



OFFICE OF THE SHERIFF ST. MARY'S COUNTY, MD	
EFFECTIVE DATE	Policy No. 2.06
March 29, 2018	Section Code: A
Sheriff's Approval:	Amends: 8/24/17

2.06 CODE OF CONDUCT

This policy sets forth specific rules which govern the conduct of agency personnel. An Agency rule is designed to address situations where no deviation or flexibility is permitted. Therefore, personnel must familiarize themselves with the following policy.

2.06.001 Policy

The policy of the St. Mary's County Sheriff's Office is to ensure that all employees maintain the highest standards of integrity and professional conduct in their relationships with citizens and co-workers. The rules of conduct contained in this policy are designed to serve as a professional standard for conduct as well as to protect certain basic individual rights of employees. These rules are founded on the proposition that all employees have been given a special trust by the people and have an equally special obligation to account for the exercise of such trust.

2.06.002 Knowledge of Regulations

Every employee is required to establish and maintain a working knowledge of all applicable laws and ordinances in force in the County, State, and policies, procedure, Standard Operating Procedures (SOP), and orders of the agency. In the event of improper action or breach of discipline, it will be presumed the employee was familiar with the law, SOP procedure, rule or order in question. Violation of any law, SOP procedure or order may be grounds for disciplinary action.

2.06.003 Cooperation With Investigations

All employees will cooperate fully with any internal or criminal investigation consistent with law and/or the Law Enforcement/Corrections Officer's Bill of Rights; and are prohibited from obstructing, hindering or otherwise interfering with investigations whether criminal or administrative.

2.06.004 **County Personnel Regulations**

Employees of the agency may also be governed by the St. Mary's County Manual of Personnel Policies and Procedures unless they are specifically exempted. Each employee of the agency is required to familiarize themselves with the manual and related sections thereof.

2.06.005 **Conformance to Policies, Laws and Regulations**

All employees will observe and obey orders, rules, policies and procedures of the agency, as well as county policies. Employees will obey all local, state and federal laws and the laws of any foreign country which they visit. Any employee who is charged with a criminal violation, whether by arrest, other charging document or any motor vehicle violation will notify their supervisor within twenty-four hours. If the first notification is verbal, written notification will be made to their supervisor on their first day back to work. (See Appendix A)

- A. Any misdemeanor or felony conviction will be *prima facie* evidence of violation of this section. Agency actions will not be contingent upon placement of criminal charges or a conviction.
- B. An employee will immediately report the suspension, revocation, cancellation, refusal or expiration of their driver's license. The confirmation of that fact may constitute *prima facie* evidence of violation of this policy.
- C. All employees, sworn and civilian, will familiarize themselves with the Law Enforcement Code of Ethics and the St. Mary's County Code of Ethics. Training on both will be conducted at least biennially.

2.06.006 **Performance of Duty**

All on duty employees will perform their duties as required or directed by law, agency rule, procedure, policy, or order, or by order of a supervisor and will not engage in activities or personal business which causes them to neglect or be inattentive to their official duties. All lawful duties required by competent authority will be performed promptly as directed, notwithstanding the general assignment of duties and responsibilities. Employees will not leave their duty assignment without the approval of their supervisor. This does not preclude deputy sheriffs from leaving their assigned patrol area to respond to emergency calls or provide backup if none is available when necessary. The employee's supervisor will be notified as soon as practical when a deputy sheriff leaves his/her

assignment. Employees will remain alert at all times while on duty. No employee will loiter, sleep, or loaf on duty, or in any other manner shirk their responsibilities. If unable to remain alert, employees will report that information to their immediate supervisor who will take appropriate action.

2.06.007 Performance Level

Upon completion of approved training, employees will remain competent to perform their duties and to assume the responsibilities of their assignments and will perform their duties in accordance with agency standards. Lack of knowledge, an unwillingness or inability to perform assigned tasks, failure to conform to established requirements of their position, rank, or grade, or failure to take appropriate action where required constitute unsatisfactory performance.

2.06.008 Punctuality / Reporting to Duty

Employees will report for duty at the time and place required by assignment or orders, and will remain alert throughout their tour. Court subpoenas, writs and other subpoenas resulting from official actions constitute an order to report for duty under this section. All scheduled training functions and approved uniformed off duty security details are to be considered subject to the rules of this section. Employees will be properly uniformed, equipped, and prepared to assume duty and give their undivided attention to orders, instructions, and any other information which may be disseminated.

2.06.009 Reporting Violations

Any employee who has knowledge of other employees, individually or collectively, who are knowingly or unintentionally violating any laws, statutes, ordinances, rules and procedures of the agency or county, or who disobey orders, will bring any and all facts pertaining to the matter to the attention of his/her supervisor immediately. The supervisor contacted will then take appropriate action. Employees may by-pass official chains of command and directly advise the Sheriff of the violation(s) if he/she believes his/her supervisor is involved in the violation(s).

Any employee who has knowledge of citizens (non-Sheriff's Office employees) who are knowingly or unintentionally violating any criminal laws, will officially report the information immediately to a law enforcement entity or to his/her supervisor if exigent circumstances are not present.

2.06.010 Conduct Unbecoming / Rudeness

All employees must display unblemished professional conduct. To that

end, they are duty bound to conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the agency. Employees of the agency are to avoid excessive, unwarranted, or unjustified behavior that would reflect poorly on themselves, the agency, or the county government, regardless of rank or duty status. All employees will be courteous and respectful in dealing with the public. Conduct unbecoming of an employee will include that which may bring the agency into disrepute or reflects discredit upon the employee as a member of the agency, or that which impairs the operation or efficiency of the agency or employee.

2.06.011 Conduct With Agency Personnel

Employees of the agency will treat each other with the respect and courtesy due every individual in a professional work atmosphere. Insolence, the rude or disrespectful behavior to any employee, will not be tolerated. No employee will address another in profane, threatening or abusive language. When referring to a deputy sheriff or correctional officer in public, that person's rank, title or position will be used. Employees will not be referred to in conversation in any type of derogatory or negative manner. Employees will not maliciously threaten, verbally or physically assault, strike or sexually harass any other employee of the agency. Employees who aid, abet or incite any altercation between other employees will be held responsible along with those actually involved.

2.06.012 Associations

Employees will not associate, consort with, and will avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the agency for present or past involvement in felonious or criminal behavior, except as necessary for the performance of official duties, or where unavoidable because of other personal relationships of the employee.

2.06.013 Cooperation/Coordination

Employees will coordinate their efforts with all other employees of the agency and county, with the objective of ensuring maximum achievement and continuity of purpose through teamwork. All employees are charged with the responsibility of fostering and maintaining a high degree of cooperation both within the agency and all other departments and agencies.

2.06.014 Aid to Fellow Officers

No deputy sheriff or correctional officer will fail to aid, assist, or protect a fellow officer to the full extent of their capability in time of need in accordance with established procedures.

2.06.015 Inspections

Inspections of employee's dress, uniform or equipment may be made at any time by competent authority. Such inspections will include, but not be limited to, examination of lockers, desks, agency vehicles or any other space and equipment on agency premises used by any employee.

2.06.016 Human Relations

Employees will not use racial or ethnic slurs. Employees will use respectful, civil forms of address to all persons regardless of their life style. All employees will refrain from harsh, profane, insolent language or acts and will be courteous and civil in their dealings with others.

2.06.017 Aid and Assistance to Citizens

- A. While on duty, deputy sheriffs will aid and/or assist citizens within the county whenever such aid or assistance appears to be called for and is not in conflict with the general principles of law enforcement or in violation of legal statutes or agency rules and procedures.
- B. A deputy sheriff will provide general and emergency assistance to highway users to include, but not limited to:
 - 1. General information and directions.
 - 2. Arranging for towing, gasoline delivery or mechanical help.
 - 3. Arranging for or providing transportation within the county (transports out of the county must be approved by a supervisor).
- C. When rendering assistance, law enforcement officers should remain on the scene until help has been requested, hazardous situations are neutralized, or at the direction of a supervisor. Additionally, the deputy sheriff is required to render all possible assistance to citizens who wish to make any report in accordance with established policies and procedures of the agency. In an off-duty status, a deputy sheriff has a professional obligation to act in a bonafide emergency situation which they may encounter or where their assistance is requested.

2.06.018 Stand-By Duty

Any employee who is placed on stand-by duty will furnish their supervisor with the location and/or telephone number where he/she can be immediately contacted.

2.06.019 Physical Fitness

The role of a deputy sheriff and correctional officer often demands quick response to situations requiring physical exertion after long periods of sedentary activity. The safety of the general public and individual officer demands that officers maintain themselves in good physical condition regardless of assignment. Poor physical condition, such as obesity, is as much a detriment to the Agency image as improper demeanor or unkempt uniform appearance. All officers are encouraged to keep fit and to undertake programs of exercise.

2.06.020 Truthfulness

All verbal communications and written reports submitted by employees of the agency will be truthful. No employee will knowingly report or cause to be reported any false information, to include any verbal or written communications; or misrepresent facts either intentionally or not. Employees will not knowingly enter or cause to be entered, any inaccurate, false or improper information, nor omit any information pertinent to the subject on any agency document, computer or recording device. A clear distinction must be made between reports which contain false information and those which contain inaccurate or improper information. To prove by a preponderance of evidence that one has submitted a false report or statement, evidence must be presented for consideration that such report is designedly untrue, deceitful, or made with the intent to deceive the person to whom it was directed.

2.06.021 Malingering and Violations of Leave Provisions

An employee will be absent from duty because of sickness, only when suffering from an illness or injury which would prevent the proper performance of duty. Employees will not feign sickness or disability, nor attempt to deceive a supervisor concerning their physical or mental condition.

Employees will give proper notification when not reporting for duty, and prepare and submit appropriate requests as stipulated in agency and county leave policies.

2.06.022 Intoxicants, Prescription Medications and CDS

A. Consumption and Purchase of Intoxicants

1. Employees will not report for duty while under the influence of any intoxicants. Although there is scientific evidence to support a person may naturally have a blood alcohol level of up to .002; if this level was based on alcohol consumption, or there is a blood alcohol level greater than .002, the employee will be considered under the influence and is not considered fit for duty.
2. On-duty consumption/purchase of alcohol or other intoxicants is allowed only with the written or verbal permission of the Assistant Sheriff.
3. Employees will not bring onto or keep any intoxicants on agency premises, except when necessary in the performance of duty.

B. Prescription Medications

Employees are required to report the use of prescription medications which would impair judgment on the job or include a cautionary statement regarding the operation of equipment or machinery while taking. This reporting requirement is to employee's immediate supervisor and will be completed immediately upon return to tour of duty.

C. CDS – Controlled Dangerous Substances

Employees are prohibited from using or possessing CDS (Controlled Dangerous Substances); with the exception of the required handling of CDS as property or evidence, as an authorized investigative tool, or for training purposes.

2.06.023 Intoxicants and Agency Vehicles

Intoxicants will not be transported in any police vehicle, on duty or off duty, except as necessary in accordance with official duties. Additionally, agency vehicles and equipment will not be operated by employees under the influence of intoxicants, refer to SMCSO Policy B7.01.014.

2.06.024 Gambling

Employees will not engage in any form of gambling, which is not licensed

and/or regulated through the State of Maryland, or by St. Mary's County Code; except in the performance of duty, and acting under proper and specific orders from the Sheriff or his designee.

2.06.025 Gratuities

Employees will at all times avoid any appearance of impropriety. No monetary gift of any value will be solicited or accepted by any employee, regardless of the value without special permission of the Sheriff or his/her designee. No non-monetary compensation, reward, gift, or other consideration will be solicited by any employee; if received, any non-monetary compensation over the value of \$10.00 requires special permission of the Sheriff or his/her designee prior to acceptance.

This includes, but is not limited to: tangible or intangible property, food, beverage, loan or promise of loan or any service. This does not preclude accepting unsolicited items which are given to or available to the general public. This does not include fund raising activities which have been approved by the Sheriff or his/her designee, such as The Special Olympics, or bona fide activities of the Fraternal Order of Police when not officially representing the agency.

2.06.026 Disposition of Unauthorized Gifts, Gratuities, Etc.

Any unauthorized gift, gratuity, loan, fee, reward, or other material benefit which comes into the possession of any employee will be forwarded to the Sheriff along with a written report explaining the circumstances. The Sheriff will determine whether to arrange for the return of the gift, gratuity, loan, fee, reward, or other item and/or to pursue an investigation against the giver. The employee involved will be notified in writing of the disposition.

2.06.027 Abuse of Position

Employees will not use their official position, agency identification cards or badges for personal or financial gain, or to obtain privileges not otherwise available to them or for the benefit of others. Employees will not lend their identification cards or badges to anyone, nor will they allow them to be reproduced without approval. Employees will not authorize the use of their names, photographs or official titles which identify them as agency employees, in connection with testimonials or advertisements, without the prior approval of the Sheriff.

2.06.028 Insubordination

Employees will obey any lawful order given by a supervisor or other person designated to be in command. If an employee is given an order that conflicts with an existing order that the employee is obeying, the employee will notify the supervisor giving the order of the conflict. If the second order is repeated, it will stand.

2.06.029 Identification

All deputy sheriffs and correctional officers will carry their badges and identification cards on their person whenever they are armed. When on duty or acting in an official capacity, officers will give their name and identification number to anyone who requests them. This does not include officers in covert assignments or those in assignments which would be jeopardized by divulging such information.

2.06.030 Discrimination, Harassment, Biased Based Profiling

Employees will not discriminate against, nor harass, or profile any citizen or co-worker for any reason including race, color, national origin, religion, gender or sexual orientation, ethnicity, gender identity and disability as prohibited by County, State and Federal law. Employees will not take nor contribute to any reprisal against any individual or group of individuals who have opposed discriminatory practices, or have participated or assisted in an investigation or proceeding brought under agency policy, or county, state or federal law.

Note: Refer to Policy A2.13 Unbiased Policing for additional information.

2.06.031 Public Statements and Appearances

Employees will not publicly criticize or ridicule the Agency, its policies or other employees when such action undermines the effectiveness of the Agency, interferes with the maintenance of discipline, or is disruptive to the efficient administration of government. This policy will not be used to inhibit the employees' right to free speech. Employees will not use their position within the agency to enhance or promote any private enterprise. This provision is required to protect individual employees and the agency from potential conflicts of interest.

2.06.032 Debts-Incurring and Payment

Financial irresponsibility is contrary to the special public trust granted all employees of the agency. To protect this trust and the integrity of the agency, employees will make every reasonable effort to pay all debts for which they are legally responsible.

2.06.033 Stop Work Activity

Employees will not engage in any strike or work stoppage. This includes the concerted failure to report for duty, willful absence from one's position, unauthorized leave, sickness which is unsubstantiated by a physician's note when required, the stoppage of work or the abstinence, in whole or in part, from the full, faithful and proper performance of the duties of employment.

2.06.034 Telephones/Addresses in Residences

Employees will maintain telephones and will provide their telephone number and address to the agency. Pagers and messenger services are not an appropriate substitute to having a phone. Any change of address or phone number will be reported within 24 hours. These numbers will be treated as confidential and will not be released outside the agency unless specifically authorized by the employee.

2.06.035 Dissemination of Information

Employees will treat the official business of the agency as confidential. Information will only be disseminated to those who have an official need to know.

Use of the NCIC, Meters, and CJIS systems is by authorized personnel only. Users sign a security agreement and the information obtained from these systems is for official use only. Any unauthorized use or release of information may subject the agency and/or user to punitive actions by the State of Maryland and will result in administrative action by the Agency.

2.06.036 Intervention in Investigations

Employees will not interfere with cases being handled by deputy sheriffs of the agency or law enforcement officers of any other government agency unless:

- A. Ordered to intervene by a supervisor; or
- B. The intervening individual believes that an injustice would result from failure to take immediate action; or
- C. Such intervention is required as a result of supervisory or command responsibilities.

2.06.037 Business Transactions

Employees are prohibited from buying, selling, attempting to buy or sell, or possession of anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to their attention or which arose out of their departmental employment except as may be specifically authorized by the Sheriff.

2.06.038 Commercial Testimonials

Employees will not permit or allow their names or photographs to be used in any commercial testimonial which alludes to their position or employment with the agency unless authorized by the Sheriff.

2.06.039 Political Activity

Employees will not use their position in the agency to endorse political candidates, nor will they use their position to solicit, directly or indirectly, funds or other services in support of a political issue. Employees will not use their official capacity in any manner to influence the outcome of any political issue. Nothing in this section is intended to prevent an employee from exercising their rights. Nothing in this section will be construed to restrict the Sheriff from any political activity. The Sheriff, as an elected political official, is by nature of the office continually engaged in political activities.

2.06.040 Recommending Lawyers or Bondsmen to Prisoners or Others

An employee will not recommend or suggest the employment or name of any person, firm, corporation, attorney, counsel, or bondsman, except that nothing herein will be construed as restricting the rights of employees of the agency in connection with administration of their private affairs.

2.06.041 Removal of Official Records Prohibited

Employees of the agency will not remove from the premises any official record of the agency except as directed by their supervisor, or under due process of law.

2.06.042 Damage to Real or Personal Property

Any damage to real or personal property committed in the execution of official duties and responsibilities will in every instance be promptly reported in writing.

2.06.043 Agency Equipment

Agency equipment will be used and maintained in accordance with

established agency procedures and will not be abused, damaged, altered, or through negligence, lost. An employee of the agency will not cause or contribute to the damage, abuse, alteration, or loss of any Agency equipment through recklessness, negligence or carelessness.

2.06.044 Court Appearances

Employees will report for all court appearances, properly attired, on the date and time and at the location specified, unless excused by the court, State's Attorney's Office, or the person(s) requesting the employee's appearance. Proper attire will be uniform of the day or business attire. Business attire for male employees will be a coat and tie. There will be no agency BDU style uniforms worn. Employees may be placed on call for court only by the States Attorney's Office.

Employees will regularly (at least weekly) check for court summonses and/or subpoenas. Summonses and subpoenas will be sorted per Division by Records personnel. Each Division will have their own summons book, and employees are required to sign for their summonses. The Patrol Division book will be further sorted by squads. All trainees in the Field Training Program will have their summons placed in a Trainee Book until such time as they are released from the FTO program, and assigned to a particular squad. Once assigned to a particular squad, their summonses will be maintained with their assigned squad.

2.06.045 Use of Tobacco

When in uniform, personnel will not use tobacco if they are in formation or engaged in traffic control. Employees will obey the county regulations prohibiting smoking in county buildings, county vehicles and in certain public places. When in contact with a citizen, uniformed employees will exercise good judgment regarding the use of tobacco.

2.06.046 Hand Salutes

When in uniform, officers will render a hand salute:

- A. To all uniformed deputy sheriffs and correctional officers upon the first encounter of the day. All such salutes are to be returned appropriately.
- B. Salutes will be rendered on the passing of the colors and on the playing/singing of the National Anthem when wearing a hat.
- C. Without a hat, personnel are to stand at attention and place their right hand over their heart on the presentation of the colors and the

playing/singing of the National Anthem or recital of the Pledge of Allegiance.

- D. When in a formation and ordered to do so by the officer in charge of the formation.
- E. Whenever a hearse bearing a body passes in a funeral procession.

2.06.047 Relationships and Inappropriate Sexual Activity

- A. Engaging in sexual activity while on duty is prohibited.
- B. Sexual acts or taking photographs considered to be obscene, indecent or sexual in nature are prohibited at any time while on duty and/or within agency facilities or in agency vehicles.
- C. Personal relationships between members shall not interfere with the performance of their duties and a professional attitude shall be maintained. Supervisors and Commanders shall not have direct supervision of a blood relative or spouse or with any member with whom they are intimately involved. Supervisors and Commanders are prohibited from having a romantic relationship with a subordinate in their chain of command. The Supervisor/Commander has the responsibility to make the relationship known to his/her supervisor or the Sheriff to determine if reassignment is required. The final reassignment decision shall rest with the Sheriff or designee.
- D. The prohibition of a romantic relationship extends to members fully or partially responsible for the evaluation of the performance, or oversight of an employee. For training staff, this includes all probationary members. For Field Training Officers, this includes the duration of a probationary member's field training assignment.
- E. Supervisors and Commanders shall not communicate by any means to any subordinate within the Sheriff's Office using language, text or pictures that are unwanted, inappropriate and personal in nature.

2.06.048 Internet Activities and Electronic Communications

- A. Any online activity that may reflect poorly on the Sheriff's Office is strictly prohibited. Employees are to be cautious when identifying themselves as members of the Agency on the internet (ie. appearing in uniform, displaying a patch or badge, displaying Department vehicle). Members are prohibited from displaying any activities on-line that would otherwise constitute a violation of the

Code of Conduct. Employees are reminded that the personal use of county provided computer and communications equipment is governed by the St. Mary's County IT Policy and the Sheriff's Office Policy and Procedures.

- B. Sexting, the sending of sexually explicit messages and/or photographs, primarily between mobile phones while on duty and/or using a county issued phone, is strictly prohibited.
- C. Sexting in any manner to include county issued or personal devices is not behavior that is condoned by this agency and will be fully investigated.