




# DESCHUTES COUNTY SHERIFF'S OFFICE

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Policy Title: <b>Ethics and Professional Standards</b>	Effective Date: May 10, 2021		Policy Number: <b>1.01</b>
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Attachments:	 L. Shane Nelson, Sheriff		

## I. PURPOSE

The purpose of this policy is to provide the members of the Deschutes County Sheriff's Office with clearly articulated expectations of their performance relative to employment with this agency.

## II. POLICY

### A. Preamble

Whereas, Sheriff's Office members are vested with a public trust which requires that they consistently demonstrate the highest degree of integrity and good moral character.

The need to maintain high standards of moral character, integrity, knowledge, and trust is advanced by the establishment of standards of conduct for members of the law enforcement profession.

The establishment of standards of conduct, which includes a Code of Ethics, Oath of Office, Mission Statement and minimum standards, requires the granting of authority to enforce these standards of professional conduct through disciplinary action as necessary for the protection of the health, welfare and safety of the public.

Therefore the need to maintain high standards of moral character, integrity, knowledge, and trust require that members of the Deschutes County Sheriff's Office establish and conform to the standards of conduct.

### B. General statement

Members of the Deschutes County Sheriff's Office are granted a public trust, which requires that they consistently demonstrate the highest degree of integrity. To be worthy of this public trust, and to ensure that their professional conduct is above reproach, members of the law enforcement profession must conform to and abide by these standards of conduct, adopted as a means of internal regulation.

In addition to prescribing a desired level of performance, the essence of a profession is that it requires established minimum standards of ethical conduct with prescribed rules for internal discipline to ensure compliance. Accordingly, these standards of conduct have been established for the law enforcement profession.

Nothing in the standards of conduct is intended to limit or supersede any provision of law relating to the duties and obligations of peace officers or the consequences of a violation thereof. Where these rules specify certain conduct as unprofessional, this is not to be interpreted as approval of conduct not specifically mentioned.

Nothing in the standards of conduct is intended to limit the authority of this agency to adopt and enforce rules and regulations that are more stringent or comprehensive than those contained here.

Standards of conduct are established with the belief that they are reasonably related to the business needs of the Sheriff's Office. Business needs are generally, but not exclusively, described as the type of performance that can be expected for the orderly, efficient, effective and safe operation of this office.

Additionally, because we, in law enforcement, are obligated by our oath to affect the rules of a civilized society, it is reasonable that we be held to the highest of standards in our professional and personal conduct. The enormity of potential situations in which a member may become involved, then, requires extensive discussion to define acceptable and unacceptable conduct. It is the policy of this agency therefore, to provide clear written direction of expected and prohibited activities by members of this agency.

### **III. DEFINITIONS**

*Peace Officer* means a commissioned regular deputy, and by extension and where applicable any other paid or volunteer member of the Sheriff's Office.

*Ethical Standards* are statements that represent the objectives toward which every peace officer shall strive. They constitute guiding principles that can be relied upon by the peace officer in a wide variety of situations.

*Standards* specify an acceptable level of conduct for all peace officers, regardless of their rank or the nature of their assignment. Any peace officer who violates any agency rule that applies to The Code of Ethics and Standards of Conduct commits unprofessional conduct and is subject to disciplinary action. Violation of disciplinary rules requires appropriate adjudication and disciplinary action ranging from oral reprimand to termination and/or criminal prosecution or other administrative action sanctioned by law, as dictated by the individual case.

*Administrative Investigation* is an investigation conducted to determine whether a member has violated any provision of this code or an agency rule or regulation; or whether a deputy is impaired or unfit to perform the duties and responsibilities of a peace officer.

*Formal Discipline* means the final adjudication of administrative or disciplinary charges.

*Controversial Conduct* shall be defined as that conduct which damages the reputation of the Sheriff's Office or brings it or the member into disrepute.

### **IV. LAW ENFORCEMENT CODE OF ETHICS**

The law enforcement code of ethics is adopted as a general standard of conduct for deputies of this agency.

"As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals dedicating myself before God to my chosen profession ... law enforcement."

## **V. OATH OF OFFICE**

"I, (name), do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of Oregon and that I will faithfully perform the duties of a (position) in and for Deschutes County and the State of Oregon to the best of my abilities, so help me God."

## **VI. MISSION STATEMENT**

Proudly serving our community by providing superior public safety and customer service.

## **VII. VISION STATEMENT**

We will protect and enhance the quality of life in our community.

## **VIII. PROFESSIONAL CONDUCT**

As most law enforcement work is necessarily performed without close supervision, the responsibility for the proper performance of a deputy's duty lies primarily with the deputy. A deputy carries with them a responsibility for the safety of the community and their fellow deputies. They discharge that responsibility by the faithful and diligent performance of their assigned duty. Anything less violates the trust placed in them by the people, and nothing less qualifies as professional conduct.

In the performance of their duty to serve society, a deputy is often called upon to make difficult decisions. They must exercise discretion in situations where their rights and liabilities and those of this office hinge upon their conduct and judgment. A deputy's decisions are not easily made, and occasionally they involve a choice that may cause them hardship or discomfort. A deputy must be faithful to their oath of office, the principles of professional law enforcement service, and the objectives of the office and in the discharge of their duty they must not allow personal motives to govern their decisions and conduct.

### **A. Respect for Constitutional Rights**

No person has a constitutional right to violate the law; neither may any person be deprived of their constitutional rights merely because they are suspected of having committed a crime. The task of determining the constitutionality of a statute lies with an appellate court of proper jurisdiction, not with a deputy who seeks to properly enforce the law as it exists. Therefore, a deputy may enforce any federal, state, or local statute which is valid on its face without fear of abrogating the constitutional rights of the person violating that statute. A deputy who lawfully acts within the scope of their authority does not deprive persons of their civil liberties. They may within the scope of their authority make reasonable inquiries, conduct investigations, and arrest on probable cause.

However, when a deputy exceeds their authority by unreasonable conduct, they violate the sanctity of the law that they are sworn to uphold. Bias based profiling is strictly prohibited based solely on a common trait of a group. This includes, but is not limited to, race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable groups.

### **B. Integrity**

The public demands that the integrity of its law enforcement officers be above reproach, and the dishonesty of a single deputy may impair public confidence and cast suspicion upon the entire office. A deputy must scrupulously avoid any conduct that might compromise their integrity, their fellow deputies, or the Sheriff's Office. We cannot maintain the public's trust in upholding the law if we are found to have violated it ourselves. It must be clearly understood that violations of state or federal law by members of the Sheriff's Office, regardless of sworn or represented status, can and will carry severe consequences, up to and including termination. This standard applies to all members regardless of their sworn or represented status.

### **C. Courtesy**

Effective law enforcement depends on a high degree of cooperation between the office and the public it serves. The practice of courtesy in all public contacts encourages understanding and appreciation; discourtesy breeds contempt and resistance. The majority of the public are law-abiding citizens who rightfully expect fair and courteous treatment by Sheriff's Office members. While the urgency of a situation might preclude the ordinary social amenities, discourtesy under any circumstances is indefensible.

#### **D. Truthfulness**

All Sheriff's Office members are held to a high standard of truthfulness. All members have the responsibility to be truthful at all times. All members shall be truthful when testifying, making reports, or conducting other Sheriff's Office business. When distinguishing between conduct that is dishonest and that which is poor judgement, the Sheriff's Office may assess factors that include, but are not limited to, context, the member's intent, the gravity of the act or omission of information, and what a reasonable person would consider dishonesty under the totality of the circumstances. There may be a valid law enforcement reason during undercover operations when this article would not apply.

Dishonesty by a member may result in a determination by the District Attorney that the member is disqualified as a witness in criminal cases. This determination will also impact the credibility of the member as a witness in a federal criminal prosecution and in civil cases. This determination will result in severe consequences, up to and including termination.

In personnel investigations, findings of deceitfulness, dishonesty and/or untruthfulness will result in severe consequences, up to and including termination. This standard applies to all members regardless of their sworn or represented status.

#### **E. Conforming to Policy**

Members shall not establish a pattern of behavior that deviates from Sheriff's Office directives, policies, or procedures. Nor shall their performance, or behavior, be inconsistent with other members performing similar duties. Members shall not challenge policies, procedures, or practices without providing objective and documented facts (in written form) to support justification for such challenge unless the operational situation justifies such action.

#### **F. Ethics and Compliance (Whistleblower) Hotline**

Members have access to the County Whistleblower hotline for reporting misconduct anonymously and without fear of retaliation. All members have the responsibility to report any misconduct that would put our agency or its members at risk, and the Sheriff's Office is committed to providing a safe and effective method for this reporting without reprisal. The county Whistleblower Hotline number is (833) 926-2375. A member can report through this toll-free number or via email [reports@lighthouse-services.com](mailto:reports@lighthouse-services.com).

### **IX. COMPLIANCE WITH ORDERS OR DIRECTIVES**

The Sheriff's Office is an organization with a clearly defined hierarchy of authority. This is necessary because unquestioned obedience of a superior's lawful command is essential for safe and prompt performance and the positive encouragement of a willingness to serve. However, negative discipline may be necessary where there is a willing disregard of lawful commands, orders or directives.

#### **A. Non-Compliance Procedures**

1. Peace officers under investigation for an alleged violation of any of these standards or Sheriff's Office rules shall be afforded, as a minimum, the rights established by law, the Collective Bargaining Agreement, and office procedure to ensure fair and just treatment in the enforcement of disciplinary rules of conduct or similar expectations.

2. Exercise of Rights. By reason of the lawful exercise of rights, deputies shall not be discharged, disciplined, demoted, transferred, or denied promotion or reassignment, or discriminated against with regard to employment, nor threatened with any such action.
3. Criminal Investigations. When the investigation focuses on a deputy for prosecution of a crime, the deputy shall be afforded the same constitutional rights, privileges, or guarantees enjoyed by any person. Nothing shall prevent the Sheriff's Office from pursuing an investigation administratively when it appears that to do so is warranted.

#### **B. Agency Appeal or Review Process**

To ensure due process, deputies shall be provided with an internal administrative appeal or review process or procedure, established by the Sheriff's Office through the Collective Bargaining Agreement or [Policy 3.02 Grievance Procedures](#).

#### **C. Other Agency Communications**

It is the responsibility and obligation of the Sheriff's Office to provide all complaints, disciplines and personnel records to another Law Enforcement Agency if a deputy/member applies at the other agency pursuant to ORS 181A.355 to 181A.670.