

DEPARTMENT OF CORRECTION 	POLICY MANUAL	POLICY NUMBER: 217 v2.2	PAGE NUMBER: 1 of 9
		SUBJECT: Ethics and Standards of Conduct	Adopted: 2-20-2001 Revised: Page 5 on 3-8-2010

01.00.00. POLICY OF THE DEPARTMENT

It is the policy of the Board of Correction that employees have a commitment to high moral, ethical and professional conduct and adhere to the principles of the state merit system.

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03.00.00. REFERENCES

Idaho Code, Title 59, Sections 201 - 209 and 701-705; Title 18, Sections 1356, 1357 1359 and 2510; 20-236 and 67-2508.

Idaho Personnel Commission Rules 020 - 026, 190.01.

Multi-State Standards for Auditing Prison Facilities in Washington, Idaho, and Oregon, September 1989, Sections 3.05 and 3.07.

Standards for Adult Community Residential Services, 3rd Edition, 3-ACRS-1A-22; 3-ACRS-1A-23; 3-ACRS-1C-02.

Standards for Adult Probation and Parole Field Services, Second Edition, Sections 2-3032; 2-3050; 2-3051; 2-3052.

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Intent

The Board of Correction intends that the conduct of the Department of Correction employees reflect the highest standards of public service. This policy and accompanying procedures provide employees with guidance to use whenever an employee is faced with a decision regarding duties, actions, conduct, or interaction with others both on and off the job. The Department does not intend to regulate off-duty behavior of employees except when it endangers the safe and orderly operation of the Department or brings discredit or embarrassment to the Department.

Every unacceptable type of action or conduct cannot realistically be listed; therefore, the types of conduct specified in these procedures are not all-inclusive and do not exclude or excuse other misconduct found by management to be detrimental to the good order and discipline of the Department.

Related Policies

Corrective/Disciplinary Action, Policy 205
Drug-Free Workplace, Policy 228
Administrative Investigations, Policy 227
Workplace Relationships, Policy 220
Non-Fraternization with Offenders, Policy 218
Respectful Workplace, Policy 201
Sexual Misconduct with Offenders, Policy 219

04.00.00. DEFINITIONS

Code of ethics: Set of rules describing acceptable standards of conduct for employees.

Conflict of Interest: Any activity or conduct which is, or is perceived by management to be, in conflict with the interest of the Department and its mission.

Dual employment: Employment with more than one (1) state agency.

Hazing: Harassing, persecuting, or ridiculing with meaningless, difficult, or humiliating tasks or acts or exacting humiliating performances or playing practical jokes on other individuals that are meant to demean or embarrass.

Horseplay: Rough or boisterous play.

Outside employment: Any employment with a firm, organization, agency, etc. in addition to, or in supplement of, employment with the Department of Correction.

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Retribution: Punishment, either overtly or covertly.

05.00.00. PROCEDURE

05.01.00. Code of Ethics

As a representative of the State of Idaho and the Department of Correction, each employee will demonstrate the highest standards of integrity, honesty, objectivity, impartiality and professionalism to promote public confidence, understanding, and trust in the Department and its employees.

Employment with the Idaho Department of Correction is a public trust. Each employee will serve the public, other employees, and offenders with respect, concern, courtesy and responsiveness without discrimination, harassment, or retribution.

Each employee will protect privileged and confidential information, including that pertaining to offenders and employees, to which they have access in the course of official duties.

Each employee will maintain mutual respect and professional cooperation in relationships with other staff members and outside agencies.

Each employee shall strive for professional excellence and approach duties in a safe manner with open communication, honesty, dedication, and loyalty to supervisors and the Department.

Each employee shall, whether on or off duty, in uniform or not, conduct him/herself in a manner that will not discredit or embarrass the Department or the State of Idaho.

05.02.00. Guidelines for Personal Conduct Based on the Preceding Code of Ethics

An employee shall adhere to applicable laws, rules, regulations, policies, procedures, division directives, field memorandums, post orders, etc. in the performance of assigned duties.

An employee shall not engage in any activity which might compromise the mission or the orderly conduct of the Department, safety of its employees, offenders, and the public, or his/her ability to carry out assigned duties and responsibilities in an efficient, unbiased, and professional manner.

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An employee shall dress appropriately for the job, wear issued uniforms only as authorized while on duty and to and from work, and maintain good personal hygiene.

An employee shall report for work at the designated time and place, remain alert at all times, and not leave an assigned post without permission or being properly relieved.

Sleeping on duty is strictly prohibited.

Reading for pleasure or recreation, unauthorized studying, watching television or engaging in any other unauthorized recreational or personal activity is prohibited while on duty.

An employee shall cooperate in and maintain confidentiality of any investigation into alleged illegal activities or violation of department policies.

An employee shall not covertly record conversations unless prior approval has been granted, in writing, by the Director for investigative purposes only.

An employee shall not engage in any business, transaction or activity of any nature which is in conflict with the proper discharge of the employee's duties and with the public interest such as:

Using his/her position to secure special privileges or exemptions for self or others.

Releasing privileged or confidential information to any person or group not authorized to receive such information.

Charging unauthorized personal long-distance telephone calls to the Department or using electronic mail or the Internet for non-business-related purposes.

Using or removing state property or funds for any purpose other than official business to include loading personal software on Department-owned computers.

Falsifying any information or official records such as logs, case notes, travel claims, time sheets, and statistics.

Engaging in any political activity prohibited by law such as being a candidate in any partisan election, holding a partisan elective office, or directly or indirectly using official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office.

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Using his/her badge, uniform, department identifications or any other state equipment, title, or position to influence or detain individuals who are not under the care, custody, or supervision of the Department.

Conducting personal or private business or services on state time.

Using state vehicles for anything other than official state business.

An employee shall obey all laws while on and off duty and shall not engage in illegal activities.

All encounters with law enforcement officials which involve the recording of the employee's name, must be reported, in writing, to the employee's supervisor and manager, within two (2) working days. The supervisor must forward the information immediately to HRS.

This would include all misdemeanors, e.g., inattentive driving, reckless driving or driving under the influence.

This would not include minor traffic infractions in personal vehicles such as improper signals, unsafe lane change or speeding.

An employee must report a driver's license suspension to his supervisor within two (2) working days of being notified. The supervisor must forward the information immediately to HRS.

All court appearances, except those required by the employee's official duties, must be reported in writing to the employee's supervisor at least two (2) working days prior to the court appearance.

Any conviction, including a withheld judgement or a plea of "nolo contendere" for illegal activities and sentencing details must be reported in writing to the immediate supervisor and the employee's warden, district or community work center manager, bureau chief or division administrator within two working days of sentencing.

Notification by an employee of a conviction and/or sentencing shall be forwarded to the Human Resource Services Office for filing in the employee's personnel file.

An employee will obey lawful orders from a supervisor or any superior in charge and will properly and safely carry out the duties of the position, including making every reasonable effort to prevent the escape of any inmate.

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An employee shall not use or possess any firearm while on duty except those issued by the Department and when specifically authorized by the Department. Likewise, a Department-issued firearm shall not be used for any purpose on or off the job, except when specially authorized by the Department.

An employee shall not initiate or participate in horseplay or the hazing of other staff members or an individual under the care, custody, or supervision of the Department.

An employee shall not bring contraband into a correctional facility or office including, but not limited to, weapons, alcoholic beverages, drugs, drug paraphernalia, explosive devices or materials useful in the fabrication of explosive devices, and tobacco of any kind except that obtained during a search and to be stored as evidence.

An employee shall not engage in any other activity which is deemed detrimental to good conduct and order of the Department or which might compromise the employee's ability to perform or properly discharge his/her duties.

Any employee shall report to the warden, district and community work center manager, division administrator or the personnel manager or designee any corrupt or unethical behavior which could affect an offender, a staff member, or the Department's integrity and reputation.

05.03.00. Conflict of Interest

Outside Employment: The Department neither encourages nor objects to staff members taking outside employment subject to the following conditions:

The Department is considered the primary employer; therefore, outside employment must not interfere with an employee's work schedule including recall during emergency situations.

Outside employment must not conflict with the best interest of the Department or the proper performance of the work responsibilities assigned by the Department.

Prior to accepting outside employment, an employee shall notify his/her immediate supervisor and the appropriate warden, community work center or district manager, or division administrator, in writing, of the outside employment situation.

If the warden, community work center or district manager, or division administrator determines there is a conflict, or potential conflict of interest,

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he/she shall notify the employee, in writing, that such outside employment may create a conflict or potential conflict and request that the employee reconsider acceptance of the outside employment.

Such notification, and any related correspondence, shall be forwarded to the Office of Personnel/Payroll Services for placement in the employee's personnel file.

An employee will be held accountable for any conflict of interest that occurs with or because of outside employment.

An employee may not accept outside employment with an employer who provides contract services to the Department unless:

The nature of the outside employment is clearly unrelated to the services contracted to the Department.

The responsibilities of the outside employment are such that the employee has no opportunity to influence the relationship between the outside employer and the Department.

An employee may not use state time, materials, facilities, telephones, equipment, or other employees (during working hours) in connection with the outside employment.

An employee may not use compensatory time off or any other type of leave on an emergency basis solely to conduct outside employment.

On-call duty and overtime has priority over outside employment.

Dual employment: Subject to the conditions listed for outside employment, an employee may engage in dual employment as long as there are no conflicting hours of work.

An employee must obtain approval from the other state department's appointing authority and the Director of the Department of Correction. Such request for approval must be coordinated through the warden, district or community work center manager, bureau chief, or division administrator and the Office of Personnel/Payroll Services.

An employee may not contract for services (e.g. consulting, computer programming, janitorial) with another state department or entity.

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An employee may accept employment in any educational program conducted under the State Department of Education of the Board of Regents of the University of Idaho (such as teaching at a state college or university) provided the following criteria are met:

The work is performed outside the employee's normal working hours;
The work is not in the employee's ordinary course of employment;

The work is approved, in writing, by the warden, district or community work center manager, bureau chief, or division administrator. A copy of such approval shall be forwarded to the Human Resource Services Office.

Outside Activities: An employee must critically assess outside personal activities, including membership in organizations, to insure such endeavors, with or without remuneration, are not in conflict with the best interest of the Department and/or its operations.

An employee shall not undertake any personal endeavor, on or off the job, on behalf of themselves, relatives or other entity or corporation in which they have an interest or association which would involve the use of Department facilities, supplies, tools, equipment, etc.

An employee shall not profit, directly or indirectly, from public funds under his/her control, nor have a private interest in any contract or grant made in his/her official capacity, nor sell goods directly or hold a substantial financial interest in any company that sells products or services to the Department.

An employee may not accept or serve in any policy-making position or office of an organization, board, or commission in which an opportunity for conflict of interest might arise between the activities of the organization, board or commission and his/her employment with the Department without the written approval of the administrator of the division in which the employee is employed.

An employee may not receive compensation from outside sources for services provided or information obtained as part of the employee's job responsibilities.

An employee may not, either individually or as a member of a group, ask, accept, or receive any gift, favor, service, loan, or entertainment which might reasonably be interpreted as intending to influence the employee in the performance of his/her official duties.

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An employee shall not accept any honorariums from the public, associations, corporations, or governmental entities for appearances or services provided in the course of his/her employment. Awards for outstanding service on or off the job (such as correctional officer or public official of the year) and advertising trinkets (pencils, pens, etc.) normally given to the public are exempt.

An employee shall not accept gratuities or other benefits exceeding a total composite retail value of \$100 per calendar year.

05.04.00. Investigation

Fact finding and any formal investigations will be conducted in accordance with Policy 227.

Alleged criminal violation(s) of state statutes will be referred to the appropriate local law enforcement official prior to formal internal investigation being conducted.

A subsequent internal investigation to determine whether employment misconduct has occurred may be conducted if the local law enforcement official or prosecuting attorney declines to accept the referral or determines that insufficient evidence exists for criminal prosecution.

05.05.00. Consequences for Violations

Appropriate corrective or disciplinary action up to, and including, dismissal may be taken whenever this policy is violated. The severity and extent of the discipline will be determined by the totality of the factors and circumstances of the individual situation, on a case-by-case basis.

Corrective or disciplinary action will be taken in accordance with Policy 205, Corrective/Disciplinary Action and the Idaho Personnel Commission Rules.

Director, Idaho Department of Correction

Date