

WEBER COUNTY CORRECTIONAL FACILITY

Volume

ADMINISTRATION

Chapter

JB 07 - STAFF CODE OF CONDUCT

Effective Date:

11-01-94

Review Date:

06-15-05

Pages

17

Approved

JB 07/01.00 GENERAL

JB 07/01.01 Purpose

JB 07/01.02 Cross Reference

JB 07/01.03 Definitions

JB 07/02.00 STAFF CODE OF CONDUCT

JB 07/02.01 Policy

JB 07/02.02 Rationale

JB 07/02.03 Procedure: Enforcement of Rules and Regulations

JB 07/02.04 Procedure: Staff Conduct Requirements

JB 07/02.05 Procedure: Prohibited Conduct

JB 07/02.06 Procedure: Procedure: Staff/Offender Relationships

JB 07/02.07 Procedure: Unsatisfactory Performance

JB 07/02.08 Procedure: Unauthorized Personal Property

JB 07/03.00 LEARNING OBJECTIVES

JB 07/03.01 Staff Conduct Requirements

JB 07/03.02 Prohibited Acts

JB 07/03.03 Staff/Offender Relationships

JB 07/03.04 Personal Property

JB 07/01.00 **GENERAL**

JB 07/01.01 **Purpose**

The purpose of this chapter is to provide policy, procedure, and rationale for WCCF personnel rules and regulations and staff code of conduct.

JB 07/01.02 **Cross Reference**

JB 06 - Administrative Relations

2-7-00.00 Volume Two "Administrations" Code of Conduct - Weber County Sheriff's Office Policy and Procedure Manual

JB 07/01.03 **Definitions**

member all personnel employed by the Weber County Correctional Facility

offender any person accused, convicted, or suspected of violating any Federal, State, County or City law; a person on a felony probation or parole, a person currently residing in any detention center (i.e.- Jail, Halfway House, etc.)

**WCSO
P & P Manual** Weber County Sheriff's Office Policy and Procedure Manual

WCCF Weber County Correctional Facility

WCSO Weber County Sheriff's Office

JB 07/02.00 **STAFF CODE OF CONDUCT**

JB 07/02.01 **Policy**

It is the policy of the Weber County Correctional Facility that:

- A. members adhere to the rules and regulations set forth in this policy;
- B. it is the responsibility of each member to be knowledgeable about and comply with all standards, practices, procedures, and applicable public law with respect to the administrations and management of the WCCF, consistent with each individual's employment responsibilities and duties; and any member who has questions about any law, policy, or procedure should contact a superior officer in order to obtain clarification;
- C. violations of these WCCF rules and regulations may subject offending members to disciplinary action, including termination; and the action taken will depend on the seriousness of the offense, member's past record, and consequences of the violation; and
- D. members may be disciplined for their conduct, on or off duty, when such conduct adversely affects the efficiency, harmony, or good order of the WCCF or the member's conduct, on or off duty, could reasonably cause the public to lose confidence in the WCSO.

JB 07/02.02 **Rationale**

- A. These regulations are intended to supplement the other instructions, rules, regulations and orders which are part of the Sheriff's Office manual system.
- B. Consistent with Utah law, the WCSO/WCCF Rules and Regulations and the standards and procedures identified herein, are designed:
 - 1. to give notice to and define the rights and responsibilities of members with regard to conduct;
 - 2. to assist in assuring consistent application of standards and procedures;
 - 3. to provide for an objective definition of unacceptable conduct;
 - 4. to assure compliance with public law; and,
 - 5. to assist in the effective and efficient management of the WCCF.

- C. Any organization must be guided by rules of ethical and professional conduct. The direction, standards and expectations of the Weber County Correctional Facility for the persons who comprise the Weber County Correctional Facility are outlined in the Weber County Sheriff's Office Policy and Procedure Manual and in this policy.

JB 07/02.03 **Procedure: Enforcement of Rules and Regulations**

A. WCCF Responsibility

1. It shall be the responsibility of the WCCF and its administrative staff and supervisors to actively support, enforce, and adhere to the requirements of this chapter and the P&P Manual system.
2. These provisions will be supported and enforced utilizing a system of positive and negative sanctions intended to ensure compliance.
3. Training, testing, and other measures will be used to increase and ensure staff understanding of these requirements.

B. Member Responsibility

1. Members are responsible for reading the information contained in this chapter and in the P&P manual system to ensure knowledge and an understanding of the rules, regulations, and standards of conduct to which each is required to adhere, and by which is required to function.
2. Members shall be subject to disciplinary and/or other corrective action, including termination, if it is found that they have participated in an act, conspired to commit an act, served as an accessory or accomplice in the commission of any act, or failed to report any act which violates these rules and regulations, other WCSO/WCCF policy and procedures, or laws of the State of Utah or the United States.
3. Members shall report in writing, to a superior officer, incidents or occurrences involving an omission or violation of the rules, regulations and requirements set forth in this chapter.

C. Violations of this Chapter

Disciplinary or other corrective actions, including dismissal, shall be taken in conjunction with the policies and procedures of the WCCF/Weber County Merit Manual and consistent with procedures contained in the WCSO P&P Manual, Section 18.5 through 18.10.

JB 07/02.04 **Procedure: Staff Conduct Requirements**

A. **Standard of Conduct**

1. Members shall respect and protect the civil and legal rights of all offenders.
2. Members shall be respectful, courteous, and civil with the public and each other and shall not use course, loud, indecent, profane, or unnecessarily harsh language in any public place.
3. All members shall perform their duties as required or directed by competent authority shall be performed promptly as directed.
4. Members are expected to apply themselves to their assigned duties during the full schedule for which they are being compensated.
5. Members shall report conditions or circumstances that would prevent them from performing their job effectively or completing their assigned tasks. Members should bring to their supervisor's attention unclear instructions or procedures.
6. Members shall observe work place rules.
7. Members shall comply with general WCSO and WCCF administrative policies, rules, and regulations.
8. All members shall carry with them at all times on duty their badge and/or WCSO identification card.
9. The hours of all officers and civilian employees of the WCCF shall be regulated by the Jail Commander/Designee who has the authority, when necessary, to call an officer or civilian employee to return to duty at any time, regardless of the hours assigned to that officer or civilian employee.
10. Members shall not engage in "horseplay" or the playing of pranks while on duty at any time, nor in the offices, training rooms, locker rooms, or other rooms or buildings allotted to the use of the WCCF/WCSO.
11. Members shall not associate socially with, or fraternize with, the spouse of any person in the employment of the WCSO/WCCF in a manner which brings discredit to the WCSO/WCCF or adversely affects the efficiency and good order of the WCSO/WCCF.

12. Members shall not conduct their personal lives in an immoral manner which brings discredit to the WCCF or in any way adversely affects the efficiency of the WCCF.
13. Members shall not, while on duty or in uniform, engage in religious discussions or debates to the detriment of good discipline, nor speak despairingly of the nationality, race, or beliefs or any person.
14. No member shall engage in any act or conduct which violates Federal, State, or local laws or ordinances.
15. No member shall ridicule, mock, deride, taunt, or belittle any person or group of persons; nor willfully embarrass, humiliate, or shame any person; nor do anything that might incite any person to violence.
16. Because the public health, safety and welfare may be adversely affected thereby, no member shall have the right to engage in or encourage any form of sit-down, slow-down, or in fact any form of work stoppage or strike for any reason, against the community. A refusal by a member to perform an assignment which he reasonably believes to be injurious to his health or physical safety shall not be considered a violation of this section.

B. Conduct Towards Superiors, Subordinates, and Associates

Members shall treat their superior officers, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationship with one another.

C. Questions Regarding Assignments

Members in doubt as to the nature or detail of their assignment shall seek such information from their supervisors by going through the chain-of-command.

D. Fitness for Duty

1. Any member reporting for duty or on duty, unfit for duty because of emotional instability or physical disability, shall be relieved of duty by the officer-in-charge, and a written report forwarded through the chain-of-command to the WCCF Commander.
2. All members of the WCCF shall maintain themselves in good physical condition to the extent that the ability to perform their job is not impaired.

E. Relief

1. All members are to remain on their assignment and on duty until properly relieved by another member, until dismissed by competent authority, or until completion of assigned shift.
2. If not properly relieved by another member at the completion of assigned shift, the member shall not leave the post uncovered.
3. The member, if not relieved, shall contact his/her immediate supervisor and await instructions.

F. Truthfulness

1. Upon the order of the Sheriff, his Designee, or a superior officer, members shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the WCSO/WCCF which may be asked of them.
2. Members who fail to answer questions, or who answer questions untruthfully, after being given immunity from criminal prosecution, shall be subject to dismissal.

G. Duty Hours

Regular hours of active duty shall be assigned to each member. Members shall be considered "off duty" during other hours. A member, although technically "off duty", shall always take action on any matter coming to his attention for which he is competent and authorized to respond. In meeting the requirements of this regulation, members shall not exceed the authority of their correctional or peace officer status.

H. Impartial Attitude

1. All members, while charged with a vigorous and dedicated execution of duties, must conduct themselves impartially toward all persons coming to the WCCF.
2. All citizens are guaranteed equal protection under the law. Exhibiting partiality for or against a person because of race, creed, color or influence is conduct unbecoming a member.

I. Tardiness

All members shall be punctual in reporting for duty and/or other assignments.

JB 07/02.05 **Procedure: Prohibited Conduct**

A. **Dereliction of Duty**

1. Dereliction of duty by any member prejudicial to the proper performance of duty is prohibited and shall be grounds for disciplinary action, including dismissal.
2. Dereliction of duty shall include, but not be limited to:
 - a. Failure to obey orders, willful or repeated violation of any rules, regulation, or policy of the WCSO/WCCF;
 - b. Failure to make a proper report of violations investigated, observed, or reported;
 - c. Abuse of sick leave;
 - d. Being absent without authorized leave, including failure to report to duty at the time and place of duty or leaving a place of duty or assignment without authorization;
 - e. Cowardice or failure to support fellow officers or perform duties because of fear;
 - f. Sleeping on duty;
 - g. Failure to complete required training requirements;
 - h. Neglect of duty or substandard performance;
 - i. Displaying reluctance to properly perform assigned duties, or action in a manner tending to bring discredit upon members of the WCCF;
 - j. Failure of a supervisor or superior officer to immediately take action when a violation of law or WCCF/WCSO rules and regulations comes to his/her attention; or
 - k. Refusal to maintain a current address and telephone number on file with the WCSO/WCCF.

B. Criticism of Persons

Members in their official capacity shall not publicly criticize or ridicule any official act of any member of this or any other Department or Office of a City, State, or Federal Government.

C. Insubordination

1. Failure or refusal of any member to obey a lawful order, given by a superior officer, shall be insubordination. Ridiculing a superior officer or his orders is also insubordination.
2. Members refusing to give a superior officer information, orally or in writing, concerning facts, events, or circumstances regarding an incident involving themselves or others is insubordination.

D. Sleeping on Duty

1. Sleeping on duty shall be considered dereliction of duty.
2. Sleeping on duty in security positions may endanger security, staff and inmates, and shall therefore be grounds for dismissal.
3. Any member who has difficulty staying awake shall immediately contact his immediate superior.

E. Falsification of Reports and Records

1. Members shall promptly submit such reports as are required by the performance of their duties or by competent authority.
2. No member shall knowingly falsify any official report, or enter, or cause to be entered, any inaccurate, false or improper information on the books, records, or computer system of the WCSO/WCCF.
3. No member shall knowingly and intentionally prepare, sign and/or submit a false report, statement, or affidavit.

F. Unlawful Orders

1. No member shall knowingly issue any order which is in violation of any statute, ordinance, or WCSO/WCCF rule or order.

2. Obedience to an unlawful order is never a defense for an unlawful action; therefore, no member is required to obey an order which is contrary to any law. Responsibility for refusal to obey rests with the member.

G. Absence from Duty

Every member who fails to appear for duty at the date, time and place specified without consent of competent authority is "Absent Without Leave." Such absences shall be reported, in writing, to the WCCF Commander/Designee by the member's supervisor.

H. Use of Tobacco

1. Members, when on duty, may use tobacco as long as:
 - a. they are in compliance with the State Indoor Clean Air Act, UCA 26-30;
 - b. they are not in or on the WCCF Building;
 - c. they are not engaged in the direct contact of the general public.
2. Members will not be prohibited from smoking in the presence of, or while engaged in direct contact with offenders.
3. Members shall avoid smoking where it may be detrimental to good conduct or procedure.

I. Use of Alcohol

1. Members are prohibited from consuming or otherwise using intoxicants while on duty.
2. Members shall not consume intoxicants, while either on or off duty:
 - a. on WCCF property;
 - b. on WCSO property;
 - c. in uniform.
3. Members shall not consume alcohol in a County owned or leased vehicle, nor operate a County owned or leased vehicle after having recently consumed an alcoholic beverage or other intoxicant.

4. Any supervisor who has reasonable suspicion that a member is impaired while on duty as a result of consumption of alcohol or other intoxicants shall require the member to submit to an alcohol test.
 - a. The odor of an alcoholic beverage on a member's breath shall be reasonable grounds for a supervisor to require an alcohol test.
 - b. The supervisor will also rely on other documented observations of impairment, such as slurred speech, changes in demeanor common to intoxication, staggering, or other affected ambulation.
 - c. Should the test results be positive-- .05 for alcohol or any trace of controlled substances--the member shall be relieved of duty.
5. Members who consume or otherwise use intoxicants while off duty shall not participate in any activity, to include the operation of a motor vehicle, which results in violation of Federal laws, State statutes, or local ordinances, or which will reasonably tend to bring discredit to the WCSO/WCCF.
6. Any member called to respond to an emergency situation who has been using intoxicants which may impair job performance, shall so inform the caller at the time of the request and ask to be excused from responding to the emergency. If this request is denied, the member's supervisor shall assume responsibility for the member and the member shall be held harmless so far as violations of this policy are concerned.
7. Members shall not use, wear, or carry firearms when impaired.
8. Any member violating provisions of this section shall be subject to appropriate action, including dismissal.

J. Use or Possession of Drugs

1. Members shall not possess or use any controlled substance as defined in 58-37-4 UCA, except when prescribed in the treatment of members by a licensed physician or dentist, or as their tour of duty requires.
2. When controlled substances are prescribed, members shall notify their superior officers of this fact before beginning a work shift.

3. Except for medications prescribed to the member, no member shall store or bring into the WCSO/WCCF or vehicle, controlled substances, except which are held as evidence or prescriptions to be delivered to the medical department of the WCCF.

K. Abuse of Position

1. Members shall not use their official position, official identification cards or badges for:
 - a. personal or financial gain;
 - b. obtaining privileges not otherwise available to them, except in the performance of duty; or
 - c. avoiding consequences of illegal acts.
2. Members shall not use their positions to seek free admission to places of amusement, sporting events, etc., and shall not solicit free meals or transportation, or any other favors or gratuities which would not be accorded a private citizen.
3. Members shall not sell, barter, trade, or otherwise profit by the release of information or knowledge gained primarily as a consequence of their experiences as an employee of the WCCF. All written material submitted to professional journals or other trade publications must be submitted to and approved by the Sheriff/Designee of the WCSO.
4. Invitations to address special interest groups, conferences, conventions, etc., where the responsibility is clearly to present information regarding any dimension of operations of the WCCF must have prior approval of the Jail Commander/Designee.
5. The acceptance of a per diem, award, or honorarium for providing a service to any group or organization outside of County Government is permissible providing:
 - a. the WCCF Commander has given prior authorization; and
 - b. such services, including preparation, are performed while the member is on authorized leave or during hours for which they are clearly not being compensated by the County.
6. Members may accept gifts and gratuity from the private sector and others outside of County Government, providing:

- a. the gift or gratuity is traditional, customary, and generally provided by the outside party, (i.e., pens with the company logo, calendars, note pads, paperweights, and other similar items of inconsequential value);
- b. the community cash value of such shall not exceed statutory limits; and
- c. conditions as set forth in UCA 67-16-5, State statutes, and WCSO/WCCF regulations which may apply are not violated.

L. Recommending Bail Bondsmen or Attorneys

1. Members shall not suggest, recommend, or advise or otherwise counsel the retention of any specific Bail Bondsman/Attorney to any offender coming to their attention as a result of WCCF business; nor shall they display any advertising matter for any Bail Bondsman/Attorney. This will include the display of calendars, matches, mugs, etc. This prohibition will not include referring offenders to attorneys assigned to provide free legal assistance.
2. In no case may such advice be given where a fee, gratuity, or reward is solicited, offered, or accepted from the Bail Bondsman/Attorney.

JB 07/02.06 **Procedure: Staff/Offender Relationships**

A. Association

1. Members shall avoid regular or continuous associations or personal dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or have a reputation in the community or the WCSO for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the members.
2. Members shall not knowingly visit, enter, or frequent a house of prostitution, gambling house, club, or other establishment wherein the laws of the United States, the State or local jurisdiction are regularly violated.

B. Interaction With Offenders

1. Members shall not fraternize with nor develop personal relationships with offenders. When answering questions, be brief, polite, and to the point.

- a. Never discuss offenders' cases with them except when required as part of job performance.
 - b. Members shall not become involved socially with offenders under custody or supervision of the Weber County Sheriff's Office, or any other State or Local Law Enforcement Office.
 - c. Members shall not compromise security as a result of communication or interaction with offenders.
 - d. Members shall not become overly and unnecessarily familiar with offenders.
2. Members shall not accept loans, gifts, gratuities, or other favors from offenders.
3. Members shall not loan money or other property to offenders, nor grant special favors; nor shall members be loaned money or other property from offenders.
4. Members shall not purchase, nor bargain for, items belonging to offenders, nor shall they sell or give items to offenders.
5. No member shall discuss with any other member or offender the actions of any other member except when required as a part of job performance.
6. It is prohibited to discuss Sheriff's Office or personal business with offenders. Proper caution should be exercised by members at all times concerning what is said, to whom it is said, and who can overhear.
7. If a member has reason to believe that an offender has information of value he wishes to divulge, refer the offender to the WCCSO administration.
8. Members shall not be permitted to take offenders out of the WCCF for any reason, except that which is authorized by the WCCF administration.
9. Members will bring their concerns to the attention of their supervisor if they have reason to believe that any of the following situations have arisen or might arise:
 - a. Development of inappropriate relationships with offenders, their families and/or their friends;

- b. A conflict of interest saturation and/or any situation from which personal gain may be obtained; or
- c. Questions arising from personal loyalties, beliefs, or values which might impair professional judgment or independence.

C. Prohibited Offender Relationships

- 1. Any act or conduct which establishes, maintains, or promotes a member's relationship with an offender or an offender's immediate family which is outside the color of employment for personal benefit or gain which compromises a member's professional role is prohibited.
- 2. Immediate family shall include a parent, spouse, son, daughter, brother, sister, grandparents, or close in-law.
- 3. Such prohibited conduct includes, but is not limited to:
 - a. an offender or an offender's immediate family living in a staff member's personal residence;
 - b. an offender living in any rental property belonging to a member of the staff;
 - c. any business dealing or arrangements between staff and an offender or an offender's immediate family;
 - d. sponsoring an offender for special activities, other than Sheriff's Department-sponsored and approved activities;
 - e. supervising or sponsoring an offender or employing any offender for personal gain or benefit (i.e., work projects on personal property with or without pay) absent prior authorization from the Weber County Sheriff.
- 4. Exception to this directive must be approved in writing by the Weber County Sheriff or his official designee.

JB 07/02.07 **Procedure: Unsatisfactory Performance**

- A. Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their position. Members shall perform their duties in a manner which will maintain appropriate standards of efficiency and effectiveness in carrying out the functions and objectives of the WCCF.

- B. Members shall not engage in any off duty activity that lowers their ability to perform their duties and obligations.
- C. Unsatisfactory performance may be demonstrated by:
 - 1. a lack of knowledge of the application of law required to be enforced;
 - 2. an unwillingness or inability to perform assigned tasks;
 - 3. the failure to conform to work standards established for the member's rank, grade, or position;
 - 4. the failure to take appropriate action on the occasion of a crime, disorder, or other conditions deserving official attention; or
 - 5. absence without leave.
- D. Unsatisfactory performance may include, but shall not be limited to the following:
 - 1. Repeated unsatisfactory performance evaluations, and
 - 2. repeated infractions of rules, regulations, directives, or orders of the WCSO/WCCF.
- E. Statistical evidence comparing a member's performance to other officers shall be a valid basis for assessing unsatisfactory performance.

JB 07/02.08 **Procedure: Unauthorized Personal Property**

- A. Unauthorized personal items shall not be taken into the WCCF, except those items that are necessary in the performance of any staff member's duties, as determined by the WCCF Administration.
- B. Staff members shall not carry out, nor bring in letter, notes, books, food, or messages for inmates, except as authorized by policy, procedure, or directive.
- C. Staff members are prohibited from bringing into the WCCF any reading material, except that which is specifically authorized. Authorized reading material shall include:
 - 1. The Utah Penal Code, WCCF Manual, Policies, Procedures, Directives, Training Material; and
 - 2. any other material authorized on an individual basis by the WCCF Jail Commander/Representative, Lieutenant, or Sergeant.

- D. Tape recorders or cameras shall not be allowed by persons entering the WCCF except for those being used by sworn Peace Officers/ Correctional Officers and officers of the Court. Lawyers, psychiatrists, social workers, the media, and other persons granted access must have authorization from the WCCF administration.
- E. Use of tape recorders, cameras, or other electronic devices will be limited to specific approved job related functions. Any taping of inmate conversations, other than relating to an official investigation, is expressly prohibited. Should a situation arise that would require a staff member to record an inmate conversation, that staff member will first obtain written approval from his immediate supervisor with an event note entry being made in the inmate's file regarding the use of the tape recorder.
- F. All personal items taken in the secure perimeter of the WCCF shall be subject to search.
- G. Staff members are expected to apply themselves to their assigned duties during the full schedule for which they are being compensated.

JB 07/03.00 **LEARNING OBJECTIVES**

JB 07/03.01 **Staff Conduct Requirements**

Staff shall demonstrate an understanding of:

- A. Members' responsibility for enforcement of WCCF rules;
- B. The elements of the staff Standard of Conduct.

JB 07/03.02 **Prohibited Acts**

Staff shall demonstrate an understanding of and define:

- A. Dereliction of duty;
- B. Abuse of position;
- C. other prohibited actions.

JB 07/03.03 **Staff/ Offender Relationships**

Staff shall demonstrate an understanding of:

- A. Actions that are prohibited between staff and offenders;
- B. What staff members should discuss with offenders.

JB 07/03.04 **Personal Property**

Staff shall demonstrate an understanding of:

- A. what property items may be brought into the facility;
- B. what property items may *not* be brought into the facility.