



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

1. The Sheriff's Office is an organization with a clearly defined hierarchy of authority. This is necessary because unquestioned obedience of a superior's lawful command is essential for the safe and prompt performance of law enforcement operations. The most desirable means of obtaining compliance are recognition and reward of proper performance and the positive encouragement of a willingness to serve. However, negative discipline may be necessary where there is a willful disregard of lawful orders, commands, or directives.
 - a. Employees shall not willfully violate any federal statute, state law, local ordinance, county personnel regulations or Sheriff's Office policy.
 - b. Employees shall strictly obey and properly execute any lawful order issued by any supervisor of higher rank or classification.
 - c. When assigned to duty with other members of the Office, an employee shall be jointly responsible for compliance with rules and regulations and proper performance of duty.
 - d. Employees who violate any rules, regulations or policies of the Office or the County of Santa Cruz shall be subject to disciplinary action. The commission or omission of any other act contrary to good order and discipline shall also be the subject of disciplinary action.
 - e. According to the nature of the offense and in conformance with the Civil Service Rules, disciplinary action may consist of:
 - Instruction and counseling
 - Written reprimand
 - Suspension without pay
 - Reduction in rank, or
 - Dismissal from the Office
 - f. If a subordinate receives instructions from a senior employee conflicting with other instructions, the subordinate will inform the senior member of the conflict. If the senior employee still desires that the order be carried out, the subordinate will do so and the instructions will be reviewed at the next highest level.

CC. Off-Duty Conduct

1. Off-Duty Enforcement Action

- a. Prior to taking enforcement action, off-duty deputies will consider contacting on-duty personnel from the agency of jurisdiction for appropriate action. However, when the situation necessitates immediate action, the off-duty deputy will take steps to bring the situation under control which are consistent with, and governed by the policies, procedures, rules, regulations and training which apply to on-duty personnel in similar situations. The Office recognizes that off-duty personnel cannot rely on immediate assistance of police resources and, therefore, does not expect or encourage deputies to jeopardize themselves or others by taking action beyond their ability to effect a successful conclusion.

2. Neighborhood Disputes

- a. When on or off duty, Office members will avoid becoming officially involved in quarrels or disputes occurring in their own neighborhoods, unless the incident involves an immediate threat to human life.
- b. Office members will give first consideration to their capacity to render an appropriate and adequate response before any action is taken.

3. Firearms

- a. Off-duty deputies are authorized, but not required by this Office, to carry handguns anywhere in California. They may be carried at the discretion of the deputy, with the following exceptions:
 - (1) No off-duty officer shall carry a firearm into a bar or other establishment which has the major part of its business in "on premises" consumption of alcoholic beverages.
 - (2) Good judgment as to whether a weapon is carried must be exercised. If the circumstances are such that a prudent officer would not wear a weapon, then the weapon should be secured in a safe place available to the officer.

- (3) Whenever a deputy carries a firearm, they must have readily available the necessary equipment, such as handcuffs and identification, to effectively act as a peace officer.
- (4) Deputies will avoid exposing weapons carried off-duty to public view.

b. Firearms in Court Facilities

- (1) Off-duty peace officers shall secure their weapons before entering a court facility.
- (2) Any officer who is a party, plaintiff or a defendant in a lawsuit, family law matter or other legal process where the officer is not acting in their official capacity such as a witness, arresting officer, investigating officer, reporting officer or supervisor shall secure their weapons before entering a court facility. (Reference PC 171b)
- (3) Unless exempted by their supervisor, any officer must secure their weapons before entering a court facility if their relationship to any party presents a conflict of interest that may jeopardize security. An example of such a conflict could be the defendant accused of committing a crime against the officer's family or significant other or if the officer's family or significant other is the accused. If the circumstances are such that the officer's supervisor would recommend against carrying a firearm into a court facility then the weapon shall be secured prior to entry into the court facility.

DD. Personal Information

1. An employee shall provide the Office with personal data such as their correct name, address, telephone number, marital status and the name of the person to be notified in case of emergency. The employee shall be responsible for keeping his bureau chief informed of any changes.

EE. Political Campaigning

1. On-duty employees will refrain from engaging in activities related to political campaigning. Improper activities include, but are not limited to, engaging in campaign speeches, distribution of pamphlets, posting of campaign advertisements, willfully being photographed in uniform (on or off duty) with political candidates.
2. Nothing in this policy precludes employees from working off duty, out of uniform, in a non-law enforcement capacity in support of, or in opposition to, any political campaign. Additionally, it does not preclude candidates from approaching employee groups for purposes of endorsement or, in fact, employee organizations endorsing specific candidates, propositions or measures.

FF. Property

1. Employees are charged with the responsibility to care for and properly use county property assigned to them as well as property under their control and in their working areas. Employees will not appropriate property of the county or property belonging to others for their own use.
2. Damaged or lost property will be reported to the employee's supervisor. Upon a finding of negligence, the employee may be held personally responsible for such property.

GG. Punctuality

1. An employee shall be punctual in reporting for duty at the time and place designated by their supervisor. Habitual failure to report promptly at the specified time shall be deemed neglect of duty.

HH. Sleeping on Duty

1. An employee shall not sleep while on a tour of duty unless under the most unusual circumstances and specific authorization is given by their supervisor.

II. Smoking/Use of Tobacco Products

1. Employees shall not smoke or use tobacco products of any kind on duty while in direct contact with the public.
2. Employees shall not smoke or use tobacco products of any kind in county owned or leased facilities, including county vehicles.

JJ. Social Conduct On and Off Duty

1. While on duty, Office employees will not:
 - a. Encourage, suggest, offer or accept sexual favors.
 - b. Encourage, suggest, offer or provide leniency in enforcement in return for sexual or social encounters.
 - c. Encourage, suggest, offer or perform any services in the line of duty in return for sexual or social encounters.
 - d. Engage in sexual activity.
 - e. Engage in any form of sexual harassment.
2. While off duty, employees will not use their official capacities to further any of the above activities.

KK. Telephone

1. Employee's shall have a telephone at their residence or in their possession that has an answering machine or voice mail so that they may be contacted in case of emergency. While awaiting the installation of telephone service, the employee shall, without delay, furnish their bureau chief with a telephone number through which they may be reached and avoid any lapse in communication.
2. Employees shall not make personal calls at county expense unless provided for in the Memorandum of Understanding.

LL. Use of Intoxicants and Medications

1. There is an immediate lowering of esteem and suspicion of ineffectiveness when there is public contact by a Sheriff's Office employee evidencing the use of intoxicants. When deputies and public officers take law enforcement action, their thought processes and physical ability must be keen. The use of intoxicants by members of the Office may interfere with their ability to perform their job in a professional manner.
2. Except as necessary in the performance of an official assignment and with specific approval of their supervisor, use of intoxicants is prohibited while employees are on duty.

3. Employees who are on compensated "on call" status shall not use intoxicants as the likelihood of being called to duty is high.
4. Employees who are called back to duty in emergencies will report any use of intoxicants during the past five hours to their immediate supervisor. The supervisor will make an evaluation as to whether or not the employee is fit for duty.
5. Employees shall not use intoxicants within five hours of reporting for regularly scheduled work.
6. Employees shall only use habit-forming drugs or narcotics that are properly prescribed by a physician for illness or injury and used as prescribed. They shall not be on duty while under the influence of such drugs.
7. Any employee who is using any prescription or over-the-counter medications that may affect the employee's ability to perform their job duties or that could affect the safety or well-being of others, must notify a supervisor of such use before starting or resuming work. Clearance from a physician may be required before the employee resumes work.
8. Employees are not to use intoxicants to a degree that it impairs their on-duty performance.
9. Supervisors may require an employee to be subject to medically-approved testing for intoxicants if there is reason to believe that the employee is under the influence while on duty or exercising peace officer powers while off-duty.
10. Supervisors may relieve employees from duty if they appear to be under the influence of intoxicants.
11. Employees, sworn and non-sworn staff, and volunteers shall not consume any intoxicants while in any building or on any properties that are controlled, rented or in any way occupied by the Santa Cruz County Sheriff's Office. (This includes, but is not limited to the following: The County Building at 701 Ocean Street and all portions of the parking lot, all Sheriff's Substations/Service Centers, the morgue, Watsonville Court Building and all Detention facilities.)


STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: C.03

Date: 7/19/07

SUBJECT: COURT APPEARANCES

POLICY

It shall be the policy of Sheriff's Office employees to conduct their business with the various judicial courts, District Attorney personnel and the defense bar in a professional manner.

PURPOSE

To formalize the procedure relating to employee conduct in court and scheduling procedures.

REFERENCE

California Penal Code Section 1331

PROCEDURES

- I Any notification of a court appearance from the District Attorney's Office will be treated as a subpoena.
- II Scheduling
 - A. Subpoenas received by the Sheriff's Office will be immediately forwarded to the Bureau/ Division where the subpoenaed employee works.
 - B. Receipt of the subpoena will be noted in the Bureau/Division log by the Bureau/Division Secretary. The division secretary will deliver the subpoena to the employee. If the employee is not personally available, the subpoena will be placed in their mailbox. If the court subpoena is delivered with short notice, the division secretary will page the employee, call their phone of record to advise them of the subpoena and record those efforts in the subpoena log.
 - C. All subpoenas are considered to be orders from the court for mandatory appearance by any deputy named on the subpoena. Failure to appear, unless relieved of the obligation by a competent authority, will be

considered a direct violation of this policy and may be subject to discipline.

III. Cancellations

- A. On the day preceding scheduled court appearances, subpoenaed employees will call [REDACTED] between 1730 and 2030 hours to verify cancellation of the appearance.
- B. The District Attorney's Witness Coordinator will cancel court subpoenas by paging the employee on their alpha-numeric pager. The employee may also call the Witness Coordinator's cancellation telephone between 1730 and 2030 hours the day preceding court to verify cancellation of the court appearance.
- C. When an employee is too ill to attend court, he/she will notify the District Attorney's Office and his/her immediate supervisor.
- D. Every effort will be made to notify employees of cancellations received from the District Attorney's Office.

IV. Demeanor

- A. Employees will be punctual in attendance and professional in appearance and manner.
- B. Acceptable dress for court:
 - 1. Class A uniform including long sleeve shirt and tie. The class A jacket is optional. This includes on-duty deputies who have been subpoenaed.
 - 2. Business suits or conservative sport jacket, dress slacks with shirt and tie.
 - 3. Civilian dress for females will be a dress or tailored suit.

V. Testimony

- A. Testimony shall be given with the strictest accuracy and confined to the case before the court.
- B. Employees shall neither suppress nor overstate the slightest circumstance so as to favor or discredit any person or issue.

- C. Physical evidence or property shall be properly arranged and prepared for presentation.
- D. Original field notes shall be taken to court and reviewed with the Assistant District Attorney.
- E. Employees shall conduct themselves in a dignified and professional manner, speaking calmly and explicitly in clear, distinct tones easily audible to the court and jury.

S. Robbins

STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: C.04
Date: 01/05/06

SUBJECT: AWARDS AND COMMENDATIONS

POLICY

It shall be the policy of this Office to recognize and honor employees and members of the public who distinguish themselves through meritorious service, exemplary conduct and acts of valor.

PURPOSE

To recognize employees for their outstanding work, to set positive examples for other employees and to share with the public the quality of the Sheriff's Office personnel.

PROCEDURE

I. Awards and Commendations

A. Gold Medal of Valor

1. This medal shall be awarded in exceptional cases where hazardous acts are performed by employees who risked their lives. The acts must be of such extraordinary nature that employees expose themselves to peril above and beyond the call of duty.
2. Each recommendation for the Gold Medal of Valor is based upon the following criteria:
 - a. Outstanding bravery above and beyond that expected in the line of duty.
 - b. Where failure to take such action would not justify censure.
 - c. Where the risk of life actually existed and the employee has sufficient time to evaluate it.
 - d. Where the objective is of sufficient importance to justify the risk.

- e. Where the employee accomplishes the objective, or is prevented from same, by incurring a disabling injury or death.

B. Silver Medal of Valor

- 1. This medal is to be awarded for outstanding service and conspicuous bravery in the line of duty. This award would be considered when circumstances do not fall within the provisions required for a Gold Medal of Valor.
 - a. Where employees manifest outstanding bravery in the performance of their duty under circumstances not within the provisions required for a Gold Medal of Valor.
 - b. Where employees risked their lives with full and unquestionable knowledge of the danger involved or where a reasonable person would assume his or her life is in great danger.
 - c. Where the employee's objective is of sufficient importance to justify the risk.
 - d. Where the employees accomplish their objective, or are prevented from same, by circumstances beyond their control.

C. Bronze Distinguished Service Medal

- 1. A Bronze Distinguished Service Medal may be awarded to employees who have performed efficient and valuable service to the Office. Such service may be of a specific instance or it may be an outstanding performance of general duties over an extended period of time.
- 2. Nominating procedures are the same as mentioned for acts of bravery.

D. Citizen Distinguished Service Commendation

- 1. The Citizen Distinguished Service Commendation may be awarded to citizens who have performed efficient and valuable service to the Office. Such service may be of specific instance or it may be an outstanding performance of general duties over an extended period of time.
- 2. Nominating procedures are the same as mentioned for acts of bravery.

E. Letters of Commendation

1. Letters received from the public commending the good work of employees will be distributed through the chain of command to the Sheriff.
2. Supervisors and fellow employees are encouraged to write letters of commendation for the exemplary conduct of subordinates and peers for similar distribution.
3. Notations of these letters will be made in the employee's permanent personnel file.
4. The employees' immediate supervisors should share the receipt of these letters with the employees' peers.

F. United States Attorney General's Office Commendation

1. The United States Attorney General will accept recommendations from local agencies for a Presidential commendation. The criteria for recommendations are that they be for an act of heroism or for sustained outstanding performance.
2. Recommendations should be submitted to the local United States Attorney.

G. California Department of Justice Commendation

1. The California Attorney General maintains a continuous program for extended official recognition to citizens and peace officers that perform heroic acts or meritorious service in support of law enforcement or crime prevention. This program is supplementary to similar programs established and maintained by local governments and by other departments of the State government.

II. Award Nomination Procedure

A. Nominations

1. It shall be the duty and privilege of employees to report to their Bureau Chief, all acts worthy of commendation.
2. Nominations for commendation shall be initiated by employees whenever they have knowledge of an act or service which has been performed and is deserving of recognition.

3. The nomination shall be prepared in typewritten memo form forwarded by employees through the chain of command to the Sheriff.
4. The Sheriff's Secretary will notify the nominee and his immediate supervisor that a request for commendation or award has been received.
5. The Sheriff's Secretary will maintain a file on the nominations and accompanying documentation.

B. Commendation Review Board

1. The Board shall be composed of the three Chief Deputies and the Community Relations Officer.
2. At least two of the four board members are required for a quorum. Each Board member shall have one vote.
3. The Board shall meet to review recommendations for awards.
4. The Board shall review award nominations and recommend an award classification to the Sheriff, if warranted.
5. The Sheriff will review the nominations and make the final decisions. The Sheriff shall inform nominees by letter as to the nature and final disposition of each nomination. Notation of the award shall be placed in the employee's personnel file.

S. Robbins

STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: C.06
Date: 07/25/07

SUBJECT: COMPLAINTS AGAINST SHERIFF'S OFFICE EMPLOYEES

- I. Citizen Complaints
- II. Internal Affairs Investigations

POLICY

It shall be the policy of this Office to investigate citizens' complaints and initiate internal affairs investigations regarding employee's conduct.

PURPOSE

To establish a policy and operational procedure for the investigation of citizen complaints and misconduct on the part of department personnel.

REFERENCES

Law Enforcement Code of Ethics
Penal Code Section 832.5 "Citizen's Complaints Against Personnel"
Peace Officer Bill of Rights, Government Code Section 3300

DEFINITIONS

"Personnel" - All employees working for the Sheriff.

"Complaint" - An allegation of misconduct committed by any Sheriff's Office employee.

"Misconduct" -

1. Commission of a criminal offense,
2. Violations of law, Sheriff's Office policies, rules, regulations, procedures or orders, Santa Cruz County Policy and Procedure, Civil Service Rules
3. Negligence in the performance of duty,

4. Conduct, which reflects unfavorably upon the Office or its personnel,
5. Failure to perform any duties required by law, Office policies, rules, regulations, procedures or orders.

PROCEDURES

I. Citizens Complaints

- A. Citizen complaints alleging misconduct on the part of Office personnel should be referred to the involved person's immediate supervisor.
- B. The supervisor should make an attempt to resolve the complaint. If the issue cannot be resolved at this level, the supervisor should pursue one of the following alternatives:
 1. If it is during normal business hours, the complainant may be referred to the Professional Standards and Conduct Officer.
 2. If it is after hours or the Professional Standards and Conduct Officer is not available, the supervisor shall record the complainants name, address and telephone number and a synopsis of the complaint. This information shall be forwarded to the Professional Standards and Conduct Section. The complainant should be provided with the Professional Standards and Conduct Officer's name and telephone number.
 3. If the nature of the complaint is such a serious nature that immediate action is required, the team commander will be advised. It will be up to the team commander to determine if the Professional Standards and Conduct Officer is to respond and initiate an immediate investigation into the allegation.
 4. Complaints regarding procedural inadequacies can be referred directly to the chief deputy of that bureau.
- C. If the on-duty field supervisor is unavailable, the person receiving the complaint shall refer the complainant to the on-duty team commander.
- D. Upon receipt of a citizen's complaint, the Professional Standards and Conduct Section shall take the following action:
 1. The complaint will be reduced to writing and immediately forwarded to the Sheriff for his review.

2. After review by the Sheriff, the complaint may be assigned to one or more of the following units for immediate investigation:
 - a. Investigation Division, if criminal
 - b. Professional Standards and Conduct, if administrative
 - c. Bureau Chief Deputy, if deemed appropriate
3. The Professional Standards and Conduct Section shall conduct thorough and impartial investigations into all complaints which are assigned by the Sheriff.
4. The bureau chief of the involved personnel will be advised of the circumstances of the allegation.
5. In all cases, except where disclosure would adversely affect the investigation or identify a complainant who wishes to remain anonymous, the involved personnel will be notified that a complaint has been received. They will also be advised that they are the subject of an investigation and will be afforded the opportunity to prepare written reports, secure witnesses and gather any other information pertinent to the complaint.

II. Internal Affairs Investigations

- A. The Professional Standards and Conduct Section shall report directly to the Sheriff.
- B. The Professional Standards and Conduct Section has the responsibility and authority to conduct thorough and impartial investigations of the following circumstances and to make appropriate reports.
 1. Any allegation or complaint of misconduct made by any person against the Office or any of its personnel.
 2. Any alleged or suspected breach of integrity or case of moral turpitude.
 3. Any situation in which a person has been seriously injured or killed by an officer of this agency.
 - a. The Investigation Division will be responsible for the criminal investigation.

- b. The Professional Standards and Conduct Section will be responsible for the administrative investigation.
 - c. In cases of deputy involved shootings, the Professional Standards and Conduct Section shall be called immediately to the scene. (The exception being the intentional dispatching of an animal.)
- C. The Professional Standards and Conduct Section, as a fact finding body equally interested in establishing innocence as well as guilt, will receive, record and thoroughly investigate all citizen complaints alleging misconduct on the part of Office personnel.
- D. Inasmuch as the Professional Standards and Conduct Section is concerned with serious violations on the part of personnel, it can refer certain procedure inadequacies to supervisors of the affected personnel. Those supervisors can then handle the affected personnel by counseling memo.
- E. **Criminal Investigations**
- 1. The Professional Standards and Conduct Section shall conduct criminal investigations involving Office personnel only when specifically assigned to do so by the Sheriff. Normally, such criminal investigations will be assigned to the Investigation Division.
 - 2. These assignments will be made by the Sheriff and the assigned investigators will report directly to the assigning authority.
- F. If, during the course of an internal affairs investigation, it becomes apparent that there has been a criminal violation, the Sheriff will make the determination as to who should continue the investigation; Professional Standards and Conduct, the Investigation Division, or both. A concurrent investigation by both units may, upon occasion, be desirable; Investigation to determine criminal responsibility and Professional Standards and Conduct to determine administrative responsibility.
- G. When any employee is under investigation and subjected to interrogation by his or her commanding officer, or any other member of the employing public safety department that could lead to punitive action, the interrogation shall be conducted under the following conditions. For the purpose of this chapter, punitive action means any action that may lead to dismissal, demotion, suspension, deduction in salary, written reprimand or transfer for the purposes of punishment.

1. The interrogation shall be conducted at a reasonable hour, preferably at a time when the employee is on duty or during the normal waking hours of the employee, unless the seriousness of the investigation requires otherwise. If the interrogation does occur during the off-duty time of the employee, he or she shall be compensated for any off-duty time in accordance with regular department procedures. The employee shall not be released from employment for any work missed.
2. The employee under investigation shall be informed prior to the interrogation of the rank, name and the command of the officer in charge of the interrogation, the interrogating officers and all other persons to be present during the interrogation. All questions directed to the employee under interrogation shall be asked by and through no more than two interrogators at one time.
3. The employee under investigation shall be informed of the nature of the investigation prior to any interrogation.
4. The interrogation session shall be for a reasonable period taking into consideration the gravity and complexity of the issue being investigated. The person under interrogation shall be allowed to attend to his or her own personal physical necessities.
5. The employee under interrogation shall not be subjected to offensive language or threatened with punitive action, except that an officer refusing to respond to questions or submit to questions or submit to interrogations shall be informed that failure to answer questions directly related to the investigation of interrogation may result in punitive action. No promise of reward shall be made as an inducement to answering any question. The employer shall not cause the employee under interrogation to be subjected to visits by the press or news media without his or her express consent nor shall his or her home address or photograph be given to the press or news media without his or her express consent.
6. No statement made during interrogation by an employee under duress, coercion or threat of punitive action shall be admissible in any subsequent civil proceeding. This subdivision is subject to the following qualifications:
 - a. This subdivision shall not limit the use of statements made by the employee when the employing public safety department is seeking civil sanctions against any employee, including disciplinary action brought under Section 19572.

- b. This subdivision shall not prevent the admissibility of statements made by the employee under interrogation in any civil action, including administrative actions, brought by that employee, or that employee's exclusive representative, arising out of a disciplinary action.
 - c. This subdivision shall not prevent statements made by an employee under interrogation from being used to impeach the testimony of that employee after an in-camera review to determine whether the statements serve to impeach the testimony of the employee.
 - d. This subdivision shall not otherwise prevent the admissibility of statements made by the employee under interrogation if that employee subsequently is deceased.
7. The complete interrogation of an employee may be recorded. If a recording is made of the interrogation, the employee shall have access to the recording if any further proceedings are contemplated or prior to any further interrogation at a subsequent time. The employee shall be entitled to a transcribed copy of any notes made by a stenographer or to any reports or complaints made by the investigators or other persons, except those which are deemed by the investigating agency to be confidential. No notes or reports that are deemed to be confidential may be entered in the employee's personnel file. The employee being interrogated shall have the right to bring his or her own recording device and record any and all aspects of the interrogation.
 8. If prior to or during the interrogation of an employee it is deemed that he or she may be charged with a criminal offense, he or she shall be immediately informed of his or her constitutional rights.
 9. Upon the filing of a formal written statement of charges, or whenever an interrogation focuses on matters that are likely to result in punitive action against any employee, that employee, at his or her request, shall have the right to be represented by a representative of his or her choice who may be present at all times during the interrogation. The representative shall not be a person subject to the same investigation. The representative shall not be required to disclose, nor be subject to any punitive action for refusing to disclose, any information received from the employee under investigation for non-criminal matters.

This section shall not apply to any interrogation of an employee in the normal course of duty, counseling, instruction, informal verbal

admonishment by or other routine or unplanned contact with, a supervisor or any other employee, nor shall this section apply to an investigation concerned solely and directly with alleged criminal activities.

10. No employee shall be loaned or temporarily reassigned to a location or duty assignment if a member of his or her department would not normally be sent to that location or would not normally be given that duty assignment under similar circumstances.

H. One of the following findings shall be included in the completed report of investigation:

1. **UNFOUNDED:** The investigation proved that the acts complained of did not occur or were misconstrued. This finding also applies when the individual employee(s) named in the complaint were not involved.
2. **EXONERATED:** The acts, which provided the basis for the complaint occurred, but the investigation showed such acts to be justified, lawful and proper.
3. **NOT SUSTAINED:** The investigation failed to disclose sufficient evidence to prove or disprove the allegation made in the complaint.
4. **SUSTAINED:** The investigation disclosed sufficient evidence to prove the allegation made in the complaint.

I. Completed Investigations

1. The completed investigation shall be forwarded to the Sheriff for his review and approval.
2. In all cases resulting in a finding of other than SUSTAINED, the matter may be referred to the bureau chief for his review.
3. In all cases resulting in an approved finding of SUSTAINED, the matter will be referred to the bureau chief, together with the investigation file, for his recommendation of corrective action and then be directed to the Sheriff-Coroner for his review and imposition of corrective action.
4. When corrective action has been taken, that information shall be forwarded to the Professional Standards and Conduct Section for inclusion in the case file. The investigative file will be retained in the Professional Standards and Conduct Section with a copy of the

charges and findings being forwarded to the involved personnel, the bureau chief, the Sheriff and the employee's personnel folder. The employee shall sign the copy of the document to be entered into the personnel folder prior to that entry.

- a. Provided that SUSTAINED complaints of a minor nature where corrective action results in counseling need not be entered into the employee's personnel file.

J. Distribution and Retention of Completed Reports

1. In SUSTAINED cases appealed to the Civil Service Commission, the completed file of investigation will be made available to county counsel.
2. In cases resulting in an approved finding of other than SUSTAINED, the information and statements acquired during the course of the investigation will remain confidential and will be retained in the files of the Professional Standards and Conduct Section. A copy of the findings will be forwarded to the employee, the bureau chief and Sheriff-Coroner.
3. All investigative files and all information contained therein, except as provided in this policy, are strictly confidential. The Professional Standards and Conduct Officer and Sheriff-Coroner are the only authorized personnel to have access to these reports. Other supervisory personnel within the Office may view specific reports only upon approval by the Sheriff-Coroner and after showing need to do so.

Steve Robbins

STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: C.08
Date: 03/23/06

SUBJECT: EMPLOYMENT DISCRIMINATION AND HARASSMENT

POLICY

It shall be the policy of this Office to ensure equal employment opportunity and nondiscrimination, as required by State and Federal laws, in all personnel transactions including, but not limited to, the recruitment, selection, transferring, promotion, retention, discipline, compensation, assignment, benefits, training, evaluation, layoff and rehire of qualified persons; to be fair and impartial with all of its employees and applicants for employment, without regard to race, color, creed, religion, national origin, ancestry, disability, medical condition (cancer related and genetic characteristics), marital status, sex, sexual orientation, gender, age (over 18), veteran status, pregnancy or any other non-merit factor and to take reasonable steps to prevent such harassment from occurring in the employment practices environment including the following:

1. Affirmatively raising the subject of harassment;
2. Expressing strong disapproval;
3. Developing appropriate sanctions;
4. Informing employees of their right to raise, and how to raise, the issue of harassment under California law;
5. Develop methods to increase awareness by all.

The Sheriff's Office will not tolerate any form of hazing, harassment or discriminatory treatment by any members of this Office towards any other member, other county employee, volunteer or member of the public. It is the responsibility of all Sheriff's Office employees, regardless of position, to take appropriate action to stop and/or immediately report any such action. Employees who engage in such misconduct are subject to disciplinary action up to and including dismissal.

Whenever possible, the Sheriff's Office will provide reasonable accommodation for disabled employees and applicants.

PURPOSE

To provide a workplace free of discrimination and harassment.

REFERENCES

County of Santa Cruz Equal Employment Opportunity/Nondiscrimination Policies
Personnel Regulation Section 191.

County of Santa Cruz Employment Discrimination or Harassment Complaint Procedure
Personnel Regulation Section 192.

County procedures for Investigation and Resolution of Discrimination or Harassment
Complaints are set forth in Personnel Regulation Sections 191.2 through 193.4.

Complaint forms, PER4002 and PER4003, available on the County Intranet or at the
County's Equal Employment Opportunity Office.

DEFINITIONS

"Sexual harassment" is defined as:

1. Conduct including, but not limited to:
 - a. Unsolicited and unwelcome sexual advances;
 - b. Requests for sexual favors;
 - c. Verbal, visual or physical conduct of a sexual nature.
2. WHEN any of the following criteria are met:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment (Quid Pro Quo);
 - b. Submission to, or rejection of, such conduct or communication by an employee is used as a basis for employment decisions affecting the employee (Quid Pro Quo);
 - c. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile or otherwise offensive work environment (Hostile Work Environment).

The three categories of sexual harassment are defined below, but not limited to the following examples:

1. Verbal: Sexually derogatory comments, slurs, jokes, remarks or epithets.

It is not necessary to use graphic or sexually explicit language to verbally harass someone. Otherwise benign language, spoken in a suggestive or derogatory tone of voice or accompanied by visual or physical harassment, can also be considered sexual harassment.

2. Visual: Leering, looking someone "up and down", making sexual gestures, notes or letters, displaying sexually suggestive objects, pictures, cartoons or posters.
3. Physical: Touching, impeding or blocking movement, sexual assault and attempted sexual assault. (Note: reporting sexual assault as sexual harassment does not replace the filing of criminal charges). Common physical gestures like hugging or other physical contact can be improperly taken in context with other comments and/or behavior.

For the purpose of further clarification, sexual harassment includes, but is not limited to:

1. Subjecting any person in non-traditional work environments to hazing (for example being dared or asked to perform unsafe work practices; having tools and equipment stolen, etc.) if requests for sexual favors are not met.
2. Making sexual advances that are unwanted, even in situations where the relationship began with reciprocal attractions, but later ceased to be reciprocal.
3. Making reprisals, threats of reprisal, or implied threats of reprisal following a negative response to a request for sexual favors. For example, either implying or actually withholding support for an appointment, promotion or change of assignment; suggesting a poor performance report will be prepared or suggesting probation will be failed. Also making reprisals against an individual who has filed a sexual harassment complaint.
4. Engaging in implicit or explicit coercive sexual behavior which is used to control, influence or affect the career, salary and/or work environment of another employee. This may include situations where an individual is treated less favorably because others have acquiesced to sexual advances.
5. Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations, reclassifications, etc. in exchange for sexual favors.
6. Repeatedly asking an employee out, "hanging around" an employee with no legitimate work related reason and pursuing an employee in or out of

the workplace CAN cause a hostile work environment affecting the employee's job performance.

If the interest is not reciprocal, this IS sexual harassment even if no job benefit is lost and even if there is no superior/subordinate relationship involved.

7. Engaging in written, verbal, physical and/or visual behavior (as defined above) that results in an ongoing intimidating, hostile or offensive work environment impacting the recipient's ability to do his or her job.

Harassment includes but is not limited to:

1. Verbal harassment, e.g., epithets, derogatory comments or slurs
2. Physical harassment, e.g., assault, impeding or blocking movement or any physical interference with normal work or movement when directed at an individual.
3. Visual forms of harassment, e.g., derogatory posters, cartoons or drawings.
4. Sexual advances, including, but not limited to, sexual advances which condition an employment benefit upon an exchange of sexual favors.

PROCEDURE

I. Employment Discrimination and Harassment

- A. Employees who believe they have been the subject of discrimination or harassment on any grounds prohibited by this policy should report such alleged conduct immediately to their supervisor.
- B. Complaints must be initiated within ten working days after the alleged act. **EXCEPTION:** A complaint alleging sexual harassment must be initiated within 180 calendar days after the alleged act of sexual harassment has occurred.
- C. The employee's immediate supervisor must attempt to resolve the complaint within five working days from the date of discussion. If, for any reason, the complaint is not resolved at this initial step, the employee may submit a formal complaint to the Sheriff. The formal complaint must be submitted within five working days of the date the supervisor's response was due.

- D. If the complaint is specifically between an employee and the employee's supervisor, the employee may go directly to the Sheriff and submit a formal written complaint.
- E. If a formal written complaint is filed with the Sheriff, an information copy may be sent to the Equal Employment Opportunity Officer by the employee.
- F. The Sheriff may investigate or follow-up on the complaint as deemed appropriate.
- G. The Sheriff will provide a written response to the employee within ten working days of receipt of the formal complaint. The written decision will inform the complainant of his/her right to appeal to the Equal Employment Opportunity Officer. The Sheriff will forward a copy of the written decision to the Equal Employment Opportunity Officer.
- H. If the employee is not satisfied with the response of the Sheriff or if the Sheriff fails to respond within ten working days, the employee may submit a written complaint to the Equal Employment Opportunity Officer. The written complaint must be submitted within five working days of the Sheriff's decision or within five working days from the date the Sheriff's decision was due. This triggers a report to County Counsel within 20 days and a report to the complainant and the department head within another 20 working days. The final appeal for the County process is to the County Administrative Officer (CAO) within seven days. The CAO will issue an opinion within 45 calendar days. If the incident involves a supervisor or department head, the employee may file a complaint directly with the Equal Employment Opportunity Office.
- I. Employees dissatisfied with the final response on behalf of the County to their complaint of discrimination have the right to file a complaint with either the Equal Employment Opportunity Commission or the State Department of Fair Employment and Housing within one year of the occurrence.
- J. Retaliation or discrimination against any member of this Office because that member made a complaint of discrimination or harassment is prohibited under this policy.


STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: C.10
Date: 01/31/06

SUBJECT: EMPLOYEE GRIEVANCE PROCEDURE

POLICY

It shall be the policy of this Office to establish a procedure for the settlement of employee grievances.

PURPOSE

To maintain a reasonable process for dealing with employee-related disputes.

REFERENCES

Memorandum of Understanding of the Employees' Representation Units
County Procedures Manual.

PROCEDURE

- I. Employee Grievance Procedure
 - A. Pursuant to the Employees' Memorandum of Understanding and the County's Procedures Manual, procedures are established to maintain a reasonable and uniform process for dealing with employee-related disputes.
 - B. Employees who believe that they have a grievance, may discuss their complaints with their immediate supervisor in an attempt to resolve the matter before it becomes the basis for a formal grievance. If the dispute involves the employees' immediate supervisor, employees are encouraged to discuss their complaint with that immediate supervisor in hopes of resolution or may choose the next in the chain of command.

Number: C.10
Date: 01/31/06

- C. If a formal grievance is filed, all procedures shall be followed as indicated in the County Procedures Manual and the Employee Memorandum of Understanding.

Steve Robbins

STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: C.12

Date: 03/15/06

SUBJECT: EMPLOYEE DISCIPLINARY ACTION

POLICY

It shall be the policy of this Office to establish a consistent procedure for disciplinary actions.

PURPOSE

To clarify disciplinary action and due process rights of Sheriff's Office personnel involved in allegations of misconduct.

REFERENCES

Civil Service Rules Section XIV, Civil Service Policy on Disciplinary Action,
Peace Officer Bill of Rights, Government Code Sections 3303, 3304

DEFINITIONS

"Disciplinary Action" - Corrective or punitive action taken by an appointing authority against an employee in accordance with the rules of the Civil Service Commission.

"Punitive Action" - Any action, for the purpose of punishment, which leads to dismissal, demotion, suspension, reduction in salary, written reprimand or transfer.

"Personnel" - All employees, sworn and non-sworn, under control of the Sheriff.

"Appointing Authority" - Sheriff-Coroner

PROCEDURE

- I. Employee Disciplinary Action
 - A. Representation Rights
 1. When an employee is under investigation, which could result in punitive action, he or she may be represented in accordance with

their respective unit's Memorandum of Understanding. All procedural protection therein shall be adhered to.

B. Administrative Appeals

1. No punitive action, or denial of promotion on grounds other than merit, shall be taken without providing the employee an opportunity of administrative appeal. Sworn personnel; refer to Peace Officer's Bill of Rights. Gov. Code Section 3300-3311.

C. Possible Criminal Actions

1. During an administrative investigation into alleged criminal conduct, the persons interviewed will be given their constitutional rights per the standard Miranda Warning. If the persons interviewed invoke their constitutional rights, they will be ordered to give a statement and advised that refusal to answer questions regarding the investigation could result in disciplinary action, up to and including dismissal. They should be given an admonishment minimally equivalent to the "Lybarger" admonishment.
2. Any statements made by the employee after being "ordered" to give a statement are not admissible in a criminal case against the employee in that matter.

Steve Robbins
STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: C.14
Date: 09/26/06

SUBJECT: MODIFIED DUTY ASSIGNMENT

POLICY

It shall be the policy of this Office to provide modified duty assignments in circumstances where the employee is injured while on duty and such an assignment is available, and as required by state and federal disability laws. Exceptions may be made at the Sheriff's discretion, but will generally only be considered for off-duty injuries with extraordinary circumstances. Requests made regarding the county's reasonable accommodation policy are covered at the end of this policy.

PURPOSE

To clarify the conditions under which modified duty assignment requests may be granted or revoked by the Sheriff.

REFERENCE

American with Disabilities Act
Fair Employment and Housing Act
County Personnel Administrative Manual, Number 0213A, Reasonable Accommodation Guidelines
Sheriff's Office Policy, A.27

PROCEDURE

- I. Modified Duty Assignments
 - A. There is no right to a modified duty assignment except under certain circumstances pursuant to State and Federal disability laws. Such assignments are completely within the discretion of the Sheriff.
 1. The Sheriff will consider modified duty requests when there is a service-connected illness or injury.

- B. The Sheriff will evaluate each request for a modified duty assignment on an individual basis subject to the following policies:
1. Service-connected modified duty requests shall normally be granted if such an assignment is available and the assignment is appropriate for the limitations imposed by the employee's injury or illness.
 2. No modified duty assignment shall be permanent. Modified duty is limited to 180 calendar days.
 3. Except as otherwise required by law, typically non service-connected modified duty requests will not be approved. The exception is, employees victimized by a criminal act, while off duty. Such assignments are completely within the discretion of the Sheriff.
- C. The Sheriff or his designee may revoke modified duty assignments at any time. Factors justifying revocation include, but are not limited to the following:
1. Completion of the assignment,
 2. Termination of the need for such assignment,
 3. Budgetary considerations,
 4. Workload changes or other administrative considerations,
 5. A change in the health of the employee which prevents the employee from performing the modified duty assignment or which imposes an unacceptable risk to the safety of the employee or others.
 6. If the injury or illness is determined to be of a permanent nature.
 7. Undue hardship on the part of the Sheriff's Office as a result of the modified duty status.
- D. Employees granted modified duty status must enter into a temporary modified duty agreement with their supervisor.
1. Upon completion, the original shall be returned to the Administration Bureau for distribution.
- E. The Sheriff may deny modified duty and instead assign an employee with a service connected illness or injury to inactive status. Sick leave and long-term disability may be available for employees who are unable to perform their job duties as a result of a bonafide illness or injury.

- F. This policy does not apply to employees with pregnancy-related disabilities or employees who are qualified individuals with disabilities. Requests by such employees for modified duties shall be considered consistent with the County of Santa Cruz policy regarding reasonable accommodation or applicable State or Federal law.

Refer to the County Personnel Administrative Manual, Topic: Reasonable Accommodation, Section: Equal Employment Opportunity, Number: II.13.A for information regarding "qualified persons with a disability." These requests are filed with the County's Equal Employment Officer in County Personnel.

Reasonable accommodation for pregnant employees is covered in Sheriff's Office Policy A.27.


STEVE ROBBINS, Sheriff-Coroner



**COUNTY OF SANTA CRUZ
SHERIFF'S OFFICE
INTER-OFFICE CORRESPONDENCE**

DATE:

TO:

FROM:

**SUBJECT: TEMPORARY MODIFIED DUTY AGREEMENT -
(REFERENCE SHERIFF'S OFFICE POLICY C.14)**

Dr. _____ has released you to return to work on
_____ with the following work limitations which are:

The Sheriff evaluates each request for modified duty assignment on an individual basis. Requests for modified duty based upon service-connected medical restrictions shall normally be granted if an assignment is available that, is appropriate for the employee's medical limitations and these limitations are temporary. There is no right to a modified duty assignment and the Sheriff or his designee may revoke such an assignment at any time. Modified duty assignments will continue only as long as there are appropriate tasks available and are limited to a maximum of 180 calendar days.

In accordance with your restrictions, the Sheriff's Office will provide you with the following temporary modified duty assignment:

Your modified duty assignment will begin on _____ and will end on _____, at which time it is anticipated that you will return to full duty. On or before _____ you must provide the Sheriff's Office with updated documentation of your medical restrictions. The Sheriff or his designee will reevaluate your modified duty assignment at that time.

I understand and agree to the above information and Sheriff's Office Policy C.14.

Employee Signature

Date

Supervisor Signature

Date

- c: Chief Deputy, Administration Bureau
- Personnel / Payroll Clerk
- Employee Department Personnel File
- County Risk Management
- Employee
- Employee's Immediate Supervisor

Original to County Personnel File



Santa Cruz County Sheriff-Coroner

Number: C.16
Date: 08/25/06

SUBJECT: GROOMING STANDARDS

POLICY

It shall be the policy of this Office to establish grooming standards consistent with a well-groomed, neat, professional appearance.

The personal appearance of all Sheriff's Office employees shall be consistent with a professional image. The responsibility of projecting and maintaining a positive image lies with the employees.

The Sheriff and/or the Bureau Chiefs shall make the final determination on any discrepancies or interpretations of this policy.

PURPOSE

To prevent personal grooming from interfering with the job function, either by physically posing a safety hazard or by creating a distraction reflecting negatively on the Office. A professional appearance also permits evaluation of performance based on merit, independent of appearance.

DEFINITIONS

UM – Uniformed Male employees shall include all male employees in uniform regardless of classification, assignment or Bureau.

UF – Uniformed Female employees shall include all female employees in uniform regardless of classification, assignment or Bureau.

NUM – Non-Uniformed sworn Male employees shall include all male employees who regularly wear uniforms and have enforcement responsibilities, including CSO's, but who are in a plain-clothes assignment regardless of classification or Bureau.

NUF – Non-Uniformed sworn Female employees shall include all female employees who regularly wear uniforms and have enforcement responsibilities, including CSO's, but who are in a plain-clothes assignment regardless of classification or Bureau.

MC – Male Civilians shall include all male employees who do not fall in the previously delineated classes.

FC – Female Civilians shall include all female employees who do not fall in the previously delineated classes.

PROCEDURES

I. Grooming Standards

A. Hair

1. Uniformed Males and Females

- a. UM hair will be clean, trimmed and neatly arranged. Hair will not extend below the top of the uniform shirt collar while the employee is standing. Hair color may be that of any naturally occurring hair color. Personnel will not display extreme hair styles or extreme hair colors or array of colors.
- b. UF hair will be clean and neatly arranged. Items used to hold or secure hair will be similar in color to the individual's hair color and/or the duty uniform. Items used to secure or hold hair should not be items which can be removed and used as weapons against an officer. Therefore, items such as pointed sticks, pins, etc. are prohibited. Hair color may be that of any naturally occurring hair color. Extreme hair colors or array of colors is not permitted. Hair will not extend below the bottom of the uniform shirt collar while the officer is standing. If the length of hair is longer, it shall be worn up in a neat and secure manner. Hair worn up shall not interfere with the proper wearing of any authorized headgear.

2. Non-Uniformed Males and Male Civilians

- a. NUM and MC standards may be relaxed, but will maintain a professional appearance. Undercover officers are subject to the direction and concurrence of their division commander.

3. Non-Uniformed Females and Female Civilians

- a. NUF and FC hair arrangement standards may be somewhat relaxed but will maintain a professional appearance. Undercover officers are subject to the direction and concurrence of their division commander.

B. Hairpieces/Wigs – All Personnel

- 1. Hairpieces or wigs shall be of good quality, fit, present a natural appearance and not present a safety hazard.

C. Mustaches

1. Uniformed Males, Non-Uniformed Males and Male Civilians

- a. UM, NUM and MC mustaches will be groomed close to the skin, neatly trimmed so as not to present a ragged, bushy, unkempt or extreme appearance. Mustaches shall not extend more than ½” below the corners of the mouth or extend more than ½” horizontally from the corner of the mouth. Waxed ends or tips are prohibited. Undercover assignments are subject to the direction and concurrence of the division commander.

D. Beards

1. Uniformed Males, Non-Uniformed Males and Male Civilians

- a. UM, NUM and MC beards and goatees are prohibited without approval from the employee’s division commander.

E. Sideburns

1. Uniformed Males, Non-Uniformed Males and Male Civilians

- a. UM, NUM and MC sideburns shall be groomed close to the skin and neatly trimmed so as not to present a ragged, bushy, unkempt or extreme appearance. Sideburns may have a natural flare, but will not be extreme in width or extend below the ear lobe.

F. Jewelry

1. Necklaces

a. Uniformed Males, Uniformed Females, Non-Uniformed Males and Non-Uniformed Females

- 1) UM and UF, may wear necklaces underneath the uniform shirt, not visible to the public, while on-duty. NUM and NUF may wear necklaces that are appropriate for the work place and maintain a professional appearance. Necklaces should easily break away to prevent potential strangulation in an altercation. Therefore, necklaces, such as braided, rope types, are prohibited. Common sense and safety will be used to determine the appropriateness of the necklace.

b. Male Civilian and Female Civilian

- 1) MC and FC may wear necklaces that are appropriate for the work place and maintain a professional appearance.

2. Bracelets

a. Uniformed Male, Uniformed Female, Non-Uniformed Male, Non-Uniformed Female

- 1) UM, UF, NUM and NUF may not wear bracelets of any kind other than medical alert bracelets. Undercover and detective assignments are subject to the direction and concurrence of the division commander.

b. Male Civilians and Female Civilians

- 1) MC and FC may wear bracelets that are appropriate for the work place and maintain a professional appearance.

3. Earrings

a. Uniformed Males

- 1) UM are not authorized to wear earrings.

b. Uniformed Females

- 1) UF may wear earrings, but are restricted to one post/stud type earring per ear. No hook-type earrings are allowed and no departmental reimbursement for loss or damage is available.

c. Non-Uniformed Males and Non-Uniformed Females

- 1) NUF may wear one earring per ear, but will be restricted to post/stud type earrings for safety purposes. NUM are not authorized to wear earrings. NUM and NUF undercover and detective assignments are subject to the direction and concurrence of the division commander.

d. Male Civilians and Female Civilians

- 1) MC are not authorized to wear earrings. FC, who elect to wear earrings, must choose earrings that are appropriate for the work place and maintain a professional appearance.

4. Body Adornment – All Personnel

- a. No body piercing, of any kind, shall be worn which is visible while on duty. This includes ears, eyebrows, nose, tongue and lips.

5. Finger Rings – All Personnel

- a. A maximum of two finger rings may be worn. A wedding set, consisting of engagement ring and wedding ring, whether soldered together or not, will be considered as one finger ring.
- b. Rings must be worn so as to not interfere with normal work functions or use of equipment, to include, the wearing of plastic gloves when they are needed to perform business functions where protection and safety are warranted for the general well being of the employee.

G. Tattoos – All Personnel

1. No body decorations or tattoos shall be visible while on-duty.

H. Cosmetics – All Personnel

1. The use of cosmetics shall be used sparingly and in keeping with the professional image of the Sheriff's Office.
2. Foundations/Blushes should be subdued and blended to closely match the natural skin color of the individual.

I. Perfumes/Colognes – All Personnel

1. Excessive use of perfumes and/or colognes will not be permitted.

J. Fingernails

1. All Personnel

- a. Fingernails will be kept clean and trimmed at a length which will not interfere with the operation and use of equipment or required business practices, such as; clothing searches, wearing of plastic gloves, keyboard operation, etc.

2. All Female Personnel

- a. Fingernail polish worn will be conservative in color.

3. All Male Personnel

- a. Will be restricted to clear polish.

K. Sunglasses – All Personnel

1. Sunglasses may be worn during daylight hours. Sunglasses should be of conservative style and comply with legal standards. No mirrored or reflective lenses should be worn. (Polarized lenses are acceptable.) Special eyewear needs, as recommended by a doctor, will generally be accommodated unless they conflict with safety or a fitness-for-duty issue.

Any of the above personal items worn, shall be the responsibility of the individual. If personal items are damaged during the course of official duties, the employee may submit a claim to the County of Santa Cruz, Risk Management, requesting the damaged personal items be replaced. Risk Management handles the request for replacement of damaged

Number: C.16
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personal items on a case-by-case basis. Replacement of damaged personal items is not guaranteed.

Steve Robbins
STEVE ROBBINS, Sheriff-Coroner



Santa Cruz County Sheriff-Coroner

Number: C.18
Date: 07/25/07

SUBJECT: FUNERALS – SHERIFF’S OFFICE PARTICIPATION

POLICY

It shall be the policy of this office to establish a protocol for office representation at funeral services.

REFERENCE

Sheriff’s Office Funeral Protocol

PURPOSE

To provide guidelines for Sheriff’s Office personnel attending funeral services within the Sheriff’s Office and outside agencies.

PROCEDURE

I. Funerals

A. Representation within the Sheriff’s Office

1. The performance on county time of honorary functions such as honor guards, escort, and pallbearer shall normally be restricted to funerals of active or retired employees. Exceptions to this restriction must be approved by the Sheriff.
2. The deceased’s supervisor, chief deputy of the bureau, or designee in which the active or retired employee worked shall be responsible for coordination of agency response. However, if the deceased’s family requests a particular person to handle the funeral arrangements, such requests should be honored.
 - a. The Sheriff’s Office liaison will assure adequate office representation

at the funeral services.

- b. When the family requests office participation and the deceased was a deputy or correctional officer, an active deputy or correctional officer of a rank equal to or greater than the deceased shall represent the Sheriff's Office.

B. Sheriff's Office Funeral Protocol

1. The protocol followed at each funeral may vary depending on weather conditions, family preference and the facilities used. The Sheriff's Office Funeral Protocol will be maintained by the Operations Bureau and distributed as needed.
2. The OIC shall follow Sheriff's Office Funeral Protocol (see attached).

C. Attendance at Funerals

1. Attendance by uniformed deputies, corrections officers and employees on county time at funerals within the county may be permitted with the approval of the Sheriff. The number attending shall be governed by the needs of the Office.
2. With the approval of the Sheriff, attendance at funerals outside the county may be permitted.
3. County vehicles may be utilized by deputies and employees attending on county time.
4. The performance on county time of honorary functions such as honor guards, escort, and pallbearer shall normally be restricted to funerals of active or retired employees. Exceptions to this restriction must be approved by the Sheriff.

D. Uniforms

1. The following Standard Class A uniform will apply for funeral services within the Sheriff's Office and outside agencies:

- a. Hat (Stratton)
 - b. Jacket (Eisenhower dress)
 - c. Trousers (dress),
 - d. Shirt, dress, long-sleeve only
 - e. Tie, black color, clip-on style
 - f. Shoes or boots, black plain toe, highly polished
 - g. Duty belt
 - h. Black memorial band
2. The OIC, in conjunction with outside agency request, will determine the uniform of the day for the service.
 3. In the event that the outside agency does not designate a funeral uniform the OIC shall designate the funeral uniform for the day.

E. Memorial Band

The Sheriff or designee will authorize the wearing of the memorial band on the badge at their discretion.


STEVE ROBBINS, Sheriff-Coroner

3. Assembly Point

- a. The OIC should select a pre-designated assembly point away from the immediate area of the church or chapel. Necessary briefing concerning procedures should be conducted.
- b. Whenever possible, deputies should be formed into ranks to facilitate their orderly movement to the services.
- c. From the assembly point, deputies should proceed to the church or chapel so as to arrive as a group.

4. Church or Chapel

- a. Arrival should be timed to permit immediate entry into the church or chapel without loitering.
- b. Members should remove their caps as they enter the church or chapel and should move in an orderly manner to the space reserved for uniformed deputies. Members should then remain standing until given the command, "Be seated."
- c. Upon termination of the service, deputies upon command should rise and place their caps over their badges preparatory to filing past the casket. They should hold their caps in this position until they have passed the casket and arrive outside the church or chapel.

5. Outside the Church or Chapel

- a. After leaving the church or chapel, deputies should replace their caps and assemble in formation at right angles to the exit.
- b. When less than six deputies are in attendance, they should form a single rank. If six or more deputies, ranks shall be formed facing each other, leaving an aisle through which the pallbearers and casket may pass.
- c. Tallest deputies form to the right, shorter deputies to the left, regardless of rank.

- d. While waiting in formation outside the church or funeral chapel, deputies should stand at parade rest, wearing their caps.
 - e. At civilian services, when the first of the pallbearers reaches the door of the chapel, the command "Attention" should be given. The next command should be "Uncover" and deputies grasp their caps with their right hands at this time. Upon the next command, "Two," deputies remove caps and place them over their badges. They should hold them in this position until the casket is placed into the hearse and the doors are closed. As the doors are closed, the commands (1) "Cover" and (2) "Two" should be given., Upon the command "Two", deputies should drop their hand smartly to their side and await the order for dismissal. Upon being dismissed, deputies should return quietly to their respective vehicles.
 - f. At a military ceremony, all deputies should upon command, come to attention when the first of the pallbearers reaches the door of the chapel. Upon the command (1) "Hand" and (2) "Salute", all deputies should salute and hold this salute until the casket is placed into the hearse and the doors are closed. At this time, the command "Two" should be given and deputies should smartly, but quietly, return hands to their side. Members should then return to the respective vehicles.
6. Graveside Formations
- a. When less than six deputies are in attendance, they should form a single rank. If six or more deputies are present, two ranks should be formed facing each other, leaving an aisle through which the pallbearers may pass.
 - b. Members should fall-in approximately ten paces in front of and at right angles to the grave, but in no instance in such a position as to interfere with the family or person conducting the services.
 - c. At a civilian ceremony, deputies should stand at parade rest until the casket is removed from the hearse. At this time they

should come to attention and execute "Uncover" placing the cap over their badges. They should hold this position until the end of the service. They should then execute "Cover" and march from the graveside to a location reasonably removed and be quietly dismissed.

- d. At a military ceremony, deputies should come to attention as the casket is removed from the hearse and execute "Hand salute" until the casket is over the grave, at which time the command "Two" should be given. Caps will remain on during the service. "Hand salute" should again be executed during the volleys fired by a military honor guard and during the sounding of taps. As taps is ends, the command, "Two " should be given. Members should remain at attention until the flag upon the casket is folded and the service is concluded. They should then be marched to a location reasonably removed from the graveside and quietly dismissed.

NOTE: Recognizing that the aforementioned procedures may on occasion prove impractical or inappropriate, the OIC may modify funeral procedures to meet the needs of the particular religious service, gravesite or church configuration.

7. Display of the Flag - Funerals

- a. The County Government Center will be requested to display the American flag and the flag of the State of California at half-mast upon request of the Sheriff whenever death occurs to a deputy from this office who died in the line of duty.
- b. In the event of an on-duty death to a deputy, the deceased deputy's supervisor should obtain an American flag for presentation to the deceased's family.

III. Funeral Escorts

- A. Escort procedure will necessarily vary depending upon the number of automobiles and motorcycles present and the physical characteristics of the route of travel. In addition, the deceased's family may have a preference on the type of escort vehicle used. The OIC shall be responsible for adapting the following procedures to the particular circumstances prevailing.

