

JACKSONVILLE POLICE DEPARTMENT

Policy: 7-6
Effective: 01-01-16
Revised: 04-25-19

SEXUAL MISCONDUCT

PURPOSE: Law enforcement officers are empowered with authority by their government to protect the public from criminal activity. When an officer abuses this authority for sexual purposes, and violates another person, the officer not only commits a crime against the victim, but damages the credibility and trust of the entire law enforcement community with the public. The purpose of this policy is to caution all officers against any violation of the public trust involving sexual misconduct.

POLICY: It is the policy of this Department to train all officers concerning the potential for criminal sexual misconduct within law enforcement, how to recognize it, and the requirements for reporting any violation to the appropriate authorities.

DEFINITIONS:

- I. **CRIMINAL SEXUAL MISCONDUCT:** The abuse of authority by a law enforcement officer for sexual purposes that violates the law.
- II. **SEXUAL MISCONDUCT:** Any sexual activity while on-duty or stemming from official duty. Sexual misconduct includes but is not limited to use of official position and official resources to obtain information for purposes of pursuing sexual conduct.
- III. **INTIMATE PART:** Genital area, inner thigh, groin, buttocks or breasts of a person.
- IV. **ACTOR:** The person accused of sexual assault
- V. **SEXUAL CONTACT:** Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person not married to the actor.

PROCEDURES:

- I. **SEXUAL MISCONDUCT**
 - A. Sexual activity of any nature while on duty is prohibited.
 - B. Any use of official position and official resources to obtain information for purposes of pursuing sexual conduct is prohibited.
 - C. Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person while on duty is prohibited.
 - D. A police officer shall not engage in sexual contact with another person who is in custody and such officer has supervisory or disciplinary authority over such other person.
- II. **TRAINING**

All sworn officers of this Department, including supervisors, will receive specific training about the elements of sexual misconduct involving law enforcement officers. The training will also include all elements of this policy.

III. REPORTING AND INVESTIGATIONS

- A. Any employee of this Department, who is made aware of any violation of this policy, is required to report the violation to their supervisor. The supervisor will immediately forward the information to the Office of the Chief of Police through the chain of command. The accused officer's supervisor will not attempt to resolve a complaint of this nature with the complainant.

- B. The Office of Professional Standards will immediately initiate an investigation upon receiving the information from the Office of the Chief of Police. The investigation will involve other investigative elements of the Department, as necessary, and any forensic evidence will be protected and processed immediately.



John C. Franklin
Chief of Police