

JACKSONVILLE POLICE DEPARTMENT

Policy: 7-8
Effective: 07-02-20
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CODE OF CONDUCT

PURPOSE: Law enforcement employees, representing government, bear the heavy responsibility of maintaining their own conduct, and the honor and integrity of the government entity that they represent. It is the purpose of this policy to provide additional guidance to the standards of conduct embodied in the law enforcement officer's code of ethics, this Department's mission statement and values, as well as other ethical policies issued by superior governing authorities that may be applicable to this Department so that employees of this Department will better understand prohibitions and limitations pertaining to their conduct and activities while on and off duty.

POLICY: It is the policy of this Department to maintain the highest standard of integrity by working diligently to maintain the community's trust. All departmental employees must recognize that they are held to a higher standard than the private citizen they protect, in addition to representing the Department, they also represent the law enforcement profession. Conduct, on and off duty, must be beyond reproach. Department employees must avoid any conduct that might compromise the integrity, morale, operations or efficiency of the Department. Violation of Federal, State and Local laws, as well as Department policy may result in disciplinary action up to and including termination.

DEFINITIONS:

- I. **ETHICAL CONDUCT:** Means actions that reflect the ethical standards consistent with the rules and values published by this Department.
- II. **PUBLIC SERVANT/PUBLIC EMPLOYEE:** Means an individual who is employed, appointed, or represents this Department.
- III. **SWORN OFFICER:** An employee of this Department who is a probationary or certified officer as defined by the laws, rules and regulations or the state of Arkansas.
- IV. **SEXUAL DISCRIMINATION:** The disparate treatment of an employee with respect to work benefits, conditions, assignments, promotions, etc. based upon the gender of the employees, unless such disparate treatment is necessary based upon some bona-fide occupational qualification (i.e. undercover assignment where a male is necessary due to the nature of the infiltration.)
- V. **DOMESTIC MISCONDUCT:** The Department defines this type of conduct very broadly. This definition may be broader than State law, but it is intended to assure the continuation of positive performance within the Department by the involved employee and other employees of the Department. A domestic relationship involves any employee who is or has been married to the other party; involves any member of the employee's household; who is living or has lived with the other party; has had a child with the other party; or is or has engaged in an intimate relationship with the other party. Misconduct refers to any physical assault or battery, vandalism, stalking, intimidation, coercion, or criminal act against a party within this form of domestic relationship.
- VI. **COLLATERAL MISCONDUCT:** Any conduct by another employee of the police Department to assist another Department employee in the continuation of the act of misconduct. This would also include any actions designed to shield the employee or impair the ability of the Department to be informed of the misconduct.

- VII. SEXUAL MISCONDUCT: Any sexual activity while on-duty, stemming from official duty or violates the law. Sexual misconduct includes, but is not limited to use of official position and official resources to obtain information for purposes of pursuing sexual conduct.
- VIII. HARASSMENT: Considered a form of discrimination and is defined as any conduct directed toward another because of that person's race, color, religion, age, gender, sexual orientation, national origin, ancestry, disability, veteran status or any other basis that is inappropriate or offensive as determined by using a reasonable person standard. The "reasonable person" standard considers whether a reasonable person would find the behavior or conduct in question offensive.
- IX. SEXUAL HARASSMENT: Means unwelcome sexual advances; requests for sexual favors; and other verbal and physical conduct when:
 - A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- X. QUID PRO QUO HARASSMENT: A circumstance by which an employee is afforded a favorable employment action in exchange for a sexual favor.
- XI. HOSTILE WORK ENVIRONMENT: A circumstance by which an employee is confronted with an environment involving sexually explicit language, photos, or conduct.

PROCEDURES:

- I. PROHIBITED ACTIVITIES IN ACCORDANCE WITH A.C.A. §21-8-304 (2011)
 - A. No public servant shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or his or her spouse, child, parents, or other persons standing in the first degree of relationship, or for those with whom he or she has a substantial financial relationship that are not available to others except as may be otherwise provided by law.
 - B. No public servant shall accept employment or engage in any public or professional activity while serving as a public official which he might reasonably expect would require or induce him or her to disclose any information acquired by him by reason of his or her official position that is declared by law or regulation to be confidential.
 - C. No public servant shall disclose any such information gained by reason of his or her position, nor shall he otherwise use such information for his personal gain or benefit.
- II. REGULATIONS REGARDING CONDUCT
 - A. Oath of Office

All sworn employees will take and abide by an oath of office upon assuming sworn status with a law enforcement agency. The oath of office will be administered by appropriate legal authority. A copy of this oath will be signed by the officer and maintained in the employee's personal file.