



## *Santa Cruz County Sheriff-Coroner*

Number: C.00  
Date: 11/30/05

### **SUBJECT: ETHICS**

- I. Law Enforcement Code of Ethics
- II. Respect for Constitutional Rights

### **POLICY**

It shall be the policy of this office to adhere to the Law Enforcement Code of Ethics. The highly complex nature of the law enforcement profession makes success dependent upon the individual character and excellence of each office member. In addition, each member's character determines the character of the office, which is reflected in the services provided to the community. To achieve progress, members must combine high personal integrity with commitment. From this union will come the character necessary to maintain a high ethical standard which will provide equitable treatment for all citizens and which will reflect positively upon the officer, county government, and the community.

### **PURPOSE**

The mark of every profession is a code of conduct. The Law Enforcement Code of Ethics is such a statement. In addition, the code exemplifies the department's concern for the preservation of constitutional rights for all persons, as well as the protection of the community from those who would choose to violate the law. Therefore, the Law Enforcement Code of Ethics is hereby adopted by the Santa Cruz Sheriff's Office and serves to remind office members and citizens that the objectives of professional law enforcement are of the highest order.

### **PROCEDURE**

- I. Law Enforcement Code of Ethics

"As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder, and to respect the Constitutional rights of all men 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 my duty.”

“I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.”

“I recognize the badge of my office 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 police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.”

## II. Respect for Constitutional Rights

- A. No person has a constitutional right to violate the law, neither may any person be deprived of their constitutional rights merely because they are suspected of having committed a crime. The task of determining the constitutionality of a statute lies with an appellate court of proper jurisdiction, not with an officer who seeks to properly enforce the law as it exists. Therefore, an officer may enforce any federal, state or local statute which is valid on its face without fear of abrogating the constitutional rights of the person violating that statute. An officer who lawfully acts within the scope of their authority does not deprive persons of their civil liberties. An officer may within the scope of their authority make reasonable inquiries, conduct investigations, and arrest on probable cause. However, when an officer exceeds their authority by unreasonable conduct, they violate the sanctity of the law which they are sworn to uphold.

*Steve Robbins*

STEVE ROBBINS, Sheriff-Coroner



## *Santa Cruz County Sheriff-Coroner*

Number: C.02

Date: 6/18/07

### **SUBJECT: EMPLOYEE CONDUCT**

#### **POLICY**

It shall be the policy of this Office to require its employees to conduct themselves privately and officially in such a manner as to bring credit upon themselves and the Sheriff's Office.

#### **PURPOSE**

Peace Officers, Corrections Officers and Sheriff's Office employees are the most conspicuous representatives of government, and to the majority of the people, they are a symbol of stability and authority upon whom the public can rely. All Sheriff's Office employees' conduct is closely scrutinized and when their actions are found to be excessive, unwarranted or unjustified, they are criticized far more severely than comparable conduct of persons in other walks of life. Since the conduct of employees, on or off duty, may reflect directly upon the Office, they must, at all times, conduct themselves in a manner which brings credit to them, the Office and the County of Santa Cruz.

**REFERENCES** Penal Code Section 171b

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**PROCEDURE**

I. Employee Conduct

A. Attention to Duty

1. As most law enforcement work is necessarily performed without close supervision, the responsibility for the proper performance of an employee's duty lies primarily with the employee themselves. An employee carries with them a responsibility for the safety of the community and his/her fellow employees. The employee discharges that responsibility by the faithful and diligent performance of their assigned duty. Anything less, violates the trust placed in them by the people and nothing less qualifies as professional conduct.

B. Availability of Personnel

1. Recall to Duty

- a. Members of the Sheriff's Office are subject to recall and will report when requested unless exempted by competent authority.

C. Chemical Tests

1. Employees may be required to submit to a chemical test if they are involved in certain, but not all, enforcement situations. Circumstances which may require chemical tests are as follows:
  - a. The employee injures or kills another person.
  - b. A superior officer has reasonable belief and suspicion that the employee is under the influence of alcohol or drugs while in the performance of duty or exercising the authority of a peace officer.
2. Chemical tests may include, but are not limited to, a test of the blood, breath, or urine.

D. Commitment to Serve

1. The alternative to law and its enforcement is anarchy and its resulting devastation. An officer's commitment to public service and professional ethics precludes them engaging in strikes or similar concerted activities. For these reasons, when on duty, peace officers and correctional officers do not have the right to strike or to engage in any work stoppage or slow-down. It is the policy of this Office to seek the removal from Office of any officer who plans or engages in any such strike, work stoppage or slow-down.

E. Conduct Unbecoming an Officer or Sheriff's Office employee

1. An employee's conduct, either on or off duty, which adversely reflects upon the Office will be deemed to be conduct unbecoming an officer or Sheriff's Office employee. Each case of misconduct will be examined to determine if the act was such that a reasonable person would find that such conduct was unbecoming a peace officer, correctional officer or Sheriff's Office civilian employee.

F. Confidential Information

1. The official business of the Office is confidential. Employees shall only discuss or give official information:
  - a. To persons for whom the information is intended
  - b. As directed by their superior officers

c. Under due process of law

2. Employees shall divulge the content of any directive they may receive only when required to do so by the nature of the directive. The content of any criminal record filed in the Office shall be known or divulged only to authorized persons.

G. Conflict of Interest

1. As required by the Political Reform Act of 1974, designated employees of the Office will file statements disclosing certain economic interests which may be affected materially by decisions made or participated in by such designated employees.
2. Employees with knowledge of possible financial, personal or professional conflicts of interest concerning the Sheriff's Office must bring it to the attention of their Chief Deputy for consideration.

H. Correspondence

1. Office employees will not use departmental stationery or forms for any purpose other than the transaction of official business.

I. Court Cases

1. Employees shall not take part or be concerned, either directly or indirectly, in making or negotiating any compromise or arrangement with a view towards permitting any person to escape the penalty of the law. They shall not, out of friendship for the defendant or for any other reason, seek to obtain a continuance of any trial or in any way interfere with the courts of justice.
2. This shall not prevent an employee, with the permission of their supervisor, from cooperating with the prosecuting attorney in the interests of justice.

J. Courtesy

1. Effective law enforcement depends on a high degree of cooperation between the Sheriff's Office and the public it serves. The practice of courtesy in all public contacts encourages understanding and appreciation; discourtesy breeds contempt and resistance. The majority of the public are law-abiding citizens who rightfully expect fair and courteous treatment by Office employees. While the urgency of a situation might preclude the ordinary social amenities,

discourtesy under any circumstances is indefensible. The practice of courtesy by an officer or employee is not a manifestation of weakness; it is, on the contrary, entirely consistent with the firmness and impartiality that characterizes a professional peace officer, corrections officer and civilian employee. All Sheriff's employees are engaged in public service and as a general rule will treat people with dignity and respect.

K. Criticism

1. An employee shall submit a complete written report concerning their complaint regarding the Office or its employees; they shall not communicate such information to any person or agency.
2. However, in any case where an employee has sound reason to believe that the circumstances are inconsistent or unjust, they have the right to respectfully call the inconsistency or unjustness to the attention of the supervisor issuing it.

L. Derogatory Language

1. Employees shall not use coarse, profane, demeaning or insulting language nor use uncomplimentary or threatening terms of speech towards any individual.

M. Discretionary Judgment

1. Reasonable and appropriate police action varies with each situation. Different facts or circumstances may justify an investigation, a detention, a search, an arrest or no action at all. Thus, employees must continually exercise discretionary judgment in order to ensure that the safety and security of the public is properly protected.

N. Evidence

1. Employees shall not, unless specifically authorized by law, withhold or destroy evidence.

O. False Statements

1. Employees shall not make false statements or deliberately omit information when questioned, interviewed or in reports submitted.

P. Financial Obligations

1. Public employees have stable incomes upon which they may forecast future earnings. For this reason, and because of public confidence in their responsibility, it is relatively easy for Office employees to contract financial obligations, which if not controlled, may become an impossible burden. Such financial distress may impair the individual's effectiveness and tends to bring discredit upon the Office. Employees should avoid incurring financial obligations, which are beyond their ability to reasonably satisfy from their anticipated Office earnings.

Q. Fraternalization

1. Employees are to refrain from associating themselves with known criminals or groups whose purpose or aims are contrary to a lawful and orderly society unless done so as part of their duties. Family situations are excepted.
2. To preclude charges or the appearance of wrong-doing, employees must not place themselves in associations that lend themselves to questions of propriety. It is not uncommon that individuals will curry favor with law enforcement employees to gain information or favorable treatment. All employees, whether enforcement personnel or not, are potential targets.
3. Likewise, employees are in a position to take unfair advantage of miscreants by means of their authority.
  - a. Employees are not to personally associate with persons involved in serious or organized law violations.
  - b. Employees will not accept, directly or indirectly, a fee, loan, reward or gift of any kind from any individual involved in any serious or organized violation of law.
  - c. Employees will not develop personal liaisons with jail inmates or their families.
  - d. Employees will not maintain personal relationships with individuals who have been incarcerated unless the relationship existed prior to the incarceration or the relationship is the product of a family situation.
  - e. Questionable situations shall be directed by employees to



their bureau chief deputy for review and judgment.

R. Gratuities and Favors

1. Employees will not solicit or receive any rewards or favors for services rendered in the line of duty.

S. Grievances

1. Effective management, and respect for individual dignity, requires that employees have means for the proper redress of grievances. An Office employee having a complaint relating to any matter affecting their employment is ensured the right of review at succeeding levels of Office authority until his grievance is resolved. The right of an employee to file a grievance and its administrative review promotes efficiency and results in improved morale. Those positive benefits are defeated if employees are reluctant to file a grievance. Therefore, no action of a formal or informal nature shall be taken by the Office against an employee, their witnesses or employee representative merely for them having filed a grievance, nor is such filing to be otherwise looked upon with disfavor by the Office.

T. Identification

1. Consistent with officer safety and protection of the public, Office employees, while acting in an official capacity, will supply their name, rank and badge number in a professional manner to any person who may inquire.
2. While working, all Sheriff's civilian employees shall wear picture identification with their first name displayed so that the public may know with whom they are dealing. This also assists with facility security. Exceptions may be approved during special assignment or extraordinary situations. Approval shall be sought via the employee's chain of command.

U. Incurring Liability Against the County

1. No employee shall incur a liability chargeable against the Office or the County without proper authorization.

V. Information on Operations

1. Employees will not release to anyone information which may delay an arrest, aid a person to escape, destroy evidence, remove stolen or embezzled goods or which may, in any other way, hinder the effective performance of police responsibilities.

W. Integrity

1. The public demands that the integrity of its peace officers, corrections officers and all Sheriff's Office employees be above reproach and the dishonesty of a single officer or employee may impair public confidence and cast suspicion upon the entire Office. Succumbing to even minor temptation can be the genesis of a malignancy which may ultimately destroy an individual's effectiveness and may contribute to the corruption of countless others. An officer or employee must scrupulously avoid any conduct that might compromise the integrity of themselves, their fellow officers, their fellow employees or the Office.

X. Internal Affairs Investigations

1. Internal Affairs investigations shall be conducted in an impartial and objective manner. The purpose is to disclose and report all facts relevant to the matter, whether or not such facts may be favorable or unfavorable to the individual concerned.
2. If requested to make a statement in the course of an official Office investigation, employees shall make full, complete and truthful statements. Willful withholding of information may result in disciplinary action.
3. Fact-finding committee employees, Internal Affairs Office investigators and unit supervisors act as the direct representative of the Sheriff when they are assigned to investigate Internal Affairs matters. Copies of all investigation records, correspondence, recommendations, etc., shall be entered in the files of the Internal Affairs Office.
4. Fellow employees of an employee under investigation are to be cooperative and impartial when asked for information concerning the incident under investigation.
5. The employee under investigation shall be informed of the conclusion of the investigation and of the final results.

Y. Labor Disputes

1. The Sheriff's Office will provide impartial law enforcement intervention concerning labor disputes.
2. The rights of persons, and the protection of life and property, are to be fairly and legally safeguarded.
3. The Sheriff's Office is prepared to intervene in a labor dispute to protect life, preserve public peace, safeguard property and carry out orders of the court. To accomplish this, deputies should expect all involved parties to be volatile due to strong emotions. Even the slightest appearance of favoritism could cause distrust and anger to be focused towards law enforcement. It is therefore very important to:
  - a. Maintain open communication with concerned parties
  - b. Maintain impartiality
  - c. Appoint a court liaison officer
  - d. Provide press relations
4. The Sheriff's Office will appraise a dispute and equip and stage personnel as needed.
5. The Sheriff's Office will act in accordance with federal, state and local regulations governing law enforcement measures in such disputes.

Z. Money and Property of Others

1. An employee shall deliver to the proper custodian any monies or other property not their own which comes into their possession. A report shall be made of the transaction.

AA. Personal Activities on Duty

1. Employees of the Office will not devote any of their on-duty time to any activity which does not relate to an Office function. They will not perform any police duty for the purposes of private gain or will they make any private purchases when in uniform unless for personal maintenance or sustenance or as authorized by competent authority.

BB. Obedience to Laws, Regulations and Orders

