

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject CODE OF CONDUCT	Policy Number CP-2
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Related Information Arizona Revised Statutes Maricopa County Merit System Rules Code of Ethics Multiple Office Policies		Supersedes CP-2 (01-11-24)
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PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures by which all employees of the Office shall conduct themselves, both on and off-duty.

Although this Office Policy refers to employees throughout, this Office Policy also applies with equal force to all volunteers. Volunteers include, but are not limited to, reserve deputies and posse members.

POLICY

It is the policy of the Office to ensure efficiency, instill discipline, and foster positive public trust by setting forth guidelines governing the conduct and demeanor of every member of the Office. This Office Policy is also intended to hold employees accountable for federal, state, and local laws by ensuring that any criminal misconduct is investigated.

DEFINITIONS

Conflict of Interest: A conflict that involves, but is not limited to, nepotism, bias of any kind, an external business relationship, a close personal relationship, or superiority in rank in an individual's chain of command.

Employee: A person currently employed by the Office in a classified, unclassified, contract, or temporary status.

Family Member: An employee's spouse to whom they are legally married under the laws of any state, parents (biological, adopted, foster, step, in-law, or individual who stood in loco parentis to the employee when they were a child), sibling (biological, adopted, foster, step, in-law, or half), child (biological, adopted, foster, step, in-law, or child to whom the employee stands in loco parentis), grandparents (biological, adopted, step, or in-law), grandchildren, custodial persons, a reportable occurrence under Arizona law of fetal death of a listed relation, and the employee's aunts, uncles, nieces, nephews, or first cousins.

Internal Affairs Investigator: Any employee who conducts an administrative investigation of misconduct, including investigators assigned to the Professional Standards Bureau (PSB) or supervisors in an Office division or bureau who are assigned to investigate misconduct.

Misconduct: Includes any violation of Office Policy or procedure, federal, state, or local criminal or civil law, constitutional violations, whether criminal or civil, administrative rules including, but not limited to, the Maricopa County Merit System Rules, or Office regulations.

Criminal Misconduct: Misconduct by an employee that a reasonable and trained supervisor or internal affairs investigator would conclude could result in criminal charges due to the apparent circumstances of the misconduct.

Minor Misconduct: Misconduct that, if sustained, would result in discipline or corrective action less severe than a suspension.

Minor misconduct, while a violation of Office Policy, can often be addressed with supervisor-initiated intervention intended to improve a situation, or prevent a potential negative work performance situation from progressing into a misconduct investigation. To address these employee behaviors, supervisors may initiate an intervention method, as specified in Office Policy GH-5, *Early Identification System*, to include; Squad briefing; meeting with supervisor; employee services; supervisor ride-along/work along; training; supervisor evaluation period; action plan; meeting with the commander; re-assignment; and coaching. The use of intervention shall only be used to address employee minor misconduct or behavior that does not, per the Office Disciplinary Matrix, exceed a Category 1, First or Second Offense or a Category 2, First Offense, and which has not been received by the Office as an External Complaint, or has not already been assigned to the Professional Standards Bureau (PSB).

Serious Misconduct: Misconduct that, if sustained, would result in discipline of a suspension, demotion, or dismissal.

Negligence: Failure to exercise the care a reasonable or prudent person would exercise in similar circumstances.

Office Property: Any property owned, leased, or purchased by Maricopa County for Office use.

Socioeconomic Status: Relating to or concerned with the social standing or class of an individual or group based on social and economic factors such as, education, income, and occupation.

Undue Familiarity: Conduct that includes any act of a sexual nature with an offender who is in the custody of the state department of corrections, the department of juvenile corrections, a private prison facility, Federal Bureau of Prisons, a juvenile detention facility, a city or county jail, or with an offender who is under the supervision of either department, a city, or county.

Volunteer: A person who performs hours of service for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered. An employee may not volunteer to perform the same, similar, or related duties for the Office that the employee is normally paid to perform.

Willful: Intentional; not accidental; voluntary; designed.

PROCEDURES

1. **Unethical Conduct:**

- A. Employees shall maintain a high level of ethical conduct at all times and shall be honest, fair, and impartial, while working or identified as employees of the Office.
- B. Employees shall not participate in any activity which would compromise their ability to perform their Office duties objectively and impartially.
- C. Personnel shall not withhold relevant information or mislead investigators during a criminal or administrative investigation.
- D. All employees shall abide by the *Sheriff's Office Code of Ethics*, as specified in this Office Policy (see Attachment A). Classified employees shall also abide by the Maricopa County Merit System Rules Code of Ethics.

2. **Truthfulness:** The Office requires absolute truthfulness from every applicant in securing employment and from every employee during employment, as specified in Office Policy CP-5, *Truthfulness*.
3. **Discrimination and Harassment:** The Office believes that any type of harassment, including sexual harassment, unlawful discrimination, or retaliation, in the workplace or wherever business is conducted on behalf of the Office, undermines the integrity of the employment relationship and shall be addressed, as specified in Office Policy CP-3, *Workplace Professionalism*.
4. **Conflict of Interest:** Employees shall not involve themselves in any matter that may involve a conflict of interest or appear to be a conflict of interest. Should a conflict of interest arise, employees shall notify their supervisor as soon as practical.
 - A. In matters involving misconduct or discipline, employees shall notify the Professional Standards Bureau (PSB) Commander. If the PSB Commander also suffers from a conflict, the highest-ranking, non-conflicted Office chief or, if there is no non-conflicted Office chief, an outside authority shall make the determination. The outside authority for matters involving discipline will be the Maricopa County Attorney's Office – Civil Division.
 - B. Employees are authorized to work secondary employment when the employment does not interfere with their Office responsibilities, create a conflict of interest, or create an appearance of impropriety, as specified in Office Policy GC-18, *Secondary Employment*.
5. **Conformance to Office Directives and Orders:**
 - A. Employees shall conform to the provisions of all written policies, and required court orders, except those found to be unlawful, incorrect, or inapplicable. Violations of written policies and/or court orders, with or without articulable justification, may result in disciplinary action.
 - B. Employees shall conscientiously obey all lawful orders given to them by persons having authority, as specified in Office Policy, GB-2, *Command Responsibility*.
 - C. Employees shall be held fully accountable for their own acts. They shall not shift the burden or responsibility to another for their failure to execute an order or duty, for inappropriate behavior, or for any other dereliction of duty.
6. **Conformance to Established Laws:** Employees shall obey all local ordinances, county and state laws, laws of all states of the United States and subdivisions thereof, and all laws of the United States. While traveling outside of the continental United States, employees shall abide by all laws of foreign countries not in conflict with the laws of the United States. Violation of any established ordinance or law may result in disciplinary action, up to dismissal and possible criminal prosecution. Disciplinary action may be imposed regardless of the outcome of any criminal investigation.
7. **Individual Responsibility:** To ensure the credibility and integrity of the Office, it is the duty of all personnel associated with the Office to take appropriate action whenever they learn of a violation being committed, or having been committed, by any other person associated with the Office in any capacity, which by its very nature would tend to discredit an employee or the Office. Individual responsibility includes conduct on or off-duty.
 - A. Any employee who observes or becomes aware of any act of misconduct by another employee shall, as soon as practicable, report the incident to a supervisor or directly to the PSB, or to any outside entity authorized to take corrective action, without fear of retaliation. Failure to report an act of misconduct shall be considered misconduct and may result in disciplinary action, up to and including dismissal from employment. The presumptive discipline for a failure to report such allegations shall be commensurate with the presumptive discipline for the underlying misconduct or may be one

offense less than received by the employee who committed the act.

- B. The on-duty supervisor or commander shall immediately document the reported act of misconduct by entering the appropriate complaint entry type in Blue Team. This information shall be automatically routed to the PSB, as specified in Office Policy GH-2, *Internal Investigations*.
- C. Personnel shall, without delay, report to the on-duty supervisor, an appropriate commander, or the PSB, when any false information is alleged or reasonably believed to have been provided in an administrative investigation or on any official report, log, or electronic transmittal of information, testimony, communication with other officials, public presentations such as community meetings, and press briefings.
- D. Retaliation:
 - 1. Personnel shall not retaliate against an employee who reports misconduct or a violation in fulfillment of this individual responsibility, policy responsibility, or duty.
 - 2. All forms of reprisal, discouragement, intimidation, coercion, or adverse action against any individual, member of the public, or employee because that person reports misconduct, attempts to make or makes a misconduct complaint in good faith, cooperates with an investigation of misconduct, conducts an investigation or enforces the findings of a misconduct investigation, constitute retaliation and are strictly prohibited. This also includes reports of misconduct made directly to any outside entity authorized to take corrective action. Retaliating against any person who reports or investigates alleged misconduct shall be considered a serious misconduct and shall result in disciplinary action, up to and including dismissal from employment, as specified in Office Policy CP-11, *Anti-Retaliation*.

- 8. **Command and Supervisory Responsibility:** Supervisors, at all levels, shall provide proper direction, coordination, and control of subordinates, as specified in Office Policy GB-2, *Command Responsibility*.

- 9. **Unbecoming Conduct:**

- A. Employees shall conduct themselves at all times, both on and off-duty, in such a manner as to reflect favorably on the Office. Unbecoming conduct shall include disorderly conduct; activities that conflict with, or have the potential to conflict with Office duties; tend to bring the Office into disrepute; reflect discredit upon employees as members of the Office; or tend to impair the operation and efficiency of the Office or any of its employees.
- B. Employees shall show respect for the uniforms of the Office at all times.
 - 1. When worn, all uniforms shall be neat, clean, and worn in compliance with Office Policy GC-19, *Dress and Appearance*.
 - 2. No distinguishable portion of the uniform shall be worn with civilian attire while on-duty, as specified in Office Policy GC-20, *Uniform Specifications*.
 - 3. Employees shall not wear their uniform off-duty while engaging in personal business. Limited exceptions may be made for circumstances which are specified in Office Policy GC-20, *Uniform Specifications*.
 - 4. At no time shall any Office uniform be worn to represent the wearer as having the authority of any other class of employee.

- C. Employees who are on-duty or identified by dress, location, or association as employees, shall maintain a professional demeanor and perform their duties in a calm and firm manner, acting together to assist and protect each other.
 - D. Employees shall not demean persons or act disparagingly against any individual regardless of age, nationality/national origin, immigration status, religious beliefs/religion, race, gender, culture/cultural group, sexual orientation, gender identity/expression, veteran status, ancestry, physical/ intellectual/mental health disability, ethnic background, or socioeconomic status.
 - E. Employees shall conduct themselves in a manner that will foster respect and cooperation among themselves and other members of the Office.
 - F. Employees shall not, at any time or for any reason, subject any person to cruel treatment or inhumane action. Employees shall take reasonable action commensurate and appropriate to the situation to ensure a person is not subject to cruel treatment or inhumane action. Office Policy CP-1, *Use of Force*, and ARS 31-101 through § 31-146 governs the treatment of persons in custody.
 - G. Employees shall not, at any time or for any reason, subject any animal to cruel treatment or inhumane action. Employees shall take reasonable action commensurate and appropriate to the situation to ensure an animal is not subject to cruel treatment or inhumane action. Hunting, when it is conducted according to law, shall not be considered a violation of this section.
 - H. Employees who have contact with the public should strive to gain public support and cooperation by dealing with people courteously.
10. **Use of Force:** Employees shall only use the amount of force that is objectively reasonable and necessary to address the situation, as specified in Office Policy CP-1, *Use of Force*.
11. **Duty to Intervene / Duty to Render Aid:**
- A. Employees shall intervene when observing a fellow employee violating an inmate's or member of the public's constitutional rights by taking immediate intervention action, unless exigent circumstances make it unsafe or impossible to do so. Employees should consider the circumstances surrounding the incident to determine the appropriate form of intervention action. Intervention may be verbal and/or physical depending on the urgency of the situation. If intervention action is necessary, employees may take the following action:
 - 1. Take a preventative approach, whenever possible, if observing behavior that suggests that another employee is about to engage in unbecoming conduct or misconduct, when such conduct is being committed by an involved employee;
 - 2. Take an active approach to intervene to stop any unbecoming conduct or misconduct, when such conduct is being committed by an involved employee; and/or
 - 3. Come between the involved employee and the subject involved when safe and feasible to do so while preserving officer safety, if verbal interventions are not sufficient to stop the conduct.
 - B. The employee who intervened should take command of the scene, unless exigent circumstances make it unsafe or impractical to do so.
 - C. If the involved employee is receptive to the intervention and unbecoming conduct or misconduct is **avoided**, there is no reporting requirement.

1. If the involved employee is not receptive to the intervention and unbecoming conduct or misconduct **occurs**, the reporting employee shall immediately contact a supervisor to respond to the scene.
 2. Employees shall report all allegations of misconduct, as specified in Office Policy GH-2, *Internal Investigations*.
- D. Retaliating against any person who reports or investigates alleged misconduct shall be considered serious misconduct and shall result in disciplinary action, up to and including dismissal from employment, as specified in Office Policy CP-11, *Anti-Retaliation*. Examples where intervention would be required include, but are not limited to, the following:
1. Observed use of force techniques beyond what is permissible by Office Policy, state or federal law; as specified in Office Policy CP-1, *Use of Force*. Procedures for intervention and reporting excessive use of force shall be followed, as specified in Office Policy CP-1, *Use of Force*;
 2. Observed unconstitutional arrests or detentions occurring in the employee's presence and with sufficient time to take reasonable action:
 - a. Supervisors shall document corrective actions for violations or deficiencies in investigative stops, detentions, or arrests, as specified in Office Policy GB-2, *Command Responsibility*.
 - b. Unconstitutional arrests or detentions involving racial profiling shall be handled as specified in Office Policy CP-8, *Preventing Racial and Other Bias-Based Profiling*.
 3. Unlawful search and seizure.
- E. Employees shall render medical aid consistent with their training and certification when actions of an employee result in the need to provide and/or obtain medical attention, as specified in Office Policy CP-1, *Use of Force*. Except as otherwise provided by statute, employees shall not be held liable for injuries caused by the act or omission of another person. However, employees are not exonerated from liability for injury proximately caused by their own negligent or wrongful act or omission.

12. Alcohol:

- A. Employees shall not purchase, or have in their immediate possession, or consume any kind of alcoholic beverages while on-duty, except in the performance of official duties or authorized training and with prior supervisory approval. Additionally, employees shall not report for duty, or be on duty, with any odor of alcoholic beverage on their breath or while under the influence of any alcoholic beverage to any degree. Any employee observing another employee in violation of this section shall advise any on-duty supervisor as soon as possible. Impairment is not requisite for violations of this section.
- B. A supervisor who reasonably believes that an employee who is on duty or reporting for duty smells of, or is under the impairment of, alcoholic beverage to any degree, shall refer to the procedures specified in Office Policy GC-21, *Drug, Medication, and Alcohol Testing*.
- C. Employees authorized to consume alcoholic beverages in the performance of their duty, such as undercover detectives, shall comply with the provisions of Office Policy ED-2, *Covert Operations*. In all cases, personnel who consume alcoholic beverages on duty shall avoid any physical condition or impairment which could adversely affect their performance of duty or bring discredit upon the

Office. Supervisors of such employees are cautioned that they are responsible for monitoring the conduct and demeanor of personnel engaged in the consumption of alcoholic beverages and taking appropriate action. Except in extreme and exigent circumstances, employees and supervisors shall be particularly attentive to, and reasonably discourage, physical enforcement action and the display or use of weapons by employees when employees are known to have consumed and/or be under the influence of an alcoholic beverage.

- D. Office personnel in specialized assignments, who are subject to call out, are requested to refrain from alcoholic beverage consumption.
 - 1. If called out, an employee who has been drinking within the last eight hours shall advise the immediate supervisor, if available, or the on-duty supervisor that the employee has been drinking, the type and amount of alcoholic beverage consumed, and how long it has been since the last drink.
 - 2. Based on the information provided by the employee, the supervisor shall consider all factors, including the time elapsed, when making a decision to activate an employee who has been drinking. Based on the totality of the information, the supervisor's decision must be made to ensure that the employee has not consumed any alcoholic beverage within the last eight hours.
- E. Employees shall not operate any Maricopa County vehicle within eight hours after consuming any alcoholic beverages. Employees working covert operations shall adhere to the procedures specified in Office Policy ED-2, *Covert Operations* regarding the consumption of alcoholic beverages and operating a Maricopa County vehicle.
- F. On and off-duty employees shall not display or wear any recognizable item of Office apparel in a public place or an establishment where the primary purpose is to sell or serve alcoholic beverages, nor shall they consume any alcoholic beverages, or purchase alcoholic beverages while displaying or wearing any recognizable items of Office apparel, unless in the performance of official duties, as specified in Office Policy ED-2, *Covert Operations*.
- G. Employees shall not consume alcoholic beverages in any Maricopa County facility or Maricopa County vehicle, except in the performance of official duties or authorized training, and with prior supervisor consent. Guests, volunteers, public observers or other members of the public are prohibited from consuming alcoholic beverages at any time, or for any reason, while in Maricopa County facilities, Maricopa County vehicles, or vehicles owned by a Posse Branch or individual posse member that are used for Office related operations. Posse vehicles used for Office-related operations are specified in Office Policy GJ-27, *Sheriff's Posse Program*. Employees observing violations shall promptly report the violation to a supervisor who will take action to stop the violation.
- H. While in a training status to include travel/out of agency training, employees shall not purchase or consume alcoholic beverages during any period where they are considered on duty. On duty includes, but is not limited to, breaks; transportation; or wait time in between training sessions where the employee is being compensated. This does not preclude employees from consuming alcoholic beverages when off duty on non-compensated time, excluding extradition trips. If alcohol is consumed in an off-duty status the employee shall ensure they do not return to an on-duty status having the odor of alcohol on their breath or be under the influence to any degree. Off-duty status does not include non-compensated breaks during shifts or training sessions, including but not limited to, meal breaks or intermission.

13. Use of Medication or Drugs:

- A. Marijuana remains a violation of Federal Law.

- B. Employees are prohibited from personal possession, growing, using, being under the influence, impaired by or subject to the effects of recreational marijuana.
- C. Employees are prohibited from using any drug which has not been legally prescribed for their use, or abusing prescription or over-the-counter medications. Any use of drugs not legally prescribed for the employee's use, or any abuse of prescriptions or over-the-counter medication, shall be grounds for discipline, up to and including dismissal from employment.
- D. Employees who take prescribed or over-the-counter medications must be aware of any effects the medications may have on performing their duties. Employees shall advise their supervisor, prior to reporting for duty, when taking medication that might impair their ability to perform the essential job functions of their position. The employee shall provide their supervisor with a written memorandum identifying the essential job functions that may be affected as a result of any side effects from the medication. The employee shall also include the anticipated amount of time the medication is to be taken or the date it is believed that it will no longer be needed.
- E. A supervisor who reasonably believes that an employee who is on duty, or reporting for duty, smells of or is under the impairment of drugs or medication to any degree, shall follow the procedures, as specified in Office Policy GC-21, *Drug, Medication, and Alcohol Testing*. If the employee refuses to participate in the drug, medication, or alcohol test, the employee must be made aware that the penalty for refusal to take a test ordered by a supervisor shall be dismissal from employment.

14. **Gratuities, Rewards, or Loans:**

- A. Employees shall not use their position for personal gain, on or off duty, or solicit, seek, or accept on their own behalf any personal loan, gift, gratuity, or other favor, from the general public, any private business firms which deal with the Office, or any other agency or department of Maricopa County which is, or may appear to be, intended to influence official conduct. Discounts and offers which comply with and are authorized under a Maricopa County or Office solicitation policy are exempted from this provision.
 - 1. This section does not prohibit the acceptance of food or refreshments of insignificant value in the ordinary course of a meeting, conference, or other occasion where the employee is properly in attendance.
 - 2. This section does not prohibit the acceptance of unsolicited advertising or promotional material such as pens, pencils, calendars, and other items of nominal value.
 - 3. This section does not prohibit unsolicited perishables from an external entity, individual, or group made available to all employees within the work unit and placed in the employee lounge or general office area.
 - 4. This section does not prohibit an employee from accepting awards for meritorious public service or honorary degrees given without remuneration. The employee shall obtain approval from the Undersheriff or designee before accepting any awards or honorary degrees awarded by County contracted entities when possible.
 - 5. This section does not preclude an employee from accepting law enforcement off-duty or secondary employment work.
 - a. All law enforcement off-duty and/or secondary employment work obtained must meet the requirements of Office Policy EA-18, *Law Enforcement Extra-Duty and Off-Duty Employment* and GC-18, *Secondary Employment*.

- b. The off-duty employment must not place the employee as an expert witness against the Office or opposing any other criminal justice agency, including occupations such as a traffic reconstruction consultant.
 - 6. This section does not preclude an employee from requesting and accepting the assignment of flight miles in any airline's frequent flyer program, and participating in any reduced fare coupons, free tickets, or other tangible awards, or incentives while traveling on Office business, as specified in Office Policy GD-21, *Business Travel and Travel Expenses*.
 - 7. Employees are required to report conduct that may be in violation of this section. Employees unsure if the conduct violates this section must consult with their supervisor before taking action.
 - B. Employees shall not accept, directly or indirectly, a gratuity, fee, loan, reward, or gift of any kind for services rendered in the course of official duties or for services rendered in the course of an Office-approved off-duty assignment. This includes directly or indirectly accepting or obtaining a gratuity, fee, loan, reward, or gift of any kind and passing it on to family members, other Office employees, or acquaintances.
 - C. Employees shall not use their position to solicit free admission to places of amusement, entertainment, or sporting events, or to solicit free meals, or any favors or gratuities not ordinarily afforded to a member of the public.
15. **Compensation:** Pursuant to ARS 38-505, no public officer or employee may receive or agree to receive, directly or indirectly, compensation other than, as provided by law, for any service rendered or to be rendered by the employee personally in any case, proceeding, application, or other matter pending before the Office of which the person is a public officer or employee. Compensation is statutorily defined as money, a tangible thing of value, or a financial benefit.
16. **Abuse of Position or Authority:**
- A. Employees are prohibited from using their official position, Office-issued identification (ID) cards, or Office badges for any of the following:
 - 1. Personal or financial gain directly related to Office duties;
 - 2. Obtaining privileges not otherwise available to them or to others, except in the performance of duty;
 - 3. Avoiding the consequences of illegal acts such as traffic violations or driving under the influence, or helping family members avoid the consequences of illegal acts; and
 - 4. Misrepresenting their position or authority in the Office.
 - B. Employees shall not lend their Office-issued ID cards, Office badges, or uniforms to another person. Employees shall not permit their Office-issued ID cards or Office badges to be photographed or reproduced unless necessary for official business such as extradition trips, obtaining records from other government agencies, or otherwise authorized by the Undersheriff or designee.
 - C. Employees shall not identify themselves as members of the Office, visually or verbally, in connection with testimonials or advertisements, unless specifically authorized by the Undersheriff or designee.
 - D. Employees shall not, by virtue of their position, engage in any of the following:

1. Interfere with an Office criminal or administrative investigation;
2. Act in manner which might aid any person in escaping arrest, or delay the apprehension of a criminal;
3. Facilitate the removal or concealment of contraband;
4. Convert to their personal use any found, impounded, abandoned, or recovered property, or any property held or released as evidence;
5. Misuse any Office or law enforcement database; or
6. Use their position or authority to affect a promotion, transfer, restoration to duty or by obtaining an unfair advantage as a result of any act prohibited by Office Policy and/or Maricopa County Merit System Rules, such as but not limited to:
 - a. Nepotism;
 - b. Retaliation;
 - c. Conflict of Interest;
 - d. Discrimination; or
 - e. Harassment.

17. **Care and Use of Office or Maricopa County Equipment:**

- A. Employees shall use Office and Maricopa County equipment for its intended purpose. Limited incidental personal use of Office and Maricopa County cell phones, fax machines, printers, and copiers are permitted. Such use shall not inhibit either governmental or administrative use, or impact the employee's ability to perform their assigned duties. Office and Maricopa County equipment shall not be used in a manner that discriminates or denigrates anyone on the basis of race, color, nationality/national origin, immigration status, age, religious beliefs/religion, gender, culture/cultural group, sexual orientation, gender identity/expression, veteran status, ancestry, physical/ intellectual/ mental health disability, ethnic background, or socioeconomic status.
- B. E-mail and voice mail are authorized for limited personal use, as specified in Office Policy GM-1, *Electronic Communications, Data and Voice Mail*. Employees are cautioned to use discretion and good judgment when sending e-mail or voice mail messages. All e-mail and voice mail shall be professional in content and shall not be used in a manner that discriminates or denigrates anyone on the basis of race, color, nationality/national origin, immigration status, age, religious beliefs/religion, gender, culture/cultural group, sexual orientation, gender identity/expression, veteran status, ancestry, physical/intellectual/ mental health disability, ethnic background, or socioeconomic status.
- C. Office and Maricopa County equipment shall not be willfully or negligently damaged, lost, misplaced, or abused. All equipment issued to employees shall be maintained in proper order. Employees shall report any damaged, lost, or misplaced equipment to their on-duty supervisor by submitting the appropriate notification and/or documentation requirement, as applicable.

18. **Office Vehicles and Driving:** Office and Maricopa County vehicles shall be used and operated in a manner which maintains the integrity of its parts, components, and intended use, as specified in Office Policies GE-4, *Use, Assignment, and Operation of Vehicles* and EA-2, *Patrol Vehicles*.

19. **Confidential Information, Protected Health Information, and Divulging Criminal Records:** Employees shall comply with all federal and state laws regarding the collection, storing, release and disposal of confidential information.
- A. Employees shall only discuss or disclose sensitive law enforcement or confidential information, as follows:
 - 1. As directed by a supervisor, and if permitted or required by law; and
 - 2. With persons authorized to receive the information.
 - B. In the course of official business, employees may learn certain facts that are of a personal or confidential nature regarding an employee, inmate, or other person's protected health or medical information. All confidential information and records shall be kept strictly confidential, to the extent permitted by law.
 - 1. Employees shall not use, copy, make notes regarding, remove, release, or disclose this information, unless doing so legally in the course and within the scope of their official duties.
 - 2. Employees who become aware of anyone improperly accessing or releasing this information shall immediately notify a supervisor.
 - C. Employees shall not release Criminal History Record Information (CHRI) on any individual, except as specified in Office Policy GF-3, *Criminal History Record Information and Public Records*.
20. **Performance or Dereliction of Duty:** Employees are derelict in the performance of their duties when they willfully or negligently fail to perform them, or when they perform them in a grossly inefficient manner.
- A. Employees shall devote their working time and attention to the service of the Office and shall complete all assignments in a timely manner, as set forth by their supervisor or chain of command.
 - B. While on-duty, employees shall not engage in any activities or personal business, such as personal phone calls or text messages, or other electronic activities beyond what is permissible, and/or which would cause them to neglect or be inattentive to duty.
 - C. Employees shall serve the Office with loyalty and discretion and shall not display cowardice or fail to support their fellow employees in the lawful performance of duty.
 - D. Judicial subpoenas shall constitute an order to appear and shall be honored, whether on behalf of the state or in actions against the employee, as specified in Office Policy GD-9, *Litigation Initiation, Document Preservation, and Document Production Notices*.
 - E. All employees shall comply with document preservation and production requirements, as specified in Office Policy GD-9, *Litigation Initiation, Document Preservation, and Document Production Notices*. Employees found to be in violation shall be subject to disciplinary action, up to and including dismissal from employment, and potentially other sanctions.
 - F. Employees shall not engage in any strike. The term "strike" includes a concerted failure to report for duty, willful absence from one's position, or the stoppage of work. It also includes unauthorized holidays, sickness unsubstantiated by a licensed healthcare provider's statement during a strike situation, or withholding the full, faithful, and proper performance of the duties of employment for the purposes of inducing, influencing, or coercing a change in rights, conditions, compensation, privileges, or obligations of employment. Employees who engage in any strike shall be disciplined, up to and including dismissal from employment.

21. **Punctuality:**

- A. All employees shall be punctual in reporting to their designated duty post and shall be physically ready to assume their duties at the time specified by their supervisor.
- B. Foreseeable tardiness must be approved in advance to ensure proper staffing of the Office. Unless circumstances are of an emergency nature, any unforeseeable tardiness must be reported to the employee's supervisor no later than 15 minutes before the start of the shift. Unless the supervisor has issued a memo detailing another notification option for subordinates, an employee who is late for work must either call and speak to the supervisor, or leave a voicemail message for the supervisor, with current contact information where the employee can be promptly reached.
- C. An employee who fails to call in to a supervisor and who does not show for their scheduled shift, shall be considered Absent Without Authorized Leave, except when extenuating circumstances are found to have existed. Employees and supervisors should refer to Office Policy GC-1, *Leaves and Absences*, for information regarding foreseeable and unforeseeable absences.
- D. All supervisors are responsible for the timely, accurate, and complete entry of tardiness and early departures data in Blue Team, as specified in Office Policy GC-1, *Leaves and Absences*.

22. **Political Activity:** It is the intent of the Office to conform to public policy that government programs be administered in an unbiased manner and without favoritism for, or against, any political party or group, or any member in order to promote public confidence in government, government integrity, and the efficient delivery of governmental services, and to ensure that employees are free from any express or implied requirement, or any political or other pressure of any kind, to engage or not engage in political activity.

- A. Employees shall not use the authority of their positions to influence the vote or political activities of any subordinate employee, as specified in ARS 11-410. Furthermore, under the guise of Maricopa County business, personnel, equipment, materials, buildings, or other resources shall not be used for the purpose of influencing the outcomes of elections.
- B. Employees shall not use political endorsement in connection with any appointment to a position in the Maricopa County classified service.
- C. Employees shall not make political endorsements where they identify themselves as County employees.
- D. Employees shall neither use, nor promise to use, any official authority or position for the purpose of influencing the vote, or political action of any person or for any other considerations.
- E. No person may solicit any employee to engage in, or deny the opportunity to engage in, activities permitted by this section. Any direct or indirect threat, such as intimidation, coercion, discrimination, reprisal, force, or any adverse consequence, such as the loss of any benefit, reward, promotion, assignment, or compensation, is prohibited.
- F. Employees shall not engage in any activity permitted by this section while on-duty, while in uniform, or at public expense. Nothing in this Office Policy shall be construed as denying any employee any civil liberties, as guaranteed by the Constitution of the United States or the Constitution and Laws of the State of Arizona.
- G. Employees shall not be members of any national, state, or local committee of a political party, nor an officer, chairperson, vice chairperson, treasurer, or secretary of a committee of a partisan political committee, nor a candidate for nomination or election to any public office, which is either paid or partisan by filing nomination papers or making a formal public declaration of candidacy.

- H. Employees holding positions or performing activities funded by federal loans or grants may not serve as Precinct Committee Person or participate in any other political activity prohibited by federal laws.
- I. The provisions of this section shall not apply to, homeowner association, school board or community college district governing board elections. An employee may serve as a member of the governing board of a homeowner association, common or high school district, or as a member of the community college governing board.
- J. While off duty, not in uniform, or at public expense unless otherwise provided by law employees may:
 - 1. Express opinions, attend meetings for the purpose of becoming informed concerning the candidates for public office and the political issues, cast a vote, and sign nominating or recall petitions;
 - 2. Make contributions to candidates, political parties, or campaign committees contributing to candidates, or advocate the election or defeat of candidates;
 - 3. Solicit or encourage contributions to be made directly to candidates or campaign committees contributing to candidates, or advocate the election or defeat of candidates; and
 - 4. Circulate candidate nomination or recall petitions, or engage in activities to advocate the election or defeat of candidates;
 - 5. Campaign for themselves and hold unpaid, nonpartisan public office, or campaign for or against ballot issues, referendum questions, constitutional amendments, or municipal ordinances, except where a conflict of interest is created; and
 - 6. Serve as a Precinct Committee Person complying with the restrictions listed in Section 22.A.-G.

An elected officials' Undersheriff and chief of administration may serve as precinct committee chairpersons.
 - 7. Employees serving as legal counsel to the elections department on a particular matter cannot engage in the activities permitted under sections 22.I.4 and 22.I.5 in an election for that particular matter.
 - 8. Maricopa County elections department employees and employees with exclusive possession and control over ballots cannot engage in the activities permitted under sections 22.I.4 and 22.I.5 in any election tabulated by the County.
- K. No employee shall be discriminated or retaliated against for engaging in, or choosing not to engage in, any activity permitted in this section.
- L. Any employee of the Office who violates any of the provisions of this section shall be subject to disciplinary action, up to and including dismissal from employment.
- M. Employees who have family members running for political office shall ensure that their conduct in support of their family members is consistent with the provisions of this section.
- N. Section 22.G. does not apply to volunteers.

- O. Nothing in this Section applies to temporary election and poll workers.
23. **Public Appearances and Statements:** Any public expression, by which it could be reasonably assumed that the employee is acting as a spokesperson on behalf of the Office, will be governed by this Office Policy.
- A. Employees shall not publicly ridicule the Office, its policies, or its employees, orally, in writing, or electronically in social networking sites, where such expression is defamatory, obscene, unlawful, tends to undermine the effectiveness of the Office, undermine the safety and security of Office jail facilities, undermine the authority or direction of a supervisor, interferes with the maintenance of discipline, or is made with reckless disregard for the truth.
 - B. Employees shall not address public gatherings, appear on radio or television, or release for publication, an article, manuscript, or other material which pertains to the operations or activities of the Office, without prior approval from their bureau chief. To be authorized, such articles, manuscripts, and interview materials must support the Mission Statement of the Sheriff's Office and reflect Office goals and objectives.
 - C. Employees shall not act in a private capacity or do any work in a private capacity, which may be construed by the public to be an official act of the Sheriff's Office, without prior written approval of the Undersheriff or designee.
24. **Endorsements, Referrals, and Vendors:**
- A. Employees acting in their official capacity must comply with Maricopa County and Office procurement procedures. As a result, employees shall not endorse, recommend, suggest, or advocate for or against the employment of any person, or procuring of any particular product, professional, or commercial service outside the official procurement process. When any such service is necessary, employees shall proceed, as specified in Office Policy GE-1, *Supply Requisition, Procurement, and Inventory*.
 - B. Employees must disclose their interest and shall not participate in or vote for any contract, sale, purchase, or service, in which they have an interest. Conflict of interest laws must be observed.
25. **Labor and Fraternal Organizations and Associations:** Employees may join and hold office in any employee organization, labor union, or professional association in which they are eligible for membership, provided it is not organized for any illegal purpose or primarily engaged in activities contrary to law. No employee shall attempt to prohibit or intimidate any covered employee from belonging to, or holding office in, any lawful organization. Membership in such organizations shall not be considered in any personnel action, including promotion, demotion, suspension, or dismissal from employment.
26. **Prohibited Associations and Fraternization with Inmates or Prisoners:**
- A. Employees shall not indulge in undue familiarity with inmates or prisoners. Undue familiarity includes any act of a sexual nature with an offender who is in the custody of the state department of corrections, the department of juvenile corrections, a private prison facility, a juvenile detention facility, a city or county jail or with an offender who is under the supervision of either department, a city, or county. Office employees found in violation of this Office Policy are punishable administratively and criminally, up to and including dismissal from employment.
 - B. Employees shall not fraternize with, engage the services of, accept services from, or do favors for, any person known to them to be in custody or have been in the custody of the Office, or any other detention or correctional facility within the last two years, unless it is unavoidable due to family member relationships.

- C. Employees shall not convey written or oral messages between inmates, except those which are necessary in the operation of the Office jail facility.
- D. Employees shall not correspond with, or assist in conducting correspondence with inmates, former inmates, or other persons not in custody, on behalf of an inmate, unless required to do so in the performance of their duties.
- E. Employees shall not assist inmates in the submission or preparation of judicial documents, to include the photocopying of judicial documents, other than providing the necessary forms, papers, or writing implements, unless required to do so in the performance of their duties, or by court order.
- F. Employees shall not write letters of recommendation, on behalf of inmates on matters concerning official business of the Office, without authorization from their bureau commander.
- G. Employees shall not exchange money or property with inmates or prisoners, unless required to do so in the performance of their duties.
- H. Employees shall not provide inmates with newspapers, magazines, or books from outside the Office jail facility, except those mailed to the inmate from the publisher or the publisher's authorized distributor, or an online retailer, as specified in Office Policy DK-1, *Inmate Mail*.
- I. Employees shall not engage in informal, non-work-related discussions with inmates or prisoners concerning other officers, inmates, or prisoners. Employees shall not make remarks of a personal nature in reference to any officers, inmates or prisoners, witnesses, or informants where the remarks may be within earshot of any inmate or prisoner.
- J. Employees shall not encourage or sympathize with inmates in their complaints about rules, regulations, or jail conditions. However, complaints shall be reported to the appropriate personnel.
- K. Employees shall not offer religious or other advice to inmates regarding personal, family, or case-related problems. Inmates seeking advice will be referred to appropriately trained Office personnel or other outside agencies.

27. Prohibited Employee Relationships with Persons Visiting Inmates:

- A. Employees shall not grant special privileges to visitors without the approval of the shift commander.
- B. Employees shall not accept favors or gratuities from visitors at any time.
- C. Employees shall not indulge in undue familiarity or fraternize with visitors.

28. Prohibited Items Entering Secured Office Jail Facilities:

- A. All Office employees, entering or working in a jail facility are prohibited from bringing personal electronic devices into secured areas of jail facilities, unless approved by a supervisor, or otherwise authorized. Personal electronic devices include, but are not limited to:
 - 1. MP3 players;
 - 2. iPods;
 - 3. Personal laptops;
 - 4. Tablets;

- 5. Movie/video clip devices; or
- 6. Smart Watches: These devices are prohibited for video/audio recording. They are authorized in a secured jail facility when used for fitness tracking and time/date purposes.
- B. Office employees are authorized to carry their personal and county-issued cellular phones while on-duty in a jail facility. Restrictions on personal cellular phone usage shall be followed, as specified in Office Policy DH-1, *Office Jail Access*.
- C. Employees should refer to Office Policy DH-1, *Office Jail Access*, for further restrictions on prohibited items in an Office jail facility.

29. **Employee Relationships with Other Employees:**

- A. Employees shall be respectful and maintain a professional, courteous, and cooperative demeanor with other employees of the Office and other law enforcement or criminal justice personnel.
- B. Employees shall be respectful and maintain a professional, courteous, and cooperative demeanor with supervisory personnel. Employees shall not defy or undermine the authority and/or direction of any supervisor by being disrespectful, arrogant, or displaying disrespectful conduct, whether in or out of the supervisor's presence.
- C. When family members are employed by the Office, no employee shall be in a reporting line of supervision to a family member. In the event it is determined a family member would be, or has been placed in a reporting line of supervision, the impacted employees shall notify their chain of command of the conflict. An appropriate course of action will be determined by the Undersheriff or designee.
- D. Intimate and sexual relationships between employees are addressed in Office Policy CP-3, *Workplace Professionalism*.
- E. Employees shall not covertly record conversations involving other Office employees, unless the recording is in furtherance of an official Office investigation, or prior approval for the covert recording has been obtained from a bureau chief or designee.

30. **Prohibited Employee Relationships with Known or Suspected Criminals:** Employees shall avoid associations or dealings with persons whom they know, or have reason to believe are, or have been, recently charged with criminal acts, or any person who the employee should reasonably know to have been involved in criminal acts, or are under indictment. Exceptions may be made when necessary, in the performance of an employee's duties, or when such contacts are with family members.

31. **Prohibited Employee Relationships with Victims, Witnesses, Informants, or Other Such Individuals:** Employees shall not attempt to convert an enforcement action contact with persons including, but not limited to, victims, witnesses, informants, suspects, or traffic violators, into a dating relationship, sexual relationship, social relationship, or business relationship during the course of, or as a direct result of, any official contact. Employees shall notify their supervisor of any relationship that evolves following contact due to job responsibilities.

32. **Workplace Activities:**

- A. Employees on Maricopa County property or while using Maricopa County resources are prohibited from engaging in the following activities:
 - 1. Sale of food to non-Maricopa County employees;

2. Organizing gambling pools; and
 3. Conducting raffles.
- B. Employees may sell food to other Maricopa County employees while on Maricopa County property with prior approval of their bureau chief by submitting a memorandum through their chain of command.
33. **Solicitation:** Solicitation, posting of notices, and the distribution of non-official Office literature shall be done in such a manner to prevent conflicts of interest and interference with work.
- A. Dissemination of literature and information regarding the following organizations, programs, or activities is permissible and subject to the oversight of a bureau chief:
1. Required Literature: All programs and postings required by local, state, or federal law.
 2. Maricopa County and Office Sponsored Programs: Programs that are developed and approved by the Maricopa County Board of Supervisors or their designee, or the Sheriff, or the Undersheriff.
 3. Employee Discounts: Offered from organizations with a contract or written agreement with Maricopa County or the State of Arizona to provide goods, services, or discounts.
 4. Training Programs: Approved by a bureau chief relating to an employee's job duties or to maintain an employee's work required professional certifications.
 5. Non-Work Time: Employees who are not on work time, may solicit and distribute literature in public places such as sidewalks, open or public parking lots, or other facilities that are traditionally available for public use.
 6. Constitutionally Protected Speech: Permitted within reasonable parameters to time, place, and manner restrictions.
 7. Non-Work Areas: Employees placing literature in Office break rooms that are located in non-work areas are subject to the following restrictions:
 - a. Employees shall submit a memorandum for approval, through the chain of command, to their bureau chief and must be granted permission prior to placing literature in break rooms. Literature containing content that is contrary to law, Office Policy, Maricopa County Merit System Rules, or Maricopa County policy shall be denied. The bureau chief shall promptly notify the Administrative Services Division of any concerns prior to denying the request.
 - b. If approved, employees may display literature for a maximum of two weeks unless their bureau chief grants an extension. This is to avoid break room clutter, to ensure the literature is current, and to allow for a variety of literature.
 - c. Employees shall place on the literature their name, the start date, and length of time the information will be placed in the break room.
 - d. Employees are responsible for removing literature on or before the deadline. Failure to timely remove literature may result in the employee losing future privileges to post information.

- e. The literature cannot obstruct official Office literature, or any literature already posted.
 - f. By permitting employees to place literature in break rooms, the Office has not confirmed the accuracy of the information and does not endorse or accept responsibility or liability for the views, opinions, or information stated in the literature. Employees assume full and sole responsibility for any action taken based on information read or found in the literature.
- B. Employees are prohibited from posting, soliciting, distributing, or circulating literature, selling merchandise, or promoting support for any cause or organization during their work time, or during the work time of the employees to whom such activity is directed, unless prior approval is granted by their bureau chief and permissible, as specified in this Office Policy. Except when doing so for the Office/Maricopa County, or with prior approval as specified in this Office Policy, employees will not post, solicit, distribute, or circulate any literature in work areas, hallways, elevators, lobbies, secured employee parking lots, or through any Maricopa County owned or controlled technology resources, to include but are not limited to the email system.
- C. Non-Maricopa County employees are prohibited from soliciting to Office employees in areas not open to the public, such as Office buildings and facilities, or areas open to the public for a limited or designated purpose including, but not limited to, lobbies and hallways without prior approval from a bureau chief.
- D. Examples of acceptable and unacceptable solicitation are as follows:
- 1. Acceptable Solicitation: Maricopa County blood drive, Combined Charitable Campaign, E.A.S.E. Program, Maricopa County benefits/open enrollment and wellness programs, Special Olympics, employee assistance breakfast/lunch sales, can food/school supply/toy drives sponsored by the Office/Maricopa County, and any other event that supports the mission of the Office and approved by a bureau chief.
 - 2. Unacceptable Solicitation: Organization membership applications or promotion of a specific event or vendor other than those sanctioned by the Office/Maricopa County.
34. **Frequenting Prohibited Establishments:** Employees shall not knowingly enter or frequent any establishment, such as a house of prostitution or illegal gambling house, wherein the laws of the United States, the state, or the local jurisdiction are regularly violated, except in the performance of their official duty or while acting under proper and specific orders from a supervisor.
35. **Gambling:** Employees shall not participate in any form of illegal gambling at any time, except in the performance of duty, and while acting under proper and specific orders from a supervisor.
36. **Sleeping On-Duty:**
- A. Employees shall not sleep on duty unless, specifically authorized to do so, by a supervisor, under exigent circumstances. Circumstances include, but are not limited to, extended hours due to an investigative assignment or a search and rescue mission.
 - B. Employees who feel they are unable to stay awake on duty have the responsibility to notify their immediate supervisor, who shall determine the proper course of action.
37. **Interference with Official Investigations:** Employees shall not use their official position or knowledge gained by employment with this Office to hinder, obstruct, or interfere with any case, official operation, or

investigation being handled by this Office or any other agency. This includes a violation of the Notice of Investigation when an employee has been directed to limit discussion regarding an administrative investigation, as specified in Office Policy GH-2, *Internal Investigations*.

38. **Request for Assistance:** When any person requests assistance from the Office or makes a complaint, or report, either by telephone or in person, all pertinent information shall be obtained in an official and courteous manner, and shall be properly and judiciously acted upon, in accordance with Office Policy, GH-2, *Internal Investigations*.
- A. Employees shall not attempt to dissuade a member of the public from filing a complaint or to narrow the grounds of the person's complaint. Members of the public attempting to make a complaint shall not be referred to other Office divisions or commands and shall be provided information about the Office's complaint process.
 - B. All reports, complaint and allegations of misconduct, including third-party and anonymous complaints and allegations shall be investigated. Members of the public may call in their complaints by calling 1-844-887-4483, or as specified in Office Policy GJ-24, *Community Relations and Youth Programs*.
39. **Failure to Meet Standards:** Failure to meet standards is the inability, unwillingness, or failure to perform assigned duties in an acceptable manner, or the failure to accomplish a reasonable share of the workload. Employees shall:
- A. Possess the knowledge required to perform assigned duties;
 - 1. An employee's chain of command shall remain aware of the employee's capacity to perform their assigned duties and take reasonable action to resolve any identified deficiency.
 - 2. Employees shall notify their supervisor if the employee believes they (the employee) do not possess the knowledge required to perform their assigned duties.
 - B. Complete assignments properly;
 - C. Conform to work standards established for the employee's rank or position;
 - D. Make reasonable decisions or take appropriate actions;
 - E. Not display cowardice if they are deputies, reserve deputies, deputy services aide, detention officers, or security officers;
 - F. Not be absent from the assigned area of responsibility during a tour-of-duty without authorization; and
 - G. Not be absent without authorized leave, as specified in Office Policy GC-1, *Leaves and Absences*.
40. **Insubordination:** Insubordination is the willful refusal to obey a reasonable and lawful order. A reasonable and lawful order given to a subordinate shall be followed regardless of the method of conveyance, as specified in Office Policy GB-2, *Command Responsibility*. The willful failure to obey an order constitutes grounds for discipline, up to and including dismissal from employment.
41. **Loitering:** While on duty or in uniform, employees shall not remain in eating establishments, service stations, or other public places for longer than is reasonably required to complete the legitimate activity for which they stopped, unless required by duty. Employees shall not remain at a duty post or any Office location

beyond the end of their shift, unless conducting official business or for a minimal period while awaiting transportation from work.

42. **Abuse of Process, Withholding Evidence, and Misappropriation of Property:**

- A. Employees shall not manufacture, conceal, falsify, destroy, remove, tamper with, or withhold evidence or information, or make false accusations in a criminal, traffic matter, or administrative matter.
- B. Employees shall ensure a valid chain of evidence with adherence to the guidelines for the strict control and management of evidentiary property, as specified in Office Policy GE-3, *Property Management and Evidence Control*. Employees are responsible for properly reporting, documenting, securing, and impounding any property that is being held as evidence, found property, or for safekeeping, which comes into their possession during the course of their regular duties, prior to the end of the shift in which it was seized or recovered unless a request for an extension is approved by the respective division commander responsible for the investigation as specified in Office Policy GE-3, *Property Management and Evidence Control*.
- C. Employees shall not appropriate any Maricopa County property, evidence, or found or recovered property for their own use.
- D. Any property abandoned, forfeited, or unclaimed that has a useful value to the Office shall be appropriated as diverted property in accordance with ARS 12-941 and the requirements of Office Policy GE-3, *Property Management and Evidence Control*.

43. **Treatment of Persons in Custody:** Employees shall not mistreat persons who are in the custody of the Office. Employees shall handle such persons in accordance with established laws and Office procedures. Office Policies and established laws governing the treatment of persons in custody include but are not limited to, Office Policy CP-1, *Use of Force*, Office Policy CP-8, *Preventing Racial and Other Bias-Based Profiling*, Office Policy GJ-37, *Transgender and Intersex Interactions*, and ARS 31-101 through 31-146.

44. **Gum and Tobacco Product Usage:** Employees, in the performance of their duties, shall not chew tobacco or gum while making in-person contacts with the public. Further restrictions on tobacco use are specified in Office Policy GD-4, *Use of Tobacco Products*.

45. **Return of Office and Maricopa County Property Upon Separation:**

- A. When employees separate employment with the Office, to include resignation, retirement, or dismissal, they shall return all their Office and other Maricopa County issued property to the designated division, as specified in Office Policies GC-15, *Employee Resignation and Retirements*, GJ-26, *Sheriff's Reserve Deputy Program*, and GJ-27, *Sheriff's Posse Program*.
- B. When employees return property damaged, through their negligence or deliberate action, or fail to return all issued Office or Maricopa County property, they may be held criminally or civilly liable.

46. **Property Damage:**

- A. Employees shall immediately notify their supervisor, or if unavailable, the nearest on-duty supervisor, and promptly submit a written report concerning any damage to real or personal property, including vehicles, belonging to the Office, Maricopa County, a member of the public, or any other entity or individual, which is a result of, or occurred during, the execution of their official duties or responsibilities.

- B. Employees shall immediately notify their supervisor and promptly submit a written report concerning any damage to real or personal property of others, including vehicles, belonging to the Office or Maricopa County that occurred while the employee was off duty.
- C. Employees shall never attempt to work out or negotiate a settlement with any entity or individual regarding personal or Maricopa County liability when property damage has occurred during the execution of official duties.

47. **Off-Duty Law Enforcement Action:**

- A. While off duty, an Officer-In-Training (OIT) shall not take any law enforcement action until successful completion of the Field Training Program, as specified in Office Policy GD-10, *Off-Duty Incidents*.
- B. Compensated and reserve sworn personnel may take law enforcement action, as specified in Office Policy GD-10, *Off-Duty Incidents*.
- C. Detention officers, deputy recruits, deputy services aides, posse members, and civilian personnel are not AZPOST certified peace officers and shall not take any off-duty law enforcement action, but may act in a civilian capacity, and should notify the appropriate law enforcement agency concerning criminal activity, as specified in Office Policy GD-10, *Off-Duty Incidents*.

48. **Rumors or Gossip:** Employees shall not spread rumors, gossip, or false information which discredits another employee or harms the employee's reputation. Supervisors made aware of violations shall take immediate action to correct the situation and initiate disciplinary action, if warranted.

49. **Social Networking Sites:** The use of social networking sites such as Facebook and X (formerly Twitter) have become common outlets for employees to socialize. Employees must be mindful of the negative impact of inappropriate or unauthorized postings involving the Sheriff's Office and their direct impact on the relationship between the Office and the community.

- A. Social networking sites shall not be accessed on Office equipment while on duty unless in the performance of official duties or accessing official Office controlled social media sites, such as X (formerly Twitter), Facebook, or Instagram for viewing purposes of Office announcements only.
- B. Employees are prohibited from accessing the TikTok social media application on all Office controlled devices. Employees are also prohibited from accessing the TikTok social media application on a personal controlled electronic device that is connected to the Office or the Maricopa County courts Wi-Fi or direct network.
- C. Whether on or off duty, employees shall not publicly express, share, or post information regarding the Office which would jeopardize the safety and security of Office employees, inmates, or the public, or which could negatively impact the efficient or effective operation of the Office, undermine the safety and security of Office jail facilities, or undermine the authority or direction of a supervisor.
- D. Due to the increased scrutiny of law enforcement personnel postings on social networking sites, the Office strongly discourages employees from posting information regarding their own off-duty activities or the off-duty activities of another Office employee which may tend to bring the person's reputation into question. This is not intended to infringe upon any employee's First Amendment or other constitutional rights, but those who may be called to testify on behalf of the Office as part of their official duties must guard their reputation and should be aware that attorneys may attempt to use postings on social networking sites for impeachment purposes. Further information on the use of social media shall be followed, as specified in Office Policy GD-7, *Media Relations and Social Media*.

50. Keeping Supervisors Informed:

- A. Employees must promptly notify their supervisors of all situations, events, incidents, inspections, and communications that affect, or may affect, the Office, or with which the Office may be concerned. The employee shall also promptly generate an entry in Blue Team to report such activities to their supervisor under the Incident Type Employee Reported Activity; and tag the appropriate Allegation category under the Involved Employee section. If the reported information involves misconduct, the on-duty supervisor or commander shall immediately document the information in Blue Team. This information shall be automatically routed to the PSB. On-duty supervisors and their command personnel shall remain attentive to allegations or observations of alleged misconduct where immediate notification to PSB would be reasonable and appropriate.
- B. Examples of situations that require employees to keep their supervisors informed include, but are not limited to, the following:
 - 1. Involvement in any situation being investigated by another law enforcement agency, whether as a witness, victim, or suspect, or in anticipation of becoming a suspect;
 - 2. The suspension or revocation of driving privileges;
 - 3. Receipt of a moving vehicle traffic citation;
 - 4. Knowledge of the booking of a family member into an Office jail facility; and
 - 5. The issuance of a court order, such as an order of protection or an injunction against harassment, in which an Office employee has been named.
- C. Supervisors should notify their chain of command, as appropriate.

51. Use of Discretion:

- A. Office Policy cannot be written to cover every situation in which an employee may become involved. The employee must use discretion in the enforcement of laws and in determining appropriate actions. Supervisors have the authority to make decisions on behalf of the Office and to provide employees with direction and guidance on how to perform their duties.
- B. When employees and supervisors are faced with a situation in which discretion can be exercised, Office employees and supervisors are cautioned against unnecessarily escalating situations or addressing a situation in an urgent or expeditious manner when circumstances do not dictate the necessity to do so. Employees and supervisors shall evaluate the circumstances and consider available resources and alternative solutions. They should rely on their training, Office Policy, established procedures, statutes, and the direction of supervisors in making a decision.
- C. The appropriate decision should be the least restrictive one that still accomplishes the intent of the law, is in accordance with Office Policy, and does not compromise employee safety.
- D. Discretion is limited by federal, state, and local law, as well as case law, Office Policy, and the employee's rank and level of responsibility.

52. Oath of Office: The Sheriff or designee, shall administer the Oath of Office to all new sworn and detention personnel prior to assuming their new duties. The Oath of Office requires the employee to support the Constitution of the United States and the Constitution and Laws of the State of Arizona (See Attachment A).