrow of the United States Government.
19. **Association with Criminals** – The integrity and effectiveness of the agency is threatened when its members maintain business, social, or romantic relationships with people or groups who have been engaged in, **or** are engaged in criminal activities. Members must exercise sound judgment and avoid or minimize such relationships. Members shall not associate with known criminals or other persons not of good character. Members are instructed to seek guidance from supervisors in order to comply with this directive
20. **Derogatory remarks** - Members shall not make derogatory remarks concerning race, sex, religion, age, sexual orientation, or national origin of any person.
21. **Excessive or unnecessary force** - Members shall use only that degree of force necessary to perform official duties.
22. **Political activity** - Members shall not engage in political activities while on duty or use their official position when engaged in political activities.
23. **Untruthfulness** - Members shall not knowingly make false or untrue statements except as authorized by the sheriff or his designee in the performance of their duties.

24. **Harassment** - Members shall not use their official position to harass, threaten, or coerce any person.
25. **Chain of command** - Members shall adhere to the organizational chain of command in the course of regular duties except when necessary for maintaining the morale and/or the integrity of the Sheriff's Office, or in cases of justifiable personal need.
26. **Tortious acts** - Members shall not commit, by act of commission or omission, any flagrant or tortious act while in the performance of their duties.
27. **Code of Ethics for Public Officers and Employees** - Members shall strictly adhere to the code of ethics for public officers and employees as set forth in FSS 112.311-112.326 and the International Association of Chiefs of Police Code of Ethics as adopted by Monroe County Sheriff's Office (Reference Chapter 30:3 Code of Ethics).
28. **Conduct Unbecoming** – Members shall conduct themselves at all times, both on and off duty, in such a manner so as to reflect most favorably upon the office. Conduct unbecoming is any conduct which adversely affects the morale, operations, or efficiency of the office or any conduct which has the tendency to adversely affect, lower, or destroy public respect and confidence in the office or any member. Conduct unbecoming also includes any conduct that brings the office or any member into disrepute or brings discredit upon the office or any member.
29. No member will read, compose or send a text message on any handheld phone or handheld electronic device while operating any Agency equipment, (i.e., bicycles, go-peds, vehicles, vessels, etc.) The intent of this restriction is to ensure the safety of Sheriff's Office members and the public.

E. Job Knowledge and Performance

1. **General Proficiency** - Members are required to maintain job knowledge and skills required for the performance of official duties.
2. **Knowledge of Rules, Regulations and Procedures** - Members are required to demonstrate knowledge of the law and procedures related to their assignment and the rules, regulations, general orders and directives of the agency.

- **Countermanding Rules, Orders, Procedures**

The Sheriff may, at his discretion, authorize suspension of rules, orders, procedures, or directives of the Sheriff's Office when necessary for covert investigation or to achieve Office objectives. The Undersheriff may suspend or countermand a rule, order, procedure, or directive only when failure to do so would obstruct the achievement of objectives or would otherwise be adverse to the Sheriff's Office. In such cases, written explanation will be immediately forwarded to the Sheriff.