


EL PASO COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURE MANUAL

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| Subject: GENERAL RULES OF CONDUCT | | |
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I. PURPOSE: To identify rules and regulations regarding the conduct of Sheriff's Office members.

II. DEFINITIONS:

CIVILIAN EMPLOYEE: Employee who does not possess a Deputy Sheriff commission.

SWORN EMPLOYEE: Employee who possesses a Deputy Sheriff commission.

MEMBER: A volunteer, cadet, reserve deputy, or chaplain, who donate their time to the El Paso County Sheriff's Office.

LAW ENFORCEMENT CONTACT: Any contact in which a member is contacted, provides information, or is questioned by any law enforcement agency as a victim, witness, or subject to any incident under investigation; any traffic contact regardless of whether a citation or warning is issued.

III. POLICY: It is the policy of the Sheriff's Office to establish general rules of conduct for its employees and members. These rules will be established in accordance with existing laws, as expected by law enforcement personnel and the citizens of this community.

IV. PROCEDURE:

A. GENERAL RULES OF CONDUCT:

Rules and regulations are designed as guidelines for behavior within an organization. They are not intended to cover every case that may arise, but to help establish a base by which individuals will make acceptable decisions in areas that may not be specifically addressed. All personnel of the Sheriff's Office shall be provided a copy of the Police Code of Conduct and the Law Enforcement Code of Ethics, which is contained in this Policy Manual. Ethics training will be conducted biennially.

1. OBEDIENCE TO ORDERS:

Employees or members will obey any order lawfully issued by a supervisor or commander, not commit any act that constitutes a violation of any Sheriff's Office rules, regulations, procedures, responsibilities, instructions or written directive, not aid, abet, or incite another in the violations of rules, duties, orders, policies, or procedures of the Sheriff's Office and will not violate or conspire to violate city ordinances, county resolutions, state, or federal laws. Employees or members will immediately report all Law Enforcement contacts, arrests or when charged with any offense, whether on or off duty, to their division commander by

memorandum, through their chain of command. In the event of improper action or breach of discipline, it is presumed that the employee or member was familiar with the rules, policies, procedures, responsibilities, instructions, and/or orders.

2. **ABUSE OF AUTHORITY:**
Employees or members will not use their authority for personal gain, nor shall they use their position or status to avoid prosecution for any criminal activity, to include traffic violations.
3. **REPORTING VIOLATIONS:**
Employees or members shall, upon observing or otherwise becoming aware of another's violation as specified above in #1, will report such violations to their supervisor.
4. **PERFORMANCE OF DUTY:**
Employees or members of the Sheriff's Office will faithfully perform their duties to the best of their knowledge, skills, or abilities at all times. Employees or members will not read recreationally, play games, watch television, movies, or otherwise engage in sleep or entertainment while on duty. Employees or members will not engage in personal activities or business while on duty, which would cause them to neglect or be inattentive to duty. Employees or members of the Sheriff's Office shall be punctual in reporting for duty; court, or any other time there is a specified report time. Employees or members will not make custodial arrests when a warning or citation would suffice.
5. **SEAT BELT REQUIREMENT:**
Employees or members and their passengers shall wear seat belts while operating an Office vehicle. When transporting handcuffed prisoners, sworn employees are required to fasten the seat belt restraint for the prisoner, unless in the process of securing a resistive prisoner, they or the member may sustain physical injury. Circumstances may exist whereas a standard operating procedure within a bureau or division exempts the use of seat belts.
6. **CALL FOR DUTY/ PHONE AND ADDRESS:**
Employees or members "off duty" shall immediately report for duty upon receipt of an order to do so. Employees or members are required to maintain a telephone at their residence, and/or cell phone, and provide the Personnel Unit with their phone number(s) and physical address. Changes that occur must be made to the Personnel Unit within 72 hours of the change. *Any type of phone block shall allow for easy and immediate bypass allowing Sheriff's Office personnel to make necessary contact.*
7. **RESPECT FOR COMMANDING OFFICERS, OTHER EMPLOYEES AND CITIZENS:**
Employees or members will treat supervisors and command personnel with the respect and courtesy due their rank. Employees or members will treat other members of the Sheriff's Office with the respect and courtesy due them as fellow employees or members. Employees or members will be courteous to the public. Employees or members will control their tempers and not engage in argumentative discussion. They will not use coarse, violent, profane, or insolent language. Employees or members shall serve the public by direction, counsel, and in other ways not to interfere with the discharge of their official duties. They will respect the Constitutional rights of individuals and perform their services with honesty, discretion, integrity and sound judgment.
8. **COWARDICE:**
Employees or members of the Sheriff's Office are expected to perform their duties in spite of personal danger. Foolhardy actions and tombstone courage are not expected; however, members are to answer calls for help from fellow law enforcement officers and private citizens, despite the personal danger involved. Employees or members will not shirk their

duties because of personal danger.

9. LOITERING:

Employees or members will not linger, or loiter in or about any office or structure of the Sheriff's Office or other building associated with the Office unless their duty requires it. While on duty, members will not loiter in or about any public or private place unless their specific presence is required.

10. DEPARTING FROM THE TRUTH:

Employees or members will not willfully or knowingly depart from the truth in any manner, to include giving testimony, or in connection with official duties except in the lawful performance of their assigned duties. Upon order of superior, members shall truthfully answer all questions specifically, directly, and narrowly related to their scope of employment and operation of the Office that may be asked of them. Employees or members will not make a false report either verbally or in writing.

11. APPEARANCE IN UNIFORM:

Employees or members in uniform will strive to maintain a clean and neat appearance at all times, giving proper attention to personal hygiene and maintenance of the uniform so as not to bring discredit upon the Office. Employees or members will follow prescribed regulations for uniform and personal appearance. For additional information refer to Policy 601.

12. APPEARANCE IN COURT:

Employees or members are required to report to court on the date and time listed on any subpoena they received from the court liaison. Employees or members that are advised by either the District Attorney's Office "call-off" telephone recording system or the Court Liaison that they are not needed for court are excused from appearing. Employees or members appearing in court regarding Sheriff's Office business will wear the uniform in the prescribed manner or attire themselves in acceptable business attire. Employees or members appearing in court for personal reasons, i.e. divorce, child custody, civil proceedings, etc. will not be in uniform or carry a weapon of any type into the courtroom. Employees or members will conduct themselves in a professional manner so as not to bring discredit upon the Sheriff's Office.

13. NARCOTICS:

Employees or members will not use or possess any illegal narcotics, hypnotic, barbituate, hallucinogenic, or somnifacient drug, unless prescribed by and under the supervision of a licensed doctor or dentist.

14. USE OF ALCOHOLIC BEVERAGES:

Employees or members will not drink alcoholic beverages while on duty, either in or out of uniform, except in the performance of duty. Employees or members will not drink alcoholic beverages while off duty to an extent that renders them unfit to report for scheduled duty or results in the commission of an obnoxious or offensive act that might tend to bring discredit upon the Office. Employees or members shall not be in possession of a firearm while under the influence of alcoholic beverages.

15. CONDUCT UNBECOMING:

Employees or members will conduct themselves both on and off duty in a manner that reflects most favorably on the Office. Employees or members will not engage in conduct prejudicial to good order and discipline or in conduct unbecoming a law enforcement officer. Employees or members will not participate in any immoral, indecent, lewd or disorderly conduct. Employees or members will not utter any disrespectful, mutinous, insolent or abusive language toward another member, supervisor, subordinate, staff officer, or citizen.

16. INTIMIDATION:

Employees or members working in their official capacity will not intimidate any person for personal reasons.

17. CRITICISM OF OFFICIALS:

Employees or members will not criticize the Sheriff's Office, Courts, District Attorney's Office or any elected officials, except through official channels and by use of the prescribed procedures. This rule is not intended to preclude the offering of personal opinions while off duty in the course of conversations deemed to be private.

18. IMPARTIAL ATTITUDE:

Employees or members, while being vigorous in enforcement of the law, will maintain a strictly impartial attitude toward complainants or violators. Employees or members will at all times consider it to be their duty to be of service to anyone regardless of race, color, age, creed, or sex.

19. GIVING NAME AND OTHER INFORMATION:

Employees or members will politely give their name and other pertinent identifying information to violators or other persons requesting it, unless such action may jeopardize the Sheriff's Office mission. This includes showing citizens official photo identification cards upon request. Identification cards will not be relinquished to the control of the citizen requesting to see the card. Business cards are provided by the Sheriff's Office and will be provided as appropriate for a situation of this type.

20. CONSORTING WITH PERSONS OF BAD CHARACTER:

Employees or members will not consort, fraternize, or associate with criminals or other persons of bad character, except in affiliation with their law enforcement duties. Exceptions may be granted for immediate family members. Employees or members shall not develop relationships with any incarcerated inmate and they will report the incarceration of any person with whom they already have a relationship to their immediate supervisor.

21. USE OF TOBACCO/SMOKING ON DUTY:

All Sheriff's Office facilities are designated as smoke-free areas. In addition, there will be no smoking in any Sheriff's Office vehicle. There is no tobacco use within 25 feet of any public exit or entrance at any Sheriff's Office facility, unless designated for that purpose. Employees or members will use discretion in the use of tobacco while in the public view, so as not to discredit the Sheriff's Office.

22. SOLICITING OR ACCEPTANCE OF A BRIBE, GIFT, OR GRATUITY:

Employees or members will not solicit, offer or accept a bribe, gift or gratuity. Employees or members will not trade, barter, accept or purchase any item from any merchant at a rate lower than what is charged their regular customer, or what is considered to be below the fair market value of the item. Employees or members will not receive any article, whatsoever, either as a gift or as the result of purchase or trade, from suspects, prisoners, persons recently arrested, or from gamblers, prostitutes, or from bondsmen or other persons whose interests may profit from information obtained from law enforcement, or from friends, relatives or associates of these people. Employees or members will not accept rewards from individuals or organizations for an act which is their duty to perform, or is done during the normal course of duty. Members will not file or apply for rewards from the military services for the apprehension or deliverance to military authorities of AWOLS or deserters. If any individual or organization desires to make a contribution to the Office in appreciation for services provided by the Sheriff's Office or by a Sheriff's Office employee or member, the funds will be deposited to the County General Fund that is used to benefit all employees.

23. **GIVING TESTIMONIALS, SEEKING PUBLICITY:**
Employees or members will not give testimonials or permit their names or photographs to be used for advertising purposes without the approval of the Sheriff. Members will not seek personal publicity, either directly or indirectly, in the course of their employment.
24. **SOLICITING BUSINESS:**
Employees or members will not solicit subscriptions or sell anything on duty without the approval of the Sheriff or Undersheriff.
25. **APPROPRIATING PROPERTY:**
Employees or members will not appropriate any lost, found, evidential, or Sheriff's Office property for their own use.
26. **DESTRUCTION OF EVIDENCE:**
Employees or members will not destroy evidence, unless lawfully ordered to do so by their supervisor or the court having jurisdiction.
27. **MISUSE OF OFFICE EQUIPMENT:**
Employees or members will not use Sheriff's Office vehicles for personal or private affairs unless the division commander or the bureau chief approves the use. Employees or members will use care in handling of Sheriff's Office or County property. Employees or members will not willfully damage, misuse, neglect, abuse, or lose County or Sheriff's Office property.
28. **FAILURE TO MAKE REPORTS:**
Employees or members will not fail to document information, nor will they alter or destroy information, relating to official business or the investigation of criminal activity. Employees or members will not remove or destroy Sheriff's Office records or reports without proper authority.
29. **INTERFERENCE WITH INVESTIGATION:**
Employees or members will not interfere with, or inhibit, lawful investigation or reporting of criminal activity by this or any other law enforcement agency.
30. **RELEASING INFORMATION:**
Obtaining information from sources such as, but not limited to, Colorado Crime Information Center (CCIC), National Crime Information Center (NCIC), Computer Aided Dispatch (CAD), Record Management System (RMS), or Jail Management System (JMS), for reasons other than official use, is prohibited. Employees or members will not inhibit the release of information to those who have a right to the information.
31. **RESPECT FOR NATIONAL COLORS:**
Employees or members on or off duty will show appropriate respect for the National Colors and Anthem. When in uniform with a hat, sworn personnel will render a military salute for the National Anthem, Pledge of Allegiance, or when the National Colors are passing in view.
32. **TREATMENT OF OFFENDERS/ PRISONERS:**
Employees or members will not mentally or physically abuse a prisoner in their custody. Employees or members will not allow a prisoner in their custody to be mentally or physically abused by anyone.
33. **DELAYING AN ARREST/AIDING ESCAPE:**
Employees or members will not engage in any action that would prevent or delay an arrest, nor will they aid in the escape of a prisoner.

34. EQUIPMENT CARRIED ON PERSON:

All deputies are authorized to carry a Sheriff's Office approved weapon while off duty. When carrying a weapon off duty, members will carry their badge and identification cards. Additional information can be found in Policy 603.

35. UNIFORM RESTRICTION WHILE OFF DUTY:

Deputies will wear their uniform only when required for duty or decorum. Deputies may wear their uniform in transit to and from duty or while attending other official functions that require the uniform. Off duty deputies who are in uniform will conduct themselves as if they were on duty.

36. TESTIFYING IN CIVIL CASES:

Employees or members shall not testify in civil cases unless legally summoned or unless the member initiates such civil suit. Members will not provide statements of any type for a civil case to attorneys, investigators, or others without being legally summoned. Any member subpoenaed to testify or provide a statement for the defense in any trial, or against El Paso County, or against the interest of the Sheriff's Office in any hearing or trial shall notify the Sheriff and District Attorney upon receipt of the subpoena.

37. SERVICE OF CIVIL CASES:

Employees or members shall not serve civil processes except those initiated by the courts.

38. INITIATION OF CIVIL CASES:

Employees or members shall not initiate civil action arising out of their official duties without first notifying the Sheriff in an Intra-Office Memorandum.

39. POLITICAL ACTIVITIES ALLOWED:

Employees or members of the Sheriff's Office may participate in political activities and political campaigns while they are off duty, so long as these activities are lawful and do not result in inefficient or ineffective performance of duty, or reflect discredit upon the Sheriff's Office. Members, excluding the Sheriff, will not engage in political activity of any kind while on duty.

40. USE OF FORCE:

Employees or members will not use more force than what is reasonable and necessary to apprehend or subdue anyone. Prisoners and inmates will be treated in a fair and humane manner and will not be humiliated, ridiculed, or taunted. For additional Information refer to Policy 501.

41. FEIGNING ILLNESS:

Employees or members will not feign illness or injury in an effort to avoid duty.

42. ENDORSEMENTS OR REFERRALS:

Employees or members acting in their official capacity will not recommend or suggest, in any manner, the employment or procurement of any particular product, professional service, or commercial service (attorney, bonding agent, towing company, or ambulance service) to any individual who is not an employee of the Sheriff's Office.

43. POSTING BAIL:

Employees or members will not post bail for any person arrested, except for members of their

immediate family.

44. VIOLENCE IN THE WORK PLACE:

Employees or members of the Sheriff's Office will not maliciously threaten, strike, or harass any other employee or member of the Sheriff's Office or any other employee of a County Office.

45. FRATERNIZATION:

Employees of the Sheriff's Office who are supervisors, Recruit Academy/In-Service Training Instructors, or Field Training Officers or Detention Training Officers (FTO/DTO) are prohibited from fraternizing with deputy designees or probationary employees. This does not preclude supervisors, instructors, mentors, or training officers from assisting deputy designees or probationary members to obtain the knowledge and applicable skills necessary to perform their assigned duties.

46. WEAPON DISCHARGE:

Employees or members will properly handle firearms at all times. Employees or members will not allow a firearm to be discharged either negligently or accidentally, either on or off duty. Refer to policy 501 (Use of Force) for additional information.

47. AT FAULT VEHICLE CRASHES:

Employees or members will safely operate Office vehicles at all times. Employees or members will not engage in careless, reckless, or inattentive driving which results in damage to any vehicle. Employee or members will not be the proximate cause of a traffic crash while operating an Office vehicle. Refer to policy 607 (Traffic Crashes) for additional information.

48. ORAL COMMUNICATIONS

Any oral communication between members will not be surreptitiously recorded with the use of an electronic, mechanical or other device which by its design renders it primarily useful for the covert interception of these oral communications. Any recordings will be conducted openly with the awareness and consent of all parties involved, to include any telephone communications, except when approved by the Sheriff or Undersheriff for investigative purposes. Oral communication means any communication uttered by any person believing that such communication is not subject to interception, under circumstances justifying such belief.