

26.1 APPENDIX A

Revised 6/17/14

CODE OF CONDUCT/RULES AND REGULATIONS

I. GENERAL CONDUCT

Penalty	Reference Number	
A	1	All employees shall maintain their residences within forty-five (45) minutes reasonable driving time to reporting locations. Any exceptions must be authorized in writing by the sheriff.
A	2	All employees are required to maintain a telephone number of record. A cell phone is acceptable. Any change of address, name and/or telephone number will be reported immediately in the form of a deputy's report to the division commander. In the case of a name change a copy of the new social security card shall be submitted within 30 days from the date of the name change.
A	3	All deputies holding the rank of lieutenant or higher will notify the records section of their location or a telephone number where they can be reached if unavailable for a period of time in excess of twelve (12) hours. The records section will be notified when the deputies are again available
A	4	The use of official sheriff's stationery shall be limited to correspondence on official Office matters.
A	5	Deputies shall use the regulation business card in an authorized format only.
A	6	Employees shall not use the Sheriff's Office as a mailing address for private purposes. The Sheriff's Office address shall not be used on any motor vehicle registration or operator's or chauffeur's license.
A	7	Long distance telephone calls for personal reasons are prohibited.
B	8	(R) Employees shall treat supervisors, subordinates, associates, and the general public with respect. They shall be courteous and civil at all times in their relationships with one another.
A	9	Upon request employees shall identify themselves by name, ID number, and/or badge number to any person inquiring, unless it would compromise their identity as an undercover deputy. If circumstances preclude a timely response (tactical considerations), employees shall provide the requested information prior to conclusion of the contact
A	10	Employees shall cooperate fully with officials of every branch of the city, county, state, and federal government.

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| A | 11 | In the interest of protecting the identity of a deputy in plainclothes, a deputy in uniform shall not recognize a plainclothes deputy unless recognized by the deputy in plainclothes. |
| B | 12 | (R) When on duty in the presence of the public, employees should be referred to by rank or title. |
| A | 13 | Employees are prohibited from holding a commission from any other law enforcement agency except as authorized by the sheriff or undersheriff. |
| A | 14 | Employees that are litigants in any civil action shall notify both the sheriff and the office of the county counselor (through channels), as soon as they become aware of the civil action. |
| A | 15 | No employee shall permit any person to canvas or solicit for any purpose in a sheriff's facility unless authorized by the sheriff. |
| B | 16 | All employees must immediately notify their supervisor upon an incident where they are a victim, witness, or suspect in a criminal case with another agency or are arrested for any type of offense. |
| A | 17 | All employees must possess a valid Kansas driver's license. Employees may be hired with a valid driver's license from another state, but they must obtain a Kansas driver's license within 90 days of establishing residency. |
| A | 18 | (R) Employees of the Sheriff's Office shall thoroughly search for, collect, preserve, and identify evidence in any arrest or investigation. |
| C | 19 | (R) Unless authorized by a supervisor, all deputies shall promptly and properly submit any money, property, or evidence before completing their tour of duty. |

II. CARE AND USE OF EQUIPMENT AND VEHICLES

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Number | |
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| B | 1 | Unattended vehicles will be locked at all times. Employees shall report any defective or inoperative equipment. |
| B | 2 | When operating or using a vehicle, employees shall exercise reasonable diligence to avoid damage to property and/or injury to persons as a result of such operation/use. |
| B | 3 | No firearm will be left in the passenger area of any unattended vehicle, unless necessary due to undercover considerations (except shotgun and patrol carbine in a locked mount). Firearms should only be temporarily left in the trunk of a vehicle, when necessary or authorized by a division commander. |
| A | 4 | Employees shall not permit unauthorized persons to be conveyed in or on any sheriff's vehicle or aircraft without authority of a supervisor. |

- B 5 Sheriff Office vehicles shall only be used for official business.
- 6 **(R)** OPEN
- A 7 Employees shall not mar, mark, or deface any surface in any departmental building or premises. No material shall be affixed in any way to any wall, door, bulletin board, or window in any departmental building without specific authorization of a division commander.
- B 8 Employees shall not send, install, download, or otherwise maintain on a county owned computer any material jokes, pictures, photographs, or text which could be deemed pornographic or objectionable in nature.
- B 9 **(R)** Employees will secure and care for all assigned equipment. Employees shall report any lost or stolen equipment by detailed report forwarded to their supervisor, and cut a case.
- B 10 **(R)** Employees shall not disconnect, alter, or otherwise manipulate any device installed for the purpose of tracking the position of a sheriff's vehicle without the authority of a supervisor.

III. GRATUITIES, BRIBES, REWARDS, AND COMPENSATION

Penalty Reference
Number

- C 1 **(R)** Employees shall not solicit directly or indirectly any gift, gratuity, loan, fee, or anything of value arising from or offered because of a law enforcement employment except when:
- a. When approved by the sheriff for charitable purposes;
 - b. While participating in employee suggestion award programs or general award programs as approved by the sheriff,
 - c. Unsolicited discounts or services offered to all employees so long as the employee does not profit by reselling the item or offering the discount or service to another may be accepted. Employees may not assume a discount or service is forthcoming and should be prepared to conduct themselves responsibly if no discount is offered.
- B 2 **(R)** Employees shall not knowingly act as an intermediary in the payment of a reward without authorization from the sheriff.
- A 3 No employee shall accept both a witness fee and compensation from the sheriff's office. The employee may, if compensated by the office, donate the fees received to the Sedgwick County Sheriff's Office employee benefit fund.
- A 4 Employees shall notify the sheriff prior to allowing their name or

photograph to be used to endorse any product or service that is in any way connected with law enforcement. Employees shall not, without permission of the sheriff, allow their names or photographs to be used in any commercial testimonial that alludes to their position or employment with the Sheriff's Office.

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| C | 5 | (R) Employees shall not convert to their own use any county-owned property, any evidence, or any found, seized, or recovered stolen property. |
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IV. USE OF FORCE AND AUTHORITY

Penalty	Reference Number	
C	1	(R) Use of force by departmental employees shall conform to policies and procedures set forth in general order 1.3 .
B	2	(R) Regardless of any employee's rank, assignment, special training, and/or special qualifications, he/she shall not knowingly act on behalf of a defendant, for a consideration or otherwise, obtain, develop, prepare, or present evidence or testimony that would prejudice the prosecution of a criminal or traffic complaint by any duly constituted law enforcement agency.
B	3	(R) No employee shall, without prior written approval of the sheriff, appear or give testimony as a character witness for any defendant in a criminal inquiry or trial unless properly subpoenaed.
B	4	No employee will authorize or recommend the reduction or dismissal of any charge, bond, or fine as set by a municipal court, district court or federal district court unless such recommendation is made in conjunction with the prosecutor and is in the normal course of "plea bargain" procedures.

V. UNBECOMING CONDUCT

Penalty	Reference Number	
B	1	No employee shall publicly criticize the official action of other employees of this or any other agency
B-D	2	(R) Employees shall not commit or be involved in any misdemeanor or felony crime ..
B	3	(R) Engage in unbecoming conduct. Unbecoming conduct shall include that which brings the Sheriff's Office into disrepute or reflects discredit upon the employee or the Sheriff's Office, or that which impairs the morale, operation, or efficiency of the Sheriff's

Office or employee.

- C 4 **(R)** Employees shall not discriminate against, degrade, speak slightly, or show partiality toward any person or organization on the basis of racial, ethnic, religious, sexual orientation, political, physical handicap, or personal prejudice. Notice of any official action in regard to this regulation will be forwarded to the Sedgwick County Diversity and Employee Relations Manager.
- A 5 **(R)** Employees shall avoid any derogatory criticism, gossip, or rumor.
- B 6 **(R)** No Sheriff's Office employee shall fight or quarrel with any other Sheriff's Office employee while either is on duty.
- B 7 No employee shall engage in "horseplay" or the playing of pranks while on duty.
- B 8 **(R)** No employee shall at any time ridicule or belittle any person. Neither shall an employee willfully embarrass, humiliate, or do anything that might incite any person to violence.
- C-D 9 **(R)** Except in the discharge of his/her official duties, no employee shall knowingly:
1. associate or fraternize with inmates, known felons, persons convicted of crimes involving moral turpitude, or persons engaging in unlawful pursuits; or
 2. transact any business or have any dealings which are significant, substantial, or illegal with inmates, known felons, persons convicted of crimes involving moral turpitude, or persons engaging in unlawful pursuits when such conduct reasonably reflects disrepute or discredit on the employee or the Sheriff's Office; or
 3. frequent places that may bring or show discredit to any employee or the Sheriff's Office.
 4. **(R)** Any exception to this policy (i.e. family relationships, infrequent social gatherings) shall only be granted by a Bureau Commander or higher.
- B 10 **(R)** No employee will violate or by any act or conduct attempt to violate or conspire with any person to knowingly violate the rules and regulations, county personnel rules, Civil Service Board rules and regulations, general orders, or policies of the Sheriff's Office. Any attempt to do so shall be viewed as though the actual violation had been accomplished.
- A 11 **(R)** Tobacco use shall conform to all laws, policies, and regulations, regardless of source.
- B 12 **(R)** Before an employee makes a statement in a personal capacity to the media or in any public forum and it is apparent that he/she

is an employee of the Sheriff's Office, he/she shall inform the media or forum that the statement is his/her personal opinion and not necessarily shared by the Sheriff's Office. Prior to making the statement, the employee will notify his/her division commander at least 24 hours in advance. While participating in this forum, employees may not wear the uniform or portions thereof or other objects and/or insignia that reflect his/her employment with the Sheriff's Office, without permission of his/her division commander.

- C 13 (R) All employees of the Sheriff's Office shall not withhold any information and shall fully cooperate with any member of the Sheriff's Office assigned by the Sheriff to conduct an administrative internal investigation.
- D 14 (R) Employees of the Sheriff's Office involved in an administrative internal investigation, who, after being given the Kalkines Warning, may not refuse to answer questions related to the performance of his/her official duties or about their fitness for duty.
- D 15 (R) Employees of the Sheriff's Office may not refuse to submit to examinations/searches in an administrative investigation after being directed to do so by the Sheriff or his designee.
- C 16 (R) Any employee who is a witness in an administrative internal investigation may not attempt to influence other witnesses in the investigation or attempt to solicit information for or from another employee.
- C 17 (R) The initiation of traffic/pedestrian(s) stops must be based on reasonable and articulable suspicion or actual violation of the law committed by the occupant(s) of the vehicle or pedestrian(s). Safety reasons alone may justify the stop if the safety reasons are based upon specific and articulable facts. "Racial or other biased-based policing" means the unreasonable use of race, ethnicity, national origin, gender or religion by a law enforcement officer in deciding to initiate an enforcement action. It is not racial or other biased-based policing when race, ethnicity, national origin, gender or religion is used in combination with other identifying factors as part of a specific individual description to initiate an enforcement action.

VI. ADHERENCE TO DUTY

Penalty	Reference Number
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| B | 1 | Employees on duty shall limit their participation in controversial matters to such action that is clearly law enforcement action. Off- |
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duty employees shall not participate in controversial activities in a manner that will bring disrepute to the department.

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| B | 2 | (R) Employees shall not communicate or impart confidential law enforcement information either in writing, verbally, or electronically to unauthorized persons. |
| B | 3 | (R) Testimony in court or before any duly constituted body shall be given as asked for and without evasion. Deputies shall avoid any show of prejudice, anger, sarcasm, or belligerence. |
| D | 4 | (R) Employees shall not give a false statement, false testimony, or intentionally deceive a supervisor, Professional Standards, or another deputy during the course of official business. Nor shall any employee of the department knowingly or willfully make a false entry in any official record. |
| C | 5 | (R) Dereliction of duty on the part of any employee of the Sheriff's Office is prohibited. Dereliction is the willful neglect or abandonment of duty or assignment. |
| B | 6 | Employees shall report as witnesses before any court or hearing board when subpoenaed or duly summoned or notified in compliance with department policy and procedures. |
| A-D | 7 | All employees shall comply with Sheriff's Office orders, directives, rules and regulation, policy and procedures, and administrative policies of Sedgwick County, and Civil Service Board rules and regulations. |
| B | 8 | (R) Employees of the Sheriff's Office shall obey the lawful orders of supervisors. If he/she considers a lawful order to be in conflict with previous orders or with official Sheriff Office Policy, he/she shall call this fact to the attention of the supervisor issuing the conflicting order, but he/she shall obey the last order given. Such failure or refusal may be demonstrated by a belligerent or argumentative behavior by the employee. |
| C-D | 9 | (R) Employees shall maintain sufficient competency to perform their duties properly and assume responsibilities of their positions. Employees shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out functions and objectives of the Sheriff's Office. Incompetence may be demonstrated by: <ul style="list-style-type: none">a. A lack of knowledge of the laws he/she is charged with enforcing;b. An unwillingness or inability to perform assigned tasks;c. Failure to take appropriate action in response to an incident which required a response;d. Employees who have repeatedly exhausted sick leave and/or vacation and are carried without pay;e. Repeated, poor performance evaluations;f. A written record of repeated violations of directives |

contained within the Sheriff Office Policy and Procedures Rules and Regulations. This shall apply regardless of the severity of the offenses, regardless of any reckoning period, and regardless of whether these violations are of the same type.

- A 10 No employee shall institute criminal charges arising from law enforcement activity without notification of a supervisor.
- B 11 No employee shall independently initiate or conduct any type of investigation unless the investigation is a normal function of their official assignment, or prior supervisory approval has been obtained.
- B 12 No employee shall commence or conduct any investigation of another employee of the Sheriff's Office except as specified in [section 52.1.4.](#)
- D 13 **(R)** OPEN
- C 14 **(R)** No deputy shall wear the uniform, be armed or carry a badge or identification card while under suspension. Such deputies shall immediately surrender the badge, identification card, and county-issued weapons to the supervisor or division commander notifying the employee of his/her suspension. This prohibition does not limit the lawful carrying of a concealed handgun by a non certified deputy.
- C-D 15 All Civil Service employees are prohibited from actively engaging in any political party activity as provided by K.S.A. 19-4315 and County Resolution 60.
- C 16 **(R)** No employee shall be absent without leave. Absent without leave shall mean failure to report for duty
- A 17 Unless otherwise directed, employees shall report for duty at the time and place specified, properly attired and equipped.
- B 18 **(R)** Employees assigned to the care, custody, or control of prisoners shall not leave a prisoner(s) without proper authorization.
- A 19 **(R)** While on duty, employees shall be diligent and devote their entire time and energy to the duties to which they are assigned.
- B 20 Every employee shall report to a supervisor any incident against the good order, efficiency, discipline, or that which is contrary to the Core Values of the Sheriff's Office that he/she observes or of which he/she has knowledge.
- B 21 Deputies on duty shall take law enforcement action when necessary and conduct a proper and thorough investigation in accordance with departmental procedures. Deputies shall then submit all reports prior to the end of their current tour of duty, unless authorized by a supervisor.

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| A | 22 | (R) Employees shall remain awake while on duty or shall report their inability to do so to a supervisor. |
| B | 23 | (R) Employees shall keep themselves informed on departmental activities as published in the "Daily Bulletin", "Special Bulletins", interwatch, memorandums and special orders. |
| A | 24 | All deputies are required to carry their badge and I.D. card while on duty, with the exception of personnel working in an undercover capacity. Personnel are encouraged to carry their badge and I.D. card while off duty. Personnel who carry a firearm while off duty are required to carry their badge and I.D. card. |
| D | 25 | (R) All employees shall be capable of rendering credible testimony in a court of law. |
| B | 26 | (R) Every supervisor shall properly oversee subordinates, which includes taking appropriate disciplinary action when necessary. |
| A | 27 | (R) A supervisor shall avoid censuring a subordinate deputy in the presence of others, unless impractical or unavoidable. |

VII. INFLUENCE OF DRUGS AND/OR ALCOHOL

Penalty	Reference Number	
B	1	Employees shall not drink alcoholic or cereal malt beverages while on duty except in the performance of an approved assignment.
C-D	2	(R) Employees shall not report for duty in an intoxicated condition nor shall they become intoxicated while on duty.
C	3	(R) No employee shall be found under the influence of any substance to the point of causing embarrassment to the department.
C	4	(R) No employee shall become intoxicated while off duty and attired in a uniform or any part thereof.
B	5	(R) Employees shall not use any controlled substance without having a personal prescription for the controlled substance and then shall only use it as prescribed.
C-D	6	(R) Employees who test positive as identified by the Sheriff's Office policy on testing (see 52.3.5 or Sedgwick County Policy 4.310(V) (C) will be subject to discipline, up to termination, even on a first offense.