




Indian River County Sheriff's Office

Eric Flowers, Sheriff

2531.00 Code of Conduct

Number Series: 2000 – Administration
Approved Date: August 16, 2022
Rescinds: N/A
Revision Log: 08/21/2017; 03/31/2016
Review Frequency: 3-Year
CALEA Standard: 22.1.8M(A), 26.1.1M
FCAC Standard: 4.10M
CFA Standard: 7.08M
PSCA Standard: 1.2.2M

Sheriff's Approval: 

PURPOSE

All deputies and employees of the Indian River County Sheriff's Office are members of a team working together with a primary objective of serving the community. Personnel who fail to follow the necessary rules and regulations governing conduct not only penalize themselves, but do disservice to all other personnel. The code of conduct and rules and regulations prohibit employees from engaging in activities that constitute a conflict of interest. This policy is not intended to, in any way, limit the authority of the Sheriff, or designees. This directive shall apply to all Sheriff's Office personnel. [CALEA 26.1.1]

DEFINITIONS

CHAIN-OF-COMMAND - The direct line of delegated authority and communication between the Sheriff and Sheriff's Office personnel in descendant and ascendant precedence of rank/position within each functional Bureau, Division, Section, Unit or as represented by precedence of rank.

DIRECT LINE AUTHORITY - The authority of each supervisor over assigned subordinate within each level of authority within the established chain of command.

General Order
2531.00 – Code of Conduct

Page 1 of 13

Last Revision: 08/16/2022

ILLEGAL ORDERS - Personnel of the Sheriff's Office shall not obey any order which they know or should know would require them to commit an illegal act. When in doubt of legality of an order, deputies or members shall request the issuing officer to clarify the order, or to confer with higher authority.

OFF DUTY HOURS - The period of time during which personnel are not actively engaged in the performance of regularly assigned duties.

ON DUTY HOURS - The period of time during which personnel are actively engaged in the performance of regularly assigned duties.

SHERIFF'S VEHICLES - Any vehicle owned or leased by the Sheriff's Office.

SHIFT - A period of time in which Sheriff's Office personnel are assigned to perform duties. A shift may consist of consecutive time in excess of the normal workday. In cases where a deputy or employee, is detailed to consecutive hours of duty which cover portions of two (2) successive workdays, the day of greatest number of work hours shall be considered the workday of record.

STAFF AUTHORITY - Authority delegated by the Sheriff to supervisors to monitor, advise, or report the activities of subordinate personnel of another functional Bureau, Division, Section, or Unit of the Sheriff's Office in the absence of supervisors within the direct chain-of-command of such subordinates, or in execution of staff duties. Staff authority may also extend to the issuance of direct orders to subordinate personnel of another functional Bureau, Division, Section, and Unit or to a staff officer assuming direct command of an activity or situation in such cases where immediate action or intervention is necessary in order to avoid adverse impact upon the Sheriff's Office or Sheriff's personnel.

WORK DAY - The period of time in which Sheriff's Office personnel are assigned to perform duties.

PROCEDURE

CLASSIFICATION OF OFFENSES

1. Violation of rules and/or procedures shall be classified according to general categories in separate sections of the rules and regulations as follows:
 - a. Insubordination Offenses
 - b. Neglect of Duty Offenses
 - c. Job Knowledge
 - d. Unlawful Conduct Offenses
 - e. Unbecoming Conduct Offenses

VIOLATIONS

1. **Violation of Rules** - Sheriff's personnel shall not commit any acts of omissions which constitute a violation of any of the rules, regulations, directives, or orders of the Sheriff's Office, whether stated in the rules and regulations or elsewhere.
2. **Disciplinary Variance** - For each violation, consideration will be given to the severity of the misconduct, the cost involved, the time interval between violations, the length and quality of service records, and the ability of the deputy or employee concerned. In each case where the recommended disciplinary action is modified, the reasons for such modification will be noted. (Refer to General Order 2531.20 Discipline Procedures, for the application of discipline.)

3. **Progressive Disciplinary Measures** - Rules and regulations are intended to improve employee conduct and performance through progressive training or discipline. Repeated offenses shall generate progressively increased penalties, as stated below and in General Order 2531.20 Discipline Procedures.
4. **Disciplinary Actions**
 - a. Offenses by Group and Suspension Recommendations.
 - i. Group I Offenses
 - a. First Offense Penalty – Up to and including five (5) days suspension and/or demotion.
 - b. Second Offense Penalty - (Group I or higher within two (2) years) Up to and including ten (10) days suspension and/or demotion.
 - c. Third Offense Penalty - (Group I or higher within two (2) years) – Up to termination.
 - ii. Group II Offenses
 - a. First Offense Penalty – Up to and including twenty (20) days suspension and/or demotion.
 - b. Second Offense Penalty - (Group II or higher within two years) – Up to termination.
 - iii. Group III Offenses
 - a. First Offense Penalty - Up to termination.
5. **Countermanding Rules, Orders, Procedures** - The Sheriff may, at his discretion, authorize suspension of rules, orders, procedures, or directives of the Sheriff's Office when necessary for covert investigations, or to achieve agency objectives.
 - a. Sheriff's staff may suspend or countermand a rule, order, procedure, or directive only when failure to do so would obstruct the achievement of objectives or would be otherwise adverse to the Sheriff's Office.
 - b. In such cases, written explanation will be immediately forwarded to the Sheriff.

INSUBORDINATION OFFENSES

1. **Respect toward Superiors** - Sheriff's personnel shall display respect by addressing supervisors and superior officers by proper rank or title in the presence of the public. *(Group I Offense)*
2. **Abusiveness** - Sheriff's personnel shall not use abusive language or gestures toward a supervisor or superior officer, nor shall supervisors or superior officers use abusive language or gestures toward other personnel of the Sheriff's Office. *(Group II Offense)*
3. **Criticism of Orders or Policies** - Sheriff's personnel shall support the policies, orders and procedures of the Indian River County Sheriff's Office and shall not criticize or ridicule the Indian River County Sheriff's Office, its policies, orders, or personnel by speech, writing, or other expression where such interferes with the maintenance of discipline or otherwise undermines the effectiveness of the Sheriff's Office. *(Group II Offense)*
4. **Prompt Compliance with Lawful Order of a Superior** - Sheriff's personnel shall promptly execute the lawful orders and/or instructions of a supervisor or superior officer of the Sheriff's Office, including any order relayed from a superior by an employee of the same or lesser rank. Sheriff's personnel shall act promptly and not delay or fail to carry out such orders or instructions. *(Group II Offense)*
5. **Compliance with Direct Order of a Superior** - Sheriff's personnel shall comply with the direct orders or instructions given by a supervisor or superior officer, and shall not refuse to comply when such orders or instructions are lawful and proper. *(Group III Offense)*

6. **Compliance with Direct Order of Superior or Internal Affairs Investigator** - Sheriff's personnel shall obey the lawful orders of Internal Affairs Investigators or superior officers to answer questions related to the internal investigation of misconduct.
 - a. Sheriff's personnel who are suspected of illegal use of drugs and/or violation of rules or procedures concerning use of alcohol shall obey orders from Internal Affairs Investigators or superior officers to take chemical tests for alcohol and/or drugs.
 - b. Sheriff's personnel may be ordered to submit to a lineup, breath test, blood test, voice print, handwriting exemplars, or other such test or examinations. (*Group III Offense*)
7. **Concerted Job Actions** - Sheriff's personnel shall not engage in concerted job actions, such as curtailment or restriction of work output, or interfere with work in or about other Sheriff's work stations including, but not limited to the following:
 - a. Instigating, leading or participating in any walkout, strike, sit-down, stand-in, and slowdown.
 - b. Refusal to return to duty at the scheduled time.
 - c. Instigate, lead, or contribute to job actions which undermine supervisory authority and which seriously affect discipline, morale, or organizational effectiveness. (*Group III Offense*)

NEGLECT OF DUTY OFFENSES

1. **Abuse of Rest Periods** - Sheriff's personnel shall take only the specified amount of time for meal or rest periods as established by rules and regulations, operating procedures or by a Commanding Officer. (*Group I Offense*)
2. **Failure to Appear/Tardiness** - Sheriff's personnel shall promptly report for duty properly prepared at the time and place required by assignments, subpoenas, or orders. (*Group I Offense*)
3. **Failure to Respond to Subpoena Due to Conflict** - Sheriff's personnel who are unable to respond to a subpoena because of a conflict with another subpoena shall notify either issuing authority of the conflict and be excused from one. Upon being excused from an issuing authority, personnel maintaining the Witness Subpoena Control Log shall be immediately notified of the conflict, and which subpoena they were excused from. (*Group I Offense*)
4. **Failure to Respond to Subpoena Due to Unreported Illness** - Sheriff's personnel who are unable to respond to a subpoena because of illness, injury, or other such causes shall report to the appropriate authority originating the subpoena for purposes of being excused from the subpoena. Upon being excused from an issuing authority, personnel maintaining the Witness Subpoena Control Log shall be immediately notified of any subpoena from which he/she were excused. (*Group I Offense*)
5. **Absence from Duty (Sick Leave, Emergency Leave Notification)** - Sheriff's personnel shall report for duty in accordance with their assigned work schedules and shall not be absent from duty without authorization or having made proper notification as follows: Sheriff's personnel who are unable to report for duty due to illness or other emergency shall notify their supervisor via phone call not less than (one) 1 hour prior to scheduled reporting time whenever possible. (*Group I Offense*)
6. **Failure to Report for Duty Due to Improper Conduct** - Sheriff's personnel shall be careful in their private activities, and shall not subject themselves to circumstances such that they are unfit or unable to report for duty at the designated time because of illegal, immoral, or improper conduct. (*Group III Offense*)

7. **Misuse of Sick Benefits** - Sheriff's personnel shall not fake illness or injury or falsely report themselves ill or injured or otherwise deceive any superior or supervisor of the Sheriff's Office, as to the condition of their health for purposes of avoiding normal duties through use of accumulated sick leave. Other income producing or recreational activities while on sick leave shall be prima-fascia evidence of sick leave abuse.
 - a. Sheriff's personnel are expected to remain at their place of residence while on sick leave, or to cause prompt notification of their immediate supervisor with a location at which they may be reached. Sheriff's personnel may, however, leave their place of residence for short durations as necessary for obtaining medical aids or assistance, food or substance, for performing necessary domestic errands, or exercise of civil rights to vote, travel to, or engage in religious pursuits. (*Group III Offense*)
8. **Fictitious Illness or Injury Report** - Sheriff's personnel shall not fake illness or injury or falsely report themselves ill or injured or otherwise deceive or attempt to deceive any supervisor of the Sheriff's Office as to the condition of their health for purposes of making a fraudulent claim for insurance, workers' compensation, or disability retirement. (*Group III Offense*)
9. **Response to Radio Calls** - Sheriff's personnel shall respond promptly to radio calls when logged or listed in service with radio communications. (*Group II Offense*)
10. **Sheriff's Personnel to Monitor Active Voice Frequency of Sheriff's Radio** - Sheriff's personnel shall monitor the active voice frequency of the Sheriff's radio when operating radio equipped Sheriff's vehicles while on or off duty. (*Group I Offense*)
11. **Sheriff's Personnel to Render Assistance (On or off duty)** - Sworn law enforcement deputies shall respond to calls for assistance from citizens and from other Sheriff's personnel and shall take appropriate action in emergencies or criminal occurrences while on or off duty. (*Group II Offense*)
12. **Completion of Reports and Documents** - Sheriff's personnel shall complete and submit all reports and documents required in the execution of their duties prior to concluding a tour of duty except as authorized by a supervisor. (*Group I Offense*)
13. **Inattention to Duties/Procedures** - Sheriff's personnel shall be attentive to job duties and shall avoid any appearance of loafing or neglecting work while on duty. Sheriff's personnel shall adhere to standard operating procedures, policies, and directives, and shall faithfully execute all of the duties and responsibilities of their assigned position. (*Group I Offense*)
14. **Willful Violation of Official Procedures and/or Directives (Not Endangering Persons or Property)** - Sheriff's personnel shall not willfully ignore or violate official directives, policies, procedures, orders, or supervisory instructions, or knowingly fail to properly execute the duties and responsibilities of their assigned position. (*Group II Offense*)
15. **Horseplay, Distraction of Other** - Sheriff's personnel shall perform their duties in a conscientious manner, and shall not engage in horseplay while on duty or at a Sheriff's facility or work station, and shall not distract others who are performing assigned duties. (*Group I Offense*)
16. **Leaving Assigned Work Area during Working Hours** - Sheriff's personnel shall remain at or in assigned work areas during working hours unless otherwise authorized by a supervisor. (*Group I Offense*)
17. **Failure to Work Overtime, Special Hours** - Sheriff's personnel shall promptly report for duty when assigned to work overtime, special hours or special shifts. (*Group II Offense*)
18. **Willful Neglect of Official Duties (Required for the Safety of Persons and Property)** - Sheriff's personnel shall be attentive to job duties, and shall not violate official directives, supervisory orders, instructions, standard operating procedures, or knowingly refrain or cause another to refrain from the performance of lawful duties

required for the safety of the community, even when such neglect does not result in immediate danger to life or property. *(Group III Offense)*

19. **Endangering Others through Neglect of Duty** - Sworn deputies shall take appropriate action in response to emergency situations where there is a known danger to the lives of others, and shall not neglect their duty to respond to serious crimes, particularly those of violent natures, which come to their attention while on or off duty. *(Group III Offense)*
20. **Failure to Report Accidental Injury** - Sheriff's personnel sustaining any personal injury requiring professional medical attention, whether sustained on duty or off duty, shall promptly report the injury to their supervisor. *(Group II Offense)*
21. **Failure to Report a Motor Vehicle Accident** - Sheriff's personnel shall immediately report motor vehicle accidents in which they are involved with a Sheriff's vehicle in accordance with standard operating procedures. *(Group III Offense)*
22. **Failure to Report Loss of Equipment, Badge, or ID Card** - Sheriff's personnel shall immediately report via email, through their chain of command, to their supervisor the loss of their badge, I.D. card, or Sheriff's Office equipment. The Computer Services and Human Resource email groups shall also be email copied of the loss of an I.D. card for deactivation and reissue purposes. *(Group II Offense)* [CALEA 26.1.1]
23. **Failure to Report the Response to Resistance** - Sheriff's personnel shall report the Response to Resistance as described in General Order 4020.00. *(Group II Offense)*
24. **Contact with Other Law Enforcement Agencies** - Sheriff's personnel who have contact with any law enforcement agency while off-duty wherein the member is considered a suspect involving criminal conduct, shall be required notify their chain of command in writing no later than the next business day. *(Group II Offense)*
 - a. Sheriff's personnel who have contact with any law enforcement agency while off-duty involving a non-criminal incident, including but not limited to non-criminal traffic or ordinance infractions, provision of witness statements related to criminal or civil incidents shall be required to notify their chain of command in writing no later than the next work day. *(Group II Offense)*
25. **Citizen Complaints to be recorded** - Sheriff's personnel shall courteously and promptly adhere to policies and procedures established for receiving and processing citizen complaints. *(Group II Offense)*
26. **Personal Dress and Grooming While on Duty** - Sheriff's personnel shall maintain a neat and clean appearance in conformance with established grooming and dress requirements. *(Group I Offense)*
27. **Personal Neglect** - Sheriff's deputies shall maintain physical conditioning as determined by the Sheriff's Office Physical Fitness Program. *(Group I Offense)*
28. **Notification of Correct Address and Telephone Number** - Sheriff's personnel shall keep the Sheriff's Office informed of their correct residential address in accordance with established procedures.
 - a. Sworn Sheriff's personnel are required to have telephone service, either cell phone or residential, and shall keep the Sheriff's Office informed of their correct telephone number in accordance with procedures for reporting change of address or status.
 - b. A Personal Information Form shall be completed when any changes to a member's personal information is required.
 - c. Personal Information Forms are available on the intranet > downloads > Personal Information Form and shall be submitted to the Employee Updates email group.
 - d. This information will then be distributed to the Human Resources Unit, Payroll Unit and the Information Technology Unit. *(Group I Offense)*
29. **Identification Required** - Sworn deputies shall carry their badge and commission (ID card) on their person at all times except when impractical or during hazardous covert assignments. *(Group I Offense)*

30. **Care and Maintenance of Service Weapons** - Certified deputies who are required to carry firearms in the performance of official duties shall maintain such firearms in a clean and serviceable condition while on duty. *(Group I Offense)*
31. **Search of Arrested Persons** - Sheriff's deputies shall exercise proper care in the arrest, transportation, and detention of prisoners to prevent escape, injury to self or others, or damage to property. Upon arrest, prisoners shall be searched carefully by the arresting deputy and all weapons, contraband, or evidence shall be immediately confiscated. When a prisoner cannot be thoroughly searched before being turned over to a receiving deputy, the arresting deputy shall, without fail, notify the deputy receiving the prisoner. *(Group II Offense)*
32. **Cowardice** - Sheriff's deputies shall perform their required duties and shall not avoid such duties because of fear or cowardice. Sworn deputies are not expected or required to enter imminently hazardous situations without assistance; however, they shall not fail to come to the aid of another member of the Sheriff's Office who is already engaged in imminently hazardous situations. Deputies shall respond to the aid of all persons in danger unless the probability of losing their own life exceeds the probability of successful rescue. *(Group III Offense)*

UNBECOMING CONDUCT OFFENSES [CALEA 26.1.1]

1. **Courtesy** - Sheriff's personnel shall be polite and courteous in contact with the public and with other Sheriff's personnel. *(Group I Offense)*
2. **Home Address and Home Telephone Number Confidential** - Sheriff's personnel shall treat the home addresses and telephone numbers of Sheriff's personnel as confidential information. Such information shall be released only when authorized by competent authority, or with consent of the sworn personnel concerned. *(Group I Offense)*
3. **Personal Bearing** - Sheriff's personnel shall maintain a professional, business like appearance while on duty and/or in uniform while in the presence of the public. *(Group I Offense)*
4. **Radio Transmissions** - Sheriff's personnel shall use official radio channels in accordance with established procedures, and shall avoid use of sarcasm, impertinent remarks, or other improper radio transmissions. *(Group I Offense)*
5. **Neighborhood and/or Family Disputes** - Sheriff's personnel shall avoid personal involvement in neighborhood controversies or family disputes. Such disputes shall be investigated by impartial on-duty deputies. Deputies shall not attempt to exercise authority or to make arrests in their own quarrels, but shall contact a superior officer who shall cause the matter to be investigated and action taken by impartial officers having no personal interest in the dispute. *(Group I Offense)*
6. **Identification to be Given Upon Request** - Sheriff's personnel, while on duty or in uniform, or when otherwise recognized as a member of the Sheriff's Office, shall give their name, rank or position, and photo I.D. in a respectful and courteous manner to any person requesting such identification unless engaged in covert duties. *(Group I Offense)* [CALEA 22.1.8, a]
7. **Statement of Responsibility** - Sheriff's personnel who become involved in personal injury or property damage accidents, while on duty or while operating a Sheriff's vehicle, shall avoid statements of liability, and shall not make statements concerning the responsibility for such accidents, or inform parties that the County or Sheriff's Office will pay for damages even though Sheriff's personnel may be at fault. Persons involved should be referred to their own insurance companies, or to the General Services Unit. *(Group I Offense)*
8. **Gossip** - Sheriff's personnel shall not engage in or convey gossip detrimental to other personnel. *(Group I Offense)*
9. **Use of Profanity or Vulgarity** - Sheriff's personnel shall not use profanity or vulgarity in speech or gestures. *(Group I Offense)*

10. **Use of Communications Facilities** - Sheriff's personnel shall not use Sheriff's Office or County Communications facilities or equipment for personal, social, or unofficial purposes except in serious or emergency matters. *(Group I Offense)*
11. **Misrepresentation/Speeches (Without adverse effect)** - Sheriff's personnel shall secure the consent of the Sheriff prior to making any formal public appearance or publishing any article or releasing any official information which is not within their official duties, even when there is no adverse impact upon the Sheriff's Office. *(Group I Offense)*
12. **Misrepresentation/Speeches (With adverse effect)** - Sheriff's personnel shall secure the consent of the Sheriff prior to making any formal public appearance or publishing any article or releasing any official information which is not within their official duties when such speech, appearance, or publication has, or is likely to have, an adverse effect upon the Sheriff's Office. *(Group II Offense)*
13. **Misrepresentation/Controversial Opinions** - Sheriff's personnel shall not express opinions on religious, political, economic, or other questions of controversial nature while on duty and/or while representing the Indian River County Sheriff's Office without prior knowledge and approval of the Sheriff. *(Group I Offense)*
14. **Testimonials** - Sheriff's personnel shall obtain the approval of the Sheriff before authorizing use of their names, photos, or official titles which identify them as members of the Sheriff's Office in testimonials, ads for any commodity, or commercial enterprises. *(Group II Offense)*
15. **Off-Duty Employment** - Sheriff's personnel shall obtain prior approval from the Sheriff or designee before engaging in other employment, occupation, profession, or commercial enterprise. *(Group II Offense)*
16. **Restricted Areas and Equipment** - Sheriff's personnel shall obtain authorization from competent authority before using Sheriff's Office equipment not regularly assigned, or before entering any locked or restricted area of Sheriff's facilities. *(Group II Offense)*
17. **Wearing of Uniform While Under Disciplinary Suspension** - Sheriff's personnel shall not wear the official uniform of the Indian River County Sheriff's Office while under disciplinary suspension, except as authorized by the Sheriff or designee. *(Group II Offense)*
18. **Recommending Attorney, Bail Bond Agency (Providing Bail), Towing Company, Auto Repair Company or Public Transportation Company** - Sheriff's personnel shall not recommend or suggest to any person arrested, prisoner, or any other person concerned with a prisoner in custody; the employment or hiring of any specific attorney or bail bondsmen.
 - a. Sheriff's personnel shall not become surety or guarantor or furnish bail for any person arrested or charged with a crime except members of their immediate family, and then only upon notification of his/her Commanding Officer. Sheriff's personnel shall not recommend any company which provides public transportation, auto repair service or any service which is contracted by the Sheriff's Office. (Example: towing companies) *(Group II Offense)*
19. **Use of Prescribed Drugs While on Duty** - Sheriff's personnel shall ascertain the likely effect of prescribed drugs from the prescribing physician before reporting for duty. Sheriff's personnel shall obtain the approval of their Commanding Officer before reporting for duty while taking lawfully prescribed medications likely to impair normal physical and mental faculties. *(Group II Offense)*
20. **Use or Odor of Alcoholic Beverages While on Duty** - Sheriff's personnel shall not consume, ingest, or partake of intoxicating liquors or alcoholic beverages of any kind while on-duty except as authorized in the performance of official duties.
 - a. Medically prescribed drugs with alcohol base shall not be used on-duty unless approved by a Commanding Officer.
 - b. Sheriff's personnel shall not report for duty, or be on duty with the odor of alcoholic beverages upon their breath (except when necessary in performance of

- covert duties), or while under the influence of alcohol, or other drugs, or while blood-alcohol content exceeds 0.08%. *(Group III Offense) [CALEA 26.1.1]*
21. **Reporting for Duty (or being on duty) While Intoxicated** - Sheriff's personnel shall not report for duty, or be on-duty, while under the influence of intoxicating liquors or drugs or alcoholic beverages to the extent normal faculties are impaired as defined by Florida law. *(Group III Offense) [CALEA 26.1.1]*
 22. **Unfitness for Duty Due to Alcohol or Drugs** - Sheriff's personnel shall keep themselves fit for duty and shall not become unfit for regularly assigned duty because of excessive use of intoxicating or alcoholic beverages or drugs to the extent normal faculties are impaired as defined by Florida law. Lawfully prescribed medicines taken in conjunction with legitimate sick leave shall be accepted. *(Group II Offense) [CALEA 26.1.1]*
 23. **Alcoholic Beverages in Sheriff's Facilities** - Alcoholic beverages shall not be brought into or kept in Sheriff's Office buildings or vehicles, except as evidence when officially seized and reported and with approval of a Commanding Officer.
 - a. Agency personnel shall not enter any Sheriff's Office buildings, operate any Sheriff's Office vehicles, operate or use any assigned Sheriff's Office equipment after consuming any alcoholic beverages. *(Group III Offense) [CALEA 26.1.1]*
 24. **Entering or Frequenting Liquor Establishments** - Sheriff's personnel, while on-duty, shall not enter or frequent places established primarily for sale, storage, or consumption of alcoholic beverages, or for sale or display of pornographic pictures, and materials ONLY in discharge of official duties. *(Group II Offense)*
 25. **Misuse of Identification While Drinking** - Sheriff's personnel, while off-duty and partaking of alcoholic beverages and/or frequenting premises established primarily for consumption or sale of alcoholic beverages shall do so only as private individuals, and shall not voluntarily display Sheriff's Office identification unless necessary to perform official duties. *(Group II Offense)*
 26. **Engaging in the Sale of Alcoholic Beverages** - Pursuant to Florida law, no Sheriff or deputy shall be permitted to engage in the sale of alcoholic beverages or be employed directly or indirectly in connection with the operations of any business licensed under the beverage law, or be permitted to own any stock or interest in any firm, partnership, or corporation dealing in the sale or distribution of alcoholic beverages except as provided by general law. *(Group III Offense)*
 27. **Abuse of Official Identification** - Sheriff's personnel shall maintain the security of official Sheriff's Office identification, and shall not lend their identification card or badge to another person, or permit them to be photographed or reproduced without the approval of the Sheriff. *(Group III Offense)*
 28. **Intentional Abuse of Sheriff's Equipment/Vehicles** - Sheriff's personnel shall utilize the Sheriff's Office equipment for its intended purpose in accordance with established procedures, and shall not intentionally abuse, misuse, or damage Sheriff's equipment or vehicles. *(Group III Offense)*
 29. **Careless Handling or Unintentional Abuse of Equipment/Vehicles Resulting in Loss or Damage** - All personnel shall utilize Sheriff's Office equipment for its intended purpose in accordance with established procedures, and shall not subject such equipment to loss or damage through careless handling. *(Group II Offense)*
 30. **Careless Handling or Unintentional Abuse of Equipment/Vehicles Not Resulting in Loss or Damage** - All personnel shall utilize Sheriff's Office equipment for its intended purpose in accordance with established procedures, and shall not use Sheriff's Office equipment in a careless manner. *(Group I Offense)*
 31. **Use and Handling of Weapons** - Sheriff's personnel shall use or handle weapons in a careful and prudent manner on or off duty. Weapons shall be used in accordance with the law and established Sheriff's Office procedures. *(Group II Offense)*
 32. **Improper Use of Official Position** - Sheriff's personnel shall not use their official position to gain free admission to any public event or place of amusement, or as a

method to secure a benefit, financial or otherwise, that they would not otherwise be entitled, except in the course of official duties or as authorized by the Sheriff. (*Group II Offense*) [CALEA 26.1.1]

33. **Exposing Others to Communicable Disease** - Sheriff's personnel shall not knowingly harbor a serious communicable disease which may endanger others or knowingly expose others to serious communicable disease. (*Group III Offense*)
34. **Misdirected Action or Interfering with Official Investigations** - Sheriff's personnel shall not interfere with cases being processed by other deputies of the Indian River County Sheriff's Office or other governmental agencies, nor undertake any investigations or other official action not part of their regular duties unless ordered to do so by a superior; or if the intervening deputy reasonably believes that failure to act would result in an injustice, or the exigencies of the situation require immediate action. (*Group III Offense*)
35. **Misdirected Action of Personnel Under Investigation** - Sheriff's personnel against whom a complaint has been made shall not attempt directly or indirectly, by threat, appeal, persuasion, payment of money or other consideration, to secure the abandonment or withdrawal of the complaint, charges, or allegations. (*Group III Offense*)
36. **Recognition and Exposure of Under-Cover Deputies** - Sheriff's personnel shall protect the identity of deputies engaged in covert operations, and shall not intentionally expose the identity or occupation of deputies engaged in covert operations. (*Group III Offense*)
37. **Election/Polling Places** - Deputies shall not enter or remain within an official polling place without permission from elections officials except to cast a ballot or in performance of their official duties. (*Group I Offense*)
38. **Defacing or Marring Bulletin Boards** - Sheriff's personnel shall not mark, mar, alter or deface any printed or written notices placed upon Sheriff's Office bulletin boards. (*Group I Offense*)
39. **Defacing or Marring Facilities** - Sheriff's personnel shall not mark, mar, alter or deface surfaces of Sheriff's Office buildings or facilities. (*Group II Offense*)
40. **Dissemination of Information** - Sheriff's personnel shall treat the official business of the Indian River County Sheriff's Office as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, and in accordance with established procedures. Sheriff's personnel may remove or copy official records or reports only in accordance with established procedures. (*Group III Offense*)
41. **Communicating Criminal Information** - Sheriff's personnel shall maintain the security of confidential information, and shall not intentionally communicate or give law enforcement information to another which may aid a person to escape arrest, delay the apprehension of a criminal suspect, secure the removal of stolen or embezzled goods, money, or other property. Sheriff's personnel shall not intentionally divulge the identity of confidential informants or cooperating sources except as required by law and authorized by competent authority. (*Group III Offense*)
42. **Handling Monies and Property** - Money or other property coming into the possession of Sheriff's personnel which does not belong to such personnel shall be delivered to the proper custodian, and a report shall be made of the transaction. (*Group III Offense*)
43. **Processing Property and Evidence** - Property and evidence which has been received in connection with official Sheriff's Office duties will be processed in accordance with established procedures. Sheriff's personnel shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence held in connection with an investigation or other official action except in accordance with established procedures. (*Group III Offense*)
44. **Association with Dissident Groups** - Sheriff's personnel shall not knowingly associate with any person or organization which advocates or is instrumental in fostering hatred or persecution of any person or group of persons, nor shall they knowingly associate with

any person or group which advocates the overthrow of the United States Government.
(Group III Offense)

45. **Association with Criminals** - Sheriff's personnel shall use good judgment when associating, dealing with, or establishing personal relationships with persons whom they know or should know are persons under arrest, incarcerated, under criminal investigation or indictments, or persons who have criminal or immoral reputation in the community. Members wishing to visit incarcerated persons in any correctional facility shall obtain supervisor approval up through the chain of command. (Group II Offense)
46. **Derogatory Ethnic Remarks** - Sheriff's personnel shall not make derogatory remarks concerning sex, color, race, sexual orientation, gender identity, ancestry, religion, national origin, age, physical handicap, medical condition, disability, marital status, veteran status, citizenship status, or any other protected group status. (Group I Offense)
47. **Excessive or Unnecessary Force Not Resulting in Injury** - Sheriff's personnel shall use only that degree of force necessary to perform official duties, and shall not strike or use a physical response on any person except when necessary in self-defense, in defense of another, to overcome actual physical resistance to arrest, or to prevent escape. (Group I Offense) [CALEA 26.1.1]
48. **Excessive Response Resulting in Injury** - Sheriff's personnel shall use only that degree of response which is necessary to perform official duties, and shall not strike or use physical force response on any person to the extent that injuries are inflicted except when necessary in self-defense, in the defense of another, to overcome actual physical resistance to arrest, or to prevent escape. Any use of response resulting in personal injury shall be reported in accordance with established procedures. (Group III Offense) [CALEA 26.1.1]
49. **Use of Deadly Response in Violation of the Law or Contrary to Rules and Regulations and Procedures** - Sheriff's personnel shall use deadly response only in accordance with the rules and regulations and standing operating procedures of the Indian River County Sheriff's Office, and shall not violate rules and regulations or standing operating procedures or exceed statutory provisions governing the use of deadly response to the extent that injury or death is inflicted or is likely to result or when such use does not result in injury or death. Sheriff's personnel shall not fire warning shots. (Group III Offense) [CALEA 26.1.1]
50. **Political Activity** - Sheriff's personnel shall not engage in political activities such as campaigning, lobbying, or other political practices while on-duty as defined in FSS 104.31 and FSS 112.313, or use their official position when engaged in political activities while off-duty. (Group I Offense) [CFA 7.08M] [FCAC 4.10M]
51. **Falsification of Official Documents** - Sheriff's personnel shall not knowingly falsify or knowingly cause another to falsify any official record or document. (Group III Offense)
52. **Violation of Laws Relating to Office of the Sheriff** - Sheriff's personnel shall not knowingly violate or cause another to violate any statute or lawfully adopted rules or regulations relating to the Office of the Sheriff. (Group III Offense)
53. **Unlawful Compensation, Bribery** - Sheriff's personnel shall not corruptly request, solicit, accept, or agree to accept, any pecuniary or other benefits not authorized by law for past, present, future performance, nonperformance, or for any act or omission believed to have been either within the official discretion of Sheriff's personnel, or in violation of Florida law. (Group III Offense) [CALEA 26.1.1]
54. **Untruthfulness** - Sheriff's personnel shall not knowingly make false or untrue statements except as authorized in the performance of duties, and as necessary to maintain covert operations during investigation of criminal activities. Sheriff's personnel shall not make false statements to a supervisor or to any official of a government agency, even if such statements are not made under oath. (Group III Offense)

55. **Harassment** - Sheriff's personnel shall not use their official position harass, threaten or coerce any person. Harassment can be verbal, physical, or visual. Harassment is unwelcome behavior that any person did not solicit or incite, whether or not the behavior is based upon a person's protected status, such as sex, color, race, sexual orientation, gender identity, ancestry, religion, national origin, age, physical handicap, medical condition, disability, marital status, veteran status, citizenship status, or another protected group status. (Group III Offense)
56. **Workplace Harassment** - It is the policy of the Indian River County Sheriff's Office to provide a professional, businesslike work environment free from all forms of discrimination including incidents of harassment, sexual harassment, hostile work environment, retaliation, discrimination, or workplace bullying. Members found in violation of General Order 2531.05 Anti-Harassment, will be subject to disciplinary action. (Group III Offense)
57. **Chain of Command** - Sheriff's personnel shall adhere to the organizational chain of command in the course of regular duties except when necessary for maintaining the morale and/or the integrity of the Sheriff's Office, or in cases of justifiable personal need. (Group I Offense)
58. **Tortuous Acts** - Sheriff's personnel shall not commit, by act of commission or omission, any flagrant or tortuous act while in the performance of their duties. Violations of Civil Rights Acts under color of law 18 USC 241 and 242 are felony offenses. (Group III Offense)
59. **Code of Ethics for Public Officers and Employees** - Sheriff's personnel shall strictly adhere to the Law Enforcement 2530.00 Code of Ethics, Corrections 2530.01 Code of Ethics, or Civilian 2530.05 Code of Ethics and shall not violate the Code of Ethics for Public Officers and Employees as set forth in Florida law. (Group III Offense)
60. **Photographs and/or Videos** - Sheriff's Office personnel are prohibited from using any photographs or videos containing Indian River County Sheriff's Office uniforms, vehicles, or other equipment belonging to the agency and/or anything identifying the Indian River County Sheriff's Office in any way that compromises or undermines the integrity of the Sheriff's Office, for the use on websites, television or print media. Refer to General Order 3350.15 Social Media. (Group II Offense)

JOB KNOWLEDGE AND PERFORMANCE

1. **General Proficiency** - Sheriff's personnel are required to maintain job knowledge and skills required for the performance of official duties.
 - a. Sheriff's personnel shall maintain and demonstrate proficiency in required interpersonal skills and in the care and use of vehicles and equipment.
 - b. Sheriff's personnel shall maintain and demonstrate their knowledge of the law and criminal procedure and shall maintain proficiency in the care and use of firearms, demonstrating proficiency in accordance with established standards and qualification requirements.
 - c. Sheriff's personnel may be retested for proficiency as provided in standard operating procedures, with each subsequent failure to qualify constituting an additional offense. (Group I Offense)
2. **Knowledge of Rules and Regulations and Procedures** - Repetitious violation of rules and regulations and/or official standard operating procedures shall be indicative of their careless disregard. (Group III Offense)
3. **Expectations of Privacy** - The Sheriff's Office has the right to inspect agency property utilized by employees to include:
 - a. desks and lockers;
 - b. seize and review mail;
 - c. has the right to permit tape recording of telephone conversations as permitted by law; and

- d. facsimiles, or any other computer correspondence. Under Florida law, emails and written communications received or sent by the Indian River County Sheriff's Office are public records, including names, addresses and e-mail addresses. They are generally subject to view by anyone requesting disclosure and will be released in response to a public records request. [CALEA PSCA 1.2.2M]

UNLAWFUL CONDUCT OFFENSES

1. Disciplinary measures resulting from unlawful conduct may be imposed independently of, and concurrent with, civil and criminal prosecutions.
2. Internal, administrative disciplinary measures may be waived pending civil or criminal disposition, but must remain in compliance with Florida law.
3. The administration of internal disciplinary measures based on unlawful conduct must necessarily depend upon individual case circumstances, and will be determined by the Sheriff.

VIOLATIONS OF THE LAW

1. Sheriff's personnel shall adhere to all federal, state, and local laws and ordinances including those punishable by no other penalty than a fine, forfeiture, or other civil penalty. This includes, but is not limited to:
 - a. Traffic Infractions;
 - b. Non-Criminal Violations;
 - c. Misdemeanors; and
 - d. Commission of a Felony, whether or not a charge is formally filed and regardless of the outcome of any court proceeding. (*Group III Offense*)

DISSEMINATION AND TRAINING [CALEA 26.1.1]

A copy of the Code of Conduct shall be furnished and is readily available to all Sheriff's Office personnel. In order to stress the importance of proper conduct by Sheriff's Office personnel, and the image presented by agency personnel, it shall be a topic at all levels of training within the agency.

REFERENCES

State/Federal Regulations:

FSS 104.31 Political activities of state, county, and municipal officers and employees
FSS 112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys
Violations of Civil Rights Acts under color of law 18 USC 241 and 242

Forms:

Personal Information Forms

Other Policy/Procedure References:

2530.00 Code of Ethics, Law Enforcement
2530.01 Code of Ethics, Corrections
2530.05 Code of Ethics, Civilian
2531.05 Anti-Harassment
2531.20 Discipline Procedures
3350.15 Social Media