



Jacksonville Sheriff's Office
ORDER

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I. Purpose of the Policy

The purpose of this policy is to outline: [CALEA 26.1.1]

1. The obligation to know and abide by the law and Jacksonville Sheriff's Office (JSO) directives;
2. The obligation to demonstrate courtesy and cooperation;
3. Constraints on behavior;
4. Performance of duty;
5. Officers' use of discretion;
6. Codes of ethics/Oath of Office;
7. Allegations of misconduct; and
8. Discipline and disciplinary actions.

II. Procedures

A. Obligation to Know and Abide by the Law, JSO Directives, and Lawful Orders of Superiors

1. Members of the JSO shall know and abide by:



- a. All applicable local, state, federal, and international laws;
 - b. The constitutional rights of citizens;
 - c. All applicable restraints upon the use of governmental power;
 - d. The rules of conduct as set forth in the Civil Service and Personnel Rules and Regulations (available in the Human Resources Division); and
 - e. JSO written directives, including all:
 - (1) Accreditation standards, references to which are notated throughout the directives by the acronyms CALEA, CFA, ACA, FCAC, and FMJS;
 - (2) Collective bargaining agreements applicable to them and their subordinates;
 - (3) Information bulletins;
 - (4) Legal bulletins;
 - (5) Memoranda;
 - (6) Orders; and
 - (7) Unit procedures related to their assignments.
2. Any violation of applicable laws, rules, regulations, or JSO policy and procedures, as well as the commission of any act outside the State of Florida that would constitute a violation of law if the act had been committed in the State of Florida, may subject the member to disciplinary action.
 3. Members are required to notify the Sheriff if they are arrested or cited for a criminal violation in any jurisdiction or, if not arrested or criminally cited, when criminal charges are formally placed against the member (e.g., indictment, information filed, charging notice filed). The notification must be in writing and submitted to the employee's immediate supervisor and/or commanding officer within 24 hours of the member's return to work following the arrest or the issuance of the criminal citation. The receiving supervisor shall immediately forward the correspondence through the chain of command to the Sheriff.
 4. Members shall obey the lawful orders of superiors, including any order relayed from a superior by an employee of the same or lesser rank. [CALEA 12.1.3, FCAC 5.02]
 - a. Orders known to be unlawful shall NOT be obeyed. Obedience to an order known to be unlawful is no defense against legal or disciplinary action. Any member refusing to obey an order shall be required to justify the refusal. [FCAC 5.03]



- b. Any member who is given an order that is in conflict with a previous order, regulation, directive, or manual, shall respectfully inform the superior member issuing the order of the conflict. If the superior member issuing the order does not alter or retract the conflicting order, the member shall comply unless it is a violation of the law. Under these circumstances, the responsibility shall be upon the superior member. The member obeying the conflicting order shall not be held responsible for disobedience of the order previously issued. [FCAC 5.03]
5. All members shall cooperate fully with any investigation of violations of JSO rules and regulations and with any other investigation consistent with their constitutional rights. This may include, under appropriate circumstances, submission to medical testing.

B. Obligation to Demonstrate Courtesy and Cooperation

1. Members shall be responsive to the needs of the public by rendering prompt and courteous service, and consistently conducting themselves in a manner that encourages public respect.
2. Members shall strive to treat victims, witnesses, suspects, arrested persons, and all other contacts with appropriate respect. Personal prejudices or attitudes, which may influence impartiality, shall be suppressed. When requested by the public, members shall identify themselves by name, identification number, and division. [CALEA 22.1.8]
3. Agency telephones shall be answered promptly and courteously. The member answering the telephone shall identify the area reached (i.e., division, section, or unit), his rank/title, and his name (e.g., "Inspections Unit, Detective Jones"). [CALEA 22.1.8]
4. Members shall support associated agencies in their pursuit of lawful activities without unnecessarily interfering with the cases, work, or operation of those agencies.
 - a. Members of JSO shall cooperate with, support, and assist employees from other agencies involved in the criminal justice process in the performance of their official duties.
 - b. If an officer must initiate police action against any member of another law enforcement agency, the officer shall notify their supervisor immediately. The officer shall document the incident, and forward the information through the chain of command.
 - c. All members shall cooperate fully with any investigation, administrative or criminal, by other agencies involved in the performance of their official duties consistent with the constitutional rights of the member.
 - d. Complaints against or criticism of other associated agencies shall be channeled through the chain of command so that appropriate resolutions to problems may be found. Public criticism of other agencies, the courts, or disposition of cases shall be avoided.
5. Members shall adhere to the following guidelines for the salutes to the National Anthem and the National Flag:



- a. The salute to the National Anthem shall be as follows:
 - (1) Come to attention;
 - (2) If outside or inside, in uniform and covered, render a formal salute at the first note of the Anthem and hold the salute until the last note of the Anthem;
 - (3) If outside or inside, in uniform uncovered, stand at attention;
 - (4) Whenever the National Anthem is played where members are present but not in uniform and uncovered, place the right hand over the heart; and
 - (5) If not in uniform and covered, uncover at the first note of the Anthem, and hold it to the left shoulder with the right hand over the heart, except that in inclement weather the head cover may be slightly raised.
 - b. The salute to the National Flag shall be as follows:
 - (1) Unless actively engaged in the performance of duties requiring immediate attention, members, while in uniform, shall:
 - (a) If covered – Salute the National Flag as it passes on all public occasions, ceremonies, parades, presentation of colors, when it is carried into any building, room, or other place. Salute the flag-draped casket or caisson during the 21-gun salute and the playing of taps at funerals.
 - (b) If uncovered – Stand at attention.
 - (2) In civilian clothes and:
 - (a) Covered – By uncovering with the right hand holding the head cover at the left shoulder with the right hand over the heart.
 - (b) Uncovered – By placing the right hand over the heart.
 - c. The salute is directed to the flag, if displayed, otherwise towards the source of the music.
 - d. All officers in uniform at any place or at any time shall uncover and hold their head cover at the left shoulder with the right hand over the heart, with head bowed, during prayer.
 - e. During parades, only salute or stand at attention to the Official Color Guard(s) leading, not to every flag shown in the parade.
6. Members are required to perform their duties in a cooperative and supportive manner.



- a. Members shall be courteous, civil, and otherwise act with respect towards one another. They shall not publicly criticize any official act or member of JSO.
- b. Members shall not use disrespectful, mutinous, or abusive language toward a supervisor or any other employee.
- c. In front of the public, members shall address one another by use of their titles and last names and shall not use first names or nicknames.

C. Constraints on Behavior

1. **Departure from the Truth:** Members have a duty to be truthful in all civil, criminal, and administrative investigations. On or off-duty, employees shall not knowingly depart from the truth in making reports, affidavits, court documents, in giving testimony, or in connection with any official duties. This includes oral or written statements that are intentionally inaccurate, incorrect, incomplete, misleading, or a deliberate, material omission. This requirement applies to all situations and circumstances unless protected, or exempt, by legal mandates existing at that time.
2. **Failure to be Wholly Candid:** Members have a duty to be truthful in all civil, criminal, and administrative investigations or inquiries. Employees, who during an interview, within a civil, criminal, or administrative investigation or inquiry, recant their previous testimony within the same interview, shall be deemed to have committed failure to be wholly candid. Employees who repudiate their previous testimony are further obligated to admit their attempted failure to be forthcoming in previous testimony and are further directed to provide truthful testimony. This requirement applies to all situations and circumstances unless protected, or exempt, by legal mandates existing at that time.
3. **Insubordination:** Members have a duty to perform assigned duties and tasks directed to them by a superior member and to do so in a cooperative and respectful manner. Employees shall not exhibit any form of defiant conduct toward a superior member. Such conduct may include, but is not limited to:
 - a. Exhibiting any unwillingness to carry out assigned duties and tasks;
 - b. Being argumentative with/toward a superior officer;
 - c. Creating or facilitating a workplace environment which inhibits the ability of a superior member to carry out the duties of JSO; or
 - d. Any refusal/delay/unwillingness to complete assigned duties and/or tasks within time periods established by a superior member or established by any written directive.
4. **Association with Criminal Activity**



- a. In order to avoid the appearance of impropriety, JSO personnel shall not, except in accordance with their duties and responsibilities:
 - (1) Knowingly associate, socialize, interact, or conduct business with any individual, group, organization, or gang known to law enforcement as engaging in or encouraging or permitting its members to engage in unsavory or criminal conduct; or
 - (2) Knowingly go to locations or functions where the member knows or should have known that individuals, groups, organizations, or gang members are known to assemble, will be in attendance, or to locations where the member knows or should have known criminal activity is occurring.
 - b. Nothing in this order shall be interpreted to prohibit a member of JSO from associating or socializing with any member of their immediate family.
5. Release of Certain Information
- a. Members shall not impart official information of a confidential nature to anyone except those to whom it is intended or as directed by their commanding officer or under due process of law. They shall not reveal the identity of a complainant or informant to any private person unless directed to do so by higher authority.
 - b. Members shall not communicate information which may impede an investigation, delay an arrest, aid a person to escape, destroy evidence, or remove stolen goods.
 - c. Members shall not communicate information relating to proposed arrests or cases under investigation or to be investigated, except to the officer assigned to the case or to a supervisor, or unless authorized by a higher authority.
 - d. Members shall first obtain permission from the Sheriff before publishing articles or participating in any video productions as official representatives of JSO. No member shall act as a correspondent to any news media unless authorized by the Sheriff.
 - e. Members shall not give out publicity concerning federal prisoners. They shall not give out personal history or photographs of federal prisoners, information as to arrival or departure of such prisoners, or permit reporters to interview them.
 - f. All official and unofficial correspondence received shall be processed as directed by the Sheriff. All outgoing correspondence shall be sent over the name of the Sheriff. Members shall not use official letterheads except for authorized JSO correspondence.
 - g. Official and unofficial correspondence, memoranda, publications, or other communications originating from the department shall not be altered or misrepresented, and shall not be modified with additions, deletions, or attachments without proper authorization.



- h. Members shall only take or use photos of victims or crime scenes in accordance with their official duties and responsibilities. Members are prohibited from taking or using these photos for personal reasons. [CALEA 83.2.2]

6. Tobacco Use [ACA 4-ALDF-1A-21]

- a. All JSO facilities are tobacco-free and smoking-free environments. The use of smokeless tobacco, e-cigarettes, and tobacco substitutes are prohibited inside any building or portions of any building which the JSO occupies for business purposes.
- b. The use of cigarettes, cigars, smokeless tobacco, e-cigarettes, chewing tobacco, and snuff products is prohibited in any vehicle while owned, leased, or borrowed for JSO business.
- c. All visitors shall be informed of the tobacco-free policy when they register at the public reception areas of all JSO facilities.
- d. Members shall not smoke nor use tobacco products in public while providing a JSO service or job function involving direct contact with the public.
- e. Members shall be permitted to use tobacco products only during normally scheduled break periods and outside of the building. No extra time shall be allowed during normal working hours for tobacco use.
- f. Members shall not use tobacco products in the presence of detainees nor inmates.
- g. Members shall not provide tobacco products or tobacco accessories to any detainee or inmate.

7. Alcohol Use

Members shall not:

- (1) Purchase or consume any alcoholic beverage while in uniform or while working, unless authorized or required in the performance of one's assigned duties;
- (2) Consume any alcoholic beverage while on JSO property;
- (3) Report to work while under the influence of alcohol or having a blood alcohol level in violation of the established levels in the applicable collective bargaining agreement;
- (4) Bring any alcoholic beverage into any Department of Corrections (DOC) facility;
- (5) Drive a City of Jacksonville (COJ) or JSO vehicle after consuming alcohol, unless specifically authorized and required in the performance of assigned duties; or



(6) Perform any police action after consuming alcohol, unless exigent circumstances exist.


8. Civil Disputes

- a. An officer shall not involve himself in the civil actions or disputes of another person, nor shall he adjudicate any civil dispute; or force the settlement of, or in any way influence, a civil matter. He shall not give legal advice in civil matters, nor shall he serve in the capacity of a special process server, certified process server, or a court document runner (civil or criminal) neither on-duty nor off-duty. This does not include Civil Process Unit officers in the performance of their duties. An officer shall not suggest, recommend, or solicit business for any specific attorney for non-family members.
- b. When called upon to act or advise in such disputes, an officer shall respectfully inform the interested parties that law enforcement officers have no jurisdiction in civil disputes and shall, when requested, refer them to proper authorities for assistance.
- c. An officer, however, shall act to prevent or suppress any breach of peace or disturbance, which may grow or has grown out of such a dispute.
- d. Officers shall not testify in civil cases unless legally summoned, except when appearing as a witness on behalf of the COJ or in a civil suit in their own behalf. If members are served with process (a lawsuit) for conduct arising in the course and scope of their employment, they must immediately notify the Office of General Counsel (OGC) at (904) 630-1700 and immediately forward a copy of the process with which they have been served.
 - (1) The OGC will generally provide representation to personnel who were acting within the scope of their employment at the time of the incident that is the subject of litigation or other legal proceedings unless a conflict of interest exists.
 - (2) Should evidence indicate that conduct was outside the scope of their employment or a conflict of interest exists, legal representation may be denied in which case written notification of that fact will be provided by the OGC.
 - (3) In the event the OGC does not provide legal representation to a member acting in the course and scope of employment, the OGC will give the agency member further direction regarding representation.
- e. Members shall furnish notification, in writing, of their intent to file a suit arising out of their official duties in any court of law to the Undersheriff via the member's chain of command not less than five days before the actual filing date. The member's supervisor shall forward the notice to the OGC. Members shall not accept or agree to accept anything as payment for personal injury or agree to accept anything as payment for personal injury or property damage incurred in the line of duty without first notifying the Undersheriff. Members shall not use their official position as a means of forcing or



intimidating persons with whom they are engaged in civil controversy to settle the case in favor of the members.

- f. Members who have a damage suit filed against them by reason of acts performed by them in the line of duty shall immediately notify their commanding officer in writing, who in turn, shall notify the Undersheriff. The commanding officer shall ensure a copy of the correspondence is forwarded to the COJ's Risk Management Division.
 - g. Members who have been served with an injunction for protection shall immediately notify their commanding officer and provide him with a copy of the injunction. Upon receiving this notification, the member's commanding officer shall:
 - (1) Immediately notify the Commanding Officer of Internal Affairs Unit or the on-call Internal Affairs detective; and
 - (2) Ensure the member adheres to all requirements established in the injunction.
9. Political Activities [CFA 7.08, FCAC 4.10]
- a. No member shall take any active part in political management of political campaigns during on duty hours (Municipal Code 350.301). [FCAC 4.10]
 - b. No member shall engage in any activity, which is contrary to the provisions of Section 350.302 of the Municipal Code which states that: [FCAC 4.10]
 - (1) No member shall, while wearing a uniform required for his employment:
 - (a) Request, in person, that any individual contribute any time, money, or other thing of value to any candidate, political party, or committee of continuous existence;
 - (b) Solicit, in person, support or votes for any candidate, political party, or public measure; and
 - (c) Take an active part in political management of political campaigns.
 - (2) No supervisor shall request subordinates to:
 - (a) Contribute any time, money, or other thing of value to any candidate, political party, or committee of continuous existence;
 - (b) Support or vote for any political candidate or political party;
 - (c) Vote for any public measure; or
 - (d) Take an active part in the management of a political campaign.

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- (3) No member shall engage in any political activity during the hours of employment, nor shall any person solicit political contributions from employees of the COJ or independent agency during hours of employment or in COJ facilities.
- c. No member shall solicit or knowingly accept any campaign contributions in a building owned by the COJ or an independent agency (Municipal Code 350.303). [FCAC 4.10]
- d. Florida State Statute (F.S.S.) 99.012 requires that any individual who is subordinate personnel, a deputy sheriff, or a police officer, must resign if he has qualified for a public office which is currently held by an individual who has the authority to appoint, employ, promote, or otherwise supervise the individual and has qualified for reelection to that office. No member shall be given a leave of absence with or without pay, excluding previously accumulated vacation, for the purpose of participating in any political campaign for another.
- e. No member shall give testimonials or permit their names or photographs to be used for advertising while inferring their employment with the JSO unless written permission is obtained from the Sheriff.
- f. Members are forbidden to solicit, petition, or offer gratuities for:
 - (1) Their promotion, change of duty assignment, or retirement;
 - (2) The promotion, change of duty assignment, or retirement of any other member;
 - (3) The appointment of any member to the JSO; or
 - (4) To promote any influence to affect such an end.
- g. Members are prohibited from engaging in any strike or work stoppage by current employee contract and F.S.S. Chapter 447. F.S.S. 447.505 states that, "No public employee or employee organization may participate in a strike against a public employer by instigating or supporting, in any manner, a strike. Any violation of this section shall subject the violator to the penalties provided in this part."
- h. Members must have the approval of their assistant chief or higher authority to speak to any group or organization as a representative of JSO, unless the speaking engagement is a part of their normal duties and responsibilities. Upon approval, the speaking member shall send an email to the Community Engagement Staff Executive at JSOCommunityEngagement@jaxsheriff.org with the following information:
 - (1) Name of the group or organization;
 - (2) Contact Person, telephone number and email;
 - (3) Date, time and address of presentation;



- (4) Approximate number of attendees;
- (5) Topics that will be discussed; and
- (6) Any items that would assist in the presentation (i.e. Officer Friendly badges, coloring books, crime-prevention handouts).

10. Abuse of Position or Authority

- a. Members shall not dismiss the charges against a person whose case has not been docketed for court appearance, unless there is sufficiently good reason, and then only with the consent of the arresting officer's commanding officer.
- b. Members shall not become involved in any promises or arrangements which are intended to reduce the charges and permit the offender to escape the full penalty provided by law without obtaining an approval of a request for intervention from their respective department director or a higher authority after application through the chain of command.
- c. Officers shall not interfere unnecessarily with any cases assigned to another officer nor with the operation of any other division or of the courts, or with any lawful private enterprise.
- d. While conducting JSO business, lawful investigations, or personal business, members shall not threaten, intentionally intimidate, or otherwise use their position to improperly influence decisions of citizens.
- e. Members shall not, while on or off duty, solicit or accept presents, loans, or gratuities that would tend to influence the discharge of official duties or involving any governmental action affecting the donor or lender:
 - (1) A member may accept a reward with the written approval of his division chief or higher authority;
 - (2) An officer shall not receive a reward offered by the COJ, First Coast Crime Stoppers, or any other authorized entity as he is already charged with the duty of apprehending such a violator; and
 - (3) This policy is intended to set a pattern of conduct whereby members shall not indulge in the acceptance of gratuities, no matter how small, which may raise questions of favoritism in the discharge of official duties.
- f. Members shall not use their official position to solicit special privileges for themselves or others. An officer may use his badge to obtain admission to any public gathering only in the furtherance of his official duty.



- g. Members shall not receive any article whatsoever, either as a gift or as the result of purchase or trade, from suspects, prisoners, persons recently arrested, or known gamblers, prostitutes, or other persons of bad character or ill repute, professional bondsmen, or other persons that may profit from information obtained from the police or from relatives, employees or associates of any of these persons nor sell any articles to such persons.
- h. No member shall prevent or attempt to prevent the issuance of any traffic ticket or misdemeanor citation from adhering to established judicial process, except in cases where a traffic ticket or misdemeanor citation has been unlawfully issued or issued in error.
- i. Members shall not inflict any mental or physical harm on any individual and shall only use the minimum force necessary when effecting an arrest or preventing an escape.
- j. Members shall not attempt to obtain a bond reduction or released on your own recognizance (ROR) for another person without prior approval from their respective department director or higher authority.

11. Unbecoming Conduct

- a. Members shall conduct themselves at all times, while both on and off duty, in such a manner that reflects favorably upon JSO. Unbecoming conduct includes any behavior that brings JSO into disrepute or ridicule, reflects discredit upon the member in his association with JSO, or impairs the ability of the member to perform his official duties. The following constraints on behavior are imposed on all members:
 - (1) Members shall not participate or engage in any sexual activity while on duty;
 - (2) Members shall not engage in any immoral, indecent, lewd, or disorderly conduct while on or off duty; and
 - (3) Members shall not, whether on or off duty, engage in actions that tend to impair the operations and work flow of JSO or adversely affect the member's professional standing and reputation within the community. Examples of such prohibited conduct include, but are not limited to:
 - (a) Interfering with another member's ability to carry out that member's duties and responsibilities;
 - (b) Interfering with the ability of supervisors to maintain discipline;
 - (c) Accepting employment or engaging in any business which, in the opinion of the Sheriff, interferes with the efficient performance of the member's regular duties or responsibilities;



- (d) Speaking disparagingly about, defaming, or demeaning another member, or the gender, ethnic origin, religion, race, disability, or sexual orientation of any person or group;
- (e) Intimidation or solicitation for personal reasons while under the color of authority;
- (f) Appropriating any lost property, found property, evidence, COJ property, or JSO property for personal use;
- (g) Roughly or carelessly handling the property of COJ, JSO, or another person or entity;
- (h) Sleeping while on duty;
- (i) Aiding or abetting the escape of a prisoner;
- (j) Accepting or soliciting a bribe;
- (k) Feigning sickness or injury to avoid the member's duties or responsibilities;
- (l) Falsifying any official documents, reports, records, or communications;
- (m) Engaging in controversies, displaying partiality, or making arrests during personal disputes, disputes involving one's family, or situations involving the citizens of the neighborhood where the member resides;
- (n) Becoming bailers for any non-family arrestee, providing legal recommendations (including referrals to specific attorneys, bondsmen, or bail brokers) to non-family members, or obtaining attorneys or bondsmen for non-family arrestees;
- (o) Accepting money to be turned in to the Court Clerk as a fine;
- (p) Affiliating with any organization or body that has provisions in that organization's charter bylaws that would in any way exact prior consideration and prevent a member from performing the member's official duties or responsibilities;
- (q) Failing to communicate information of concern to JSO or to a member handling an investigation;
- (r) Altering or tampering with any potential or real evidence, records, or witnesses, which may pertain to any lawful investigation; and
- (s) Possessing or viewing lewd, immoral, or pornographic materials when the possession or viewing of such materials would violate any state or federal law.



- b. Since testifying as character witnesses in criminal court proceedings may discredit or bring disrepute upon JSO, members are prohibited from testifying in criminal court proceedings as character witnesses on behalf of persons charged with or convicted of crimes while wearing any JSO insignia or JSO-authorized uniform. Furthermore, prior to the testimony, the member must provide written notification to the Undersheriff that includes the following information:
 - (1) The date, time, and location of the testimony or court appearance;
 - (2) The name and address of the person for whom the member is testifying; and
 - (3) The relationship between the member and the person for whom the member is testifying.
- c. Members who testify in civil, criminal, internal, or administrative proceedings of any kind, who in their testimony, disclose their own incompetency, or personal conduct which has violated any statute, ordinance, rule, regulation, or official JSO policy, shall be subject to appropriate training and/or discipline for the disclosed incompetency or misconduct.

12. Social Media Use [CFA 32.05]

- a. As public employees, JSO personnel are cautioned that speech, on or off duty, made pursuant to their official duties, may not be protected speech under the First Amendment of the United States (U.S.) Constitution and may form the basis for discipline if deemed detrimental to JSO.
- b. Members are free to express themselves as private citizens on social media sites to the degree that their speech does not disrupt the work of JSO, impair critical working relationships, impede the performance of official duties, or undermine public confidence in the member or JSO. In particular, members are prohibited from the following:
 - (1) Engaging in speech, in any form, that contains obscene or sexually explicit language or images;
 - (2) Engaging in speech, in any form, that ridicules, maligns, disparages, or otherwise expresses bias against any race, any religion, or any protected class of individuals; and
 - (3) Expressing opinions about encounters with the public in the course of the member's job-related functions.
- c. Members shall not make statements about the guilt or innocence of any suspect or detainee, or comments concerning pending investigations and/or prosecutions, nor post, transmit, or otherwise disseminate confidential information, including



photographs or videos, related to JSO training, activities, or work-related assignments without express, written permission from the Sheriff or the Sheriff's designee.

- d. Members shall not use any JSO equipment or resources to engage in social media activities, unless expressly allowed by a supervisor in the discharge of official duties.
- e. Employees who are brought under any administrative or internal investigation related to their performance, conduct, functionality, or duties may be ordered to provide the agency, or its designated investigator, with access to the social media and/or social networking platforms in which they participate or maintain.

13. Bias Based Profiling

- a. Bias-based profiling is strictly prohibited. Bias-based profiling is the detention, interdiction, or other disparate contact/treatment of any person on the basis of their race, color, ethnicity, sexual orientation, gender identification, physical handicap, economic status, age, cultural group, religion or other belief system. The JSO prohibits bias-based profiling in traffic contacts, field contacts, searches and seizures, and in asset seizures and forfeiture efforts. [CALEA 1.2.9, CFA 2.06]
- b. It is the policy of the JSO to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce the motor vehicle laws, while insisting that citizens shall only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing, or are about to commit, an infraction of the law. Reasonable suspicion, also known as articulable suspicion, is suspicion that is more than a mere hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that an infraction of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion. This can be based on the observations of a police officer combined with his training and experience, and/or reliable information received from credible outside sources. [CFA 2.06]
- c. Officers shall receive initial and annual training in the legal aspects of bias-based profiling, proactive enforcement tactics, including training in officer safety, courtesy, cultural diversity, the laws governing search and seizure, and interpersonal communications skills. Training programs shall include the prohibition of bias profiling and the need to respect the rights of all citizens to be free from unreasonable government intrusion or police action. [CALEA 1.2.9, CFA 2.06]
- d. The JSO provides public information pamphlets (e.g., What to Do During an Encounter with the Police form [P-0392]) to officers regarding police encounters with citizens. Officers may distribute the pamphlet to each person subjected to such activities, whenever appropriate. [CFA 2.06]

14. DOC Facilities



- a. While at any DOC facility, members shall adhere to all safety and security procedures related to that facility and to the inmates under their supervision. [FMJS 3.1]
- b. When a corrections officer's immediate family member, as defined in Civil Service and Personnel Rules and Regulations, becomes incarcerated at any DOC facility, he shall notify his supervisor within 24 hours. The supervisor shall ensure a Noteworthy Report is created.
- c. Members shall not introduce contraband, chemicals, equipment, appliances, or furniture items into any area of any DOC facility without authorization from the facility assistant chief or higher authority.
- d. Members shall not remove any item from any DOC facility without authorization from the facility assistant chief or higher authority.
- e. Members should strive to set a positive example for inmates under JSO control and shall maintain a professional, impartial relationship with them at all times. Additionally, members shall not: [FMJS 3.2]
 - (1) Engage in any personal financial transactions with inmates;
 - (2) Initiate any action intending to provoke or incite a volatile situation among inmates;
 - (3) Offer legal advice to inmates;
 - (4) Ask inmates to perform personal errands or conduct personal business on behalf of members;
 - (5) Perform personal errands or conduct personal business on behalf of inmates;
 - (6) Use demeaning, profane, or abusive language towards inmates; or
 - (7) Engage in any conduct—or permit any subordinate, inmate, or other person to commit, or conspire to commit, any conduct—that would violate any law or JSO directive. [FMJS 3.4]
- f. Personal Electronic Devices in DOC Facilities
 - (1) The ability to bring a personal electronic device (e.g., personal cellular telephones, smart watch, etc.) inside a DOC facility is a privilege that may be granted or revoked by a member's commanding officer.
 - (2) Personnel may bring personal electronic devices inside the secure perimeter of any DOC facilities.
 - (a) Unless authorized by an assistant chief or higher authority, members below the rank of lieutenant shall not carry any personal electronic device:



- (i) Into inmate housing areas;
 - (ii) Into processing areas when inmates are present; or
 - (iii) While escorting, monitoring, supervising, or communicating with inmates.
- (3) Members shall not allow inmates to use members' personal electronic devices.
- (4) Members shall not use personal electronic devices to record images from the SecurPASS scanning equipment or any other DOC equipment, programs, or software.
- (5) When on-duty in DOC facilities, members shall not use personal electronic devices as music or entertainment devices.
- (6) Hands-free accessory devices (e.g., earbuds, Bluetooth devices, etc.) are prohibited in DOC facilities.
- (7) Members shall not use personal electronic devices to record or photograph any area inside a DOC facility without approval from a commanding officer or higher authority.
- (8) Personnel in violation of this policy shall receive the following sanctions:
- (a) The first violation shall result in the loss of cell phone privileges for one year from the date of the violation to include any investigation time prior to conclusion; and
 - (b) The second violation shall result in the permanent revocation of cell phone privileges from the affected employee.
- (9) The appropriate division chief shall determine if the violation occurred. This decision is final and not subject to appeal, grievance, or any other remedy.

D. Performance of Duty

1. Members shall maintain sufficient competence to perform their duties properly and to assume the responsibilities of their positions. They shall perform their duties in a manner, which will tend to establish and maintain the highest standards of efficiency in carrying out the functions and objectives of JSO. Incompetency may be demonstrated by:
 - a. A lack of knowledge of the application of law required to be enforced;
 - b. An unwillingness or inability to perform assigned tasks or duties;



- c. The failure to conform to work standards established for the member's rank, grade, or position;
 - d. Failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention;
 - e. Leave without permission;
 - f. Unnecessary absence from the member's assigned tour of duty;
 - g. Repeated poor evaluations;
 - h. A record of repeated infractions of the rules, regulations, procedures, or directives;
 - i. Mishandling or altering evidence, which changes its evidentiary value; or
 - j. A lack of knowledge of the rules, regulations, procedures, and/or directives.
2. All members, sworn and civilian, shall report promptly to the designated time and place for work, roll call, assignment of duties, and/or inspection. All members shall be properly groomed and neatly dressed in accordance with Order 401 (Dress and Personal Appearance). Members shall listen carefully to all orders, instructions, etc., from their supervisors in order to carry out all duties effectively.
 3. While on duty, members shall devote their whole time and attention to fulfilling their duties and responsibilities.
 4. When completing any official report, form, or correspondence, members shall ensure they do so thoroughly, accurately, and in a timely manner.
 5. Members shall keep personal telephone calls to a minimum and shall not allow them to interfere with their duties and responsibilities.
 6. Any member who necessarily incurs expense in connection with official duties, and for which JSO is responsible, shall promptly submit to his commanding officer an itemized account of such expenditures, together with all the required receipts.
 7. When it is necessary in the performance of one's duty to temporarily remove JSO reports or records from the division or department where they are maintained, the member to whom they are issued shall sign a receipt for them and shall be accountable for their return.
 8. Department or division records shall be maintained in their proper location for as long as needed and until properly disposed of according to the State of Florida records retention regulations.



9. On-duty members shall maintain command of temper, exercise patience and discretion, as well as refrain from coarse, profane, or insolent language. Members shall use sound judgment when the use of force is required.
10. Members shall be attentive to, and take suitable action on, reports and complaints received from any person or source, except when circumstances (e.g., writing reports for family members or for oneself outside line-of-duty situations) make it necessary for them to report the matter or refer the complaint to a more appropriate police officer or other agency.
11. Members shall fulfill proper requests for information or assistance, or they shall aid the person in otherwise obtaining the requested information or assistance.
12. Members shall avoid giving the impression that they are not interested in the problems of persons who are referred elsewhere for service. Members shall not belittle a seemingly trivial request, complaint, or item of information received.
13. On each working day, members shall read and respond to, when appropriate, all emails delivered to their official JSO email accounts.
14. Members shall use proper care in the handling and maintenance of JSO property and equipment and shall report immediately any that is lost, damaged, or in bad order. Any member who willfully or negligently loses, damages, destroys, or misappropriates JSO property or equipment may be subject to disciplinary action and/or reimbursement to JSO.
15. Members shall act promptly with energy, firmness, and decisiveness when dealing with crimes, disorders, accidents, or other situations, disasters, or incidents that require law enforcement attention, and in dealing with suspects and carrying out their assignments when the police purpose might be jeopardized by delay. Immediate action shall be taken, even though some other office or division would ordinarily deal with the incident.
16. Members shall remain at their place of assignment until properly relieved or dismissed from that responsibility by a supervisor or an assigned relief.
17. All police and corrections officers shall maintain a valid driver's license in the state of their residence.
18. Members shall request an interpreter to facilitate communication with citizens who do not speak English or who are hearing-impaired.
19. Transgender and Gender-Nonconforming (T/GNC) Individuals
 - a. When interacting with a T/GNC individual, members shall use the person's gender expression and presentation to initially determine how to address the individual, such as the use of pronouns and terms like "miss," "sir," "him," or "her." If the member has any doubt, he shall inquire as to the individual's preferred form of address.



- b. When a T/GNC individual informs a member how he/she would like to be addressed, the member shall honor the request and use the individual's preferred pronoun and/or chosen name. The individual's chosen name should be used at all times to address the individual.
- c. Members shall not ask individuals for information regarding their anatomy, surgical history, or sexual practices—absent an articulable and compelling need—for the purpose of determining a person's gender.
- d. When referencing a T/GNC individual in a report, a member shall enter the individual's legal name in the primary name fields, but shall enter the individual's chosen name in parenthesis after the first reference of the individual in the narrative.
- e. Members shall limit conversations about a T/GNC individual's gender to persons who have a need to know, such as a transporting officer or corrections personnel for the purposes of inmate classification, housing, and medical treatment.

E. Officers' Use of Discretion [CALEA 1.2.6, 1.2.7]

1. An officer has a responsibility to investigate apparent violations of the law. However, the decision to arrest or take other enforcement action remains within the discretion of the officer unless required by law or JSO written directives.
2. Unless JSO directives, orders of a supervisor, or orders of another competent authority require an arrest, the officer's discretion to choose an alternative course of action is explicitly recognized and encouraged.


F. Codes of Ethics/Oath of Office [CALEA 1.1.2, FCAC 4.08]

1. All police and corrections officers shall adhere to the following JSO Code of Ethics. Civilian members shall abide by the JSO Code of Ethics, as applicable.

“As a member of the Jacksonville Sheriff's Office, 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 duties.

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

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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 JSO. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession, law enforcement.”

2. All personnel, prior to assuming sworn status, shall take and subsequently abide by an oath of office to enforce the law, support, protect, and defend the Constitution and government of the U.S. and the State of Florida. [CALEA 1.1.1]

G. Allegations of Misconduct

1. Misconduct is defined as the violation of any federal, state, or local law, any violation of rules and regulations as set forth in the Civil Service and Human Resources Rules and Regulations of COJ, any violation of JSO written directives, refusal to obey any lawful commands, or any conduct that is prejudicial to the good name and reputation of COJ or JSO.
2. Any JSO member, sworn or civilian, who observes, suspects, or is informed of misconduct by an employee is responsible for reporting the alleged or suspected violation(s) to a supervisor or directly to the Internal Affairs Unit. If the allegation concerns a potential criminal violation by an employee, the notification should be immediately made to a supervisor or directly to the Integrity & Special Investigations Unit.
3. Types of Misconduct
 - a. Serious Misconduct – Conduct that involves criminal violations of the law or actions on the part of the employee which warrant a detailed investigation by the Internal Affairs Unit and which could lead to suspension, demotion, reduction in pay, or dismissal of the employee. Examples may include, but are not limited to:
 - (1) Commission of a crime;
 - (2) Immoral conduct;
 - (3) Corruption;
 - (4) Malfeasance of office;
 - (5) Official misconduct;
 - (6) Driving under the influence (DUI);
 - (7) Violation of the civil rights of another; and/or



- (8) Excessive force.
- b. Upon approval of the Assistant Chief of Public Accountability, an investigation which could result in suspension, demotion, reduction in pay, or dismissal of an employee, may be sent to the member's commanding officer for investigation, if deemed appropriate.
- c. Minor Misconduct – Conduct which does not require, formal investigation by the Internal Affairs Unit, but may warrant informal counseling by one's supervisor, remedial training, or minor disciplinary action. It is usually handled by a watch commander or unit commanding officer and resolved at or below the division level. Examples may include, but are not limited to:
 - (1) Discourtesy;
 - (2) Violations of procedural regulations; and
 - (3) Limited incompetence.
4. When requested, members shall assist in any investigation for a violation of any of the statutes of this state, ordinances of COJ, or rules and regulations of JSO. All members shall cooperate fully with the investigation of violations of JSO rules and regulations.
5. JSO employees who are complainants, witnesses, or principals in an administrative investigation are prohibited from discussing any portion of the investigation or his role in that investigation until the investigation is completed and is released by the Internal Affairs Unit. Any JSO employee violating this order shall be considered to have interfered with the investigation and may be subject to appropriate discipline.
6. Administrative Limited Duty Related to Administrative or Criminal Investigations
 - a. Pending investigation, disciplinary action or termination may be cause for an employee to be placed in an Administrative Limited Duty Assignment. Such assignments can be, but are not limited to, the Temporary Limited Duty designated assignments.
 - b. Employees placed on Administrative Limited Duty, unless otherwise specified by the employee's assistant chief or higher, shall comply with the following conditions:
 - (1) The employee shall not be assigned to an area of direct inmate/suspect contact;
 - (2) The employee shall not wear any portion of the uniform that identifies them as a police or corrections officer and will comply with Order 401 (Dress and Personal Appearance) for non-uniform regulations;
 - (3) The employee shall not work overtime or secondary employment;



(4) The employee shall not be assigned to a supervisory position; and

(5) The employee shall not operate a JSO/COJ-owned vehicle.

H. Discipline and Disciplinary Actions

1. Overview of Discipline

- a. The maintenance of discipline is a responsibility and function of command. Supervisors and commanding officers are given authority to fulfill their responsibilities and are expected to exercise it to that end. When repeated misconduct occurs despite counseling or disciplinary action, a determination must be made as to whether the fault for the behavior rests with the violator, the violator's supervisor, or if other circumstances have contributed to the misconduct.
- b. This order is designed to provide the basis for a uniform application of disciplinary actions throughout JSO. JSO reserves the right to depart from established guidelines whenever necessarily appropriate. It is specifically understood that some factual circumstances aggravate or mitigate the violation, and greater or lesser disciplinary action may be required.
- c. This order in no way supersedes employee contracts. Specific employee rights, appeals, and grievance procedures shall be outlined in current bargaining contracts and Civil Service and Human Resources Rules and Regulations.
- d. In view of the size and dynamic nature of JSO, documentation of all formal communications between the supervisor and subordinate is deemed essential for the protection of the subordinate and the integrity of the system.

2. Hierarchy of Training and Discipline [CALEA 26.1.4, FCAC 7.01]

- a. Non-Disciplinary Actions – Training, informal counseling, and formal counseling sessions are not disciplinary actions. Instead, they are used to improve, evaluate, and track performance, thereby avoiding future discipline. Nonetheless, it is appropriate to include training, informal counseling, or formal counseling history as background support for future disciplinary action or for inclusion as part of a performance evaluation. [CALEA 35.1.6]
 - (1) Training – A positive and constructive method of improving the productivity and effectiveness of an employee. Often training is sufficient to avoid disciplinary action. The recommendation by a supervisor for an employee to obtain additional or remedial training should be held on a positive note, be correctively advisory in nature, and used along with a counseling session to explain what is expected of an employee in order to bring about improvements in the employee's behavior. The recommendation from a supervisor for an employee's additional training does not require written documentation or prior approval. Training and counseling are often indistinguishable.



- (2) Informal Counseling Session – An oral communication between a supervisor and employee, which is positive and correctively advisory in nature and is the first step in bringing about improvements in the employee's behavior. It may involve, among other things, a procedural clarification, recommendation to obtain additional training, suggestions for improvement, an oral admonishment for a perceived indiscretion, or a suggestion that the employee obtain professional counseling. An informal counseling does not require written documentation.
- (3) Formal Counseling Session – A discussion between a supervisor and a subordinate in which the subordinate's improper behavior and necessary improvements are brought to his attention. Formal counseling sessions are, generally, used after informal supervisor/employee communications have failed to produce the desired results or when the conduct or performance is somewhat more serious. Formal counseling sessions should be held on a positive note, be conducted by the employee's immediate supervisor or higher authority, and be correctively advisory in nature. Formal counseling sessions shall be documented outside of the employee's personnel file on a Formal Counseling form (P-0646). The original a Formal Counseling form (P-0646) shall be filed in the employee's supervisor's file for record keeping, and a copy shall be given to the employee. If the employee does not agree with the action taken, a signed and dated written statement shall be attached stating why the employee does not agree with the action taken. Formal counseling sessions shall be conducted by the employee's immediate supervisor or higher authority. The a Formal Counseling form (P-0646) shall be routed through the proper chain of command to the commanding officer where it shall be reviewed and filed in the employee's supervisor's file for record keeping and be purged in accordance with applicable bargaining unit agreements and Florida public records law. [CALEA 35.1.6; CFA 12.05]
- b. Written Reprimand – Level One – This is generally the first disciplinary step in terms of severity of corrective action. It is positive discipline administered when an employee has violated an order, rule, or procedure, or where a violation could have an impact on morale, discipline, or reflects negatively on JSO. A Written Reprimand – Level One (P-1711e) shall be made on a disciplinary note with a clear understanding that the employee is being disciplined for his improper behavior. Although the Written Reprimand – Level One (P-1711e) must be administered in an overall positive atmosphere, it shall be remedial in nature, documented on a Written Reprimand – Level One form (P-1711e), and filed in the Internal Affairs Unit for record keeping. A copy shall be routed through the employee's chain of command to the appropriate division chief. [CALEA 35.1.6; CFA 12.05; FCAC 7.03]
- c. Written Reprimand Level Two – This is a more serious official censure of unacceptable acts or behavior, which is administered in a positive manner. It shall be made clear to the employee that the behavior for which this written reprimand was prepared shall not be tolerated and stronger disciplinary action(s) shall be taken if the behavior reoccurs. A Written Reprimand Level Two shall document the dates and nature of all previous discipline which is contained within the member's Internal Affairs file, in accordance



with employee contracts and shall be filed in the Internal Affairs Unit for record keeping. A Written Reprimand Level Two shall also document all formal counseling sessions received in the prior 12 months contained within the employee's supervisor's file. A Written Reprimand Level Two may be given in association with other higher forms of disciplinary action which may include: [CALEA 35.1.6, CFA 12.05; FCAC 7.03]

- (1) Forfeiture of leave time;
- (2) Reduction of pay;
- (3) Suspension without pay; and/or
- (4) Demotion.

3. Issuance of Training, Counseling, and Discipline [CALEA 26.1.4]

- a. First line supervisors and above may counsel or require additional training for an employee without prior approval. If in doubt, first line supervisors should consult with higher authority before acting. [CALEA 26.1.5]
- b. Accused police and corrections officers shall be allowed to review materials as provided by F.S.S. and contractual agreements, prior to being interviewed as part of a formal investigation.
- c. When counseling an employee concerning improper behavior and/or job performance, it is mandatory that the supervisor provides specific direction to the employee to bring the employee's behavior to an acceptable level. However, failure to provide direction shall not preclude future disciplinary action where otherwise appropriate. [CFA 12.05]
- d. If an employee's performance requires more serious action than a Written Reprimand – Level One (P-1711e), the immediate supervisor shall discuss the facts of the incident/performance with his supervisor and/or a supervisor assigned to the Internal Affairs Unit to determine if the case should be forwarded to the Internal Affairs Unit or handled through the chain of command. If the latter is chosen, refer to Order 571 (Internal Affairs), for instructions on how to complete a formal summation and how to submit it through the chain of command. [CALEA 26.1.5]
- e. Upon completion of staff review, a Written Reprimand Level Two shall be documented on JSO letterhead. The employee's commanding officer or higher authority shall administer these reprimands. [CALEA 26.1.5; CFA 12.05]
 - (1) The recipient shall be required to sign the reprimand to acknowledge receipt.
 - (2) The distribution of Written Reprimands Level Two shall be as follows:
 - (a) The Human Resources Division (copy);



- (b) The department's director (copy);
 - (c) The division chief/commanding officer (copy);
 - (d) The Internal Affairs Unit (original);
 - (e) The individual (copy); and
 - (f) The employee's bargaining unit (copy).
4. Recommendations for Suspension without Pay, Reduction in Pay, Forfeiture of Leave Time, Demotion, or Dismissal [CALEA 26.1.4, 26.1.5]
- a. Recommendations of suspension without pay, reduction in pay, forfeiture of leave time, demotion, or dismissal shall be routed through the chain of command to the Undersheriff with the exception of probationary employees who cannot perform their job function. The probationary employee's director shall make the recommendation regarding the termination of the employee when it relates to performance issues. The Internal Affairs Unit shall be responsible for the preparation of all necessary documents dealing with suspensions without pay, reductions in pay, forfeiture of leave time, demotions, or dismissals. The Human Resources Division shall be responsible for the preparation of documents only dealing with the termination of probationary employees who are terminated for performance related issues.
 - b. Only the Sheriff or designee can suspend, reduce pay, cause forfeiture of leave time, demote, or dismiss an employee. The Sheriff is not bound by the recommendations of subordinates and shall, as an elected constitutional officer considering all recommendations, independently make final disciplinary decisions considering the interests of the public, JSO, and the member.
 - c. If an investigation of misconduct results in a determination to dismiss a member of JSO, the following will be provided to the member: [CALEA 26.1.7, FCAC 7.02]
 - (1) A statement citing the reason for dismissal;
 - (2) The effective date of the dismissal;
 - (3) A statement informing the member of their appeal process in accordance with Civil Service Rules and Personnel Rules and Regulations and employee contracts; and
 - (4) A statement of the status of fringe and retirement benefits after dismissal will be provided by the COJ's Department of Administration and Finance – Employee Benefits after being advised of the dismissal by the Human Resources Division after conferring with the affected division chief.
 - d. **Emergency Suspension:** Any commanding officer may impose an emergency suspension without pay against a member in accordance with applicable contracts and the Civil



Service and Personnel Rules and Regulations. Prior to imposing the emergency suspension, the commanding officer desiring to impose the suspension shall notify the Chief of Professional Standards, to discuss the incident.

(1) Police Emergency Suspensions:

- (a) The Sheriff, or his designee, may impose an immediate suspension without pay in advance of the conclusion of any of the procedures set forth in the grievance and arbitration article or in the Civil Service and Personnel Rules and Regulations in the following cases:
 - (i) When an employee has been arrested on a felony charge (other than arrests for incidents occurring in the "good faith" performance of their duties, such as accidental shootings);
 - (ii) When an employee fails a substance abuse test (with confirmation);
 - (iii) When an employee fails to obey a lawful direct order from a superior officer; or
 - (iv) When an employee is a danger to himself/herself or others.
- (b) Emergency suspensions without pay must be issued by the Division Chief or above. If the Division Chief issuing the suspension is not the Chief of Professional Standards, the Chief of Professional Standards (or his designee) must be notified.
- (c) Upon request of the employee, within the next business day after an immediate emergency suspension, the employee will be afforded the opportunity to meet with the assigned Division Chief for the purpose of coordinating a meeting between the Sheriff or his designee and the employee to determine any further action that may be taken.
- (d) An employee who is placed on emergency suspension shall be allowed to use his own personal leave from their respective leave accounts (AL, CL or HOL).
- (e) When an emergency suspension without pay is imposed, the commanding officer of Internal Affairs Unit shall designate a supervisor to collect and secure the suspended member's identification (ID) card, badge, all issued weapons, and COJ vehicle.
- (f) If an officer is temporarily suspended without pay with reinstatement to follow, the officer's division chief or designee shall retain the equipment mentioned above.



- (g) A decision to keep the employee in a suspension without pay status must be made by the Undersheriff, or designee, in consultation with the Internal Affairs Unit and/or the Chief of Human Resources.
 - (h) If the emergency suspension is not upheld, all equipment shall be returned to the member immediately.
 - (i) If an officer is suspended without pay with dismissal intended to follow, all issued equipment shall be turned in to the Supply Unit. The equipment shall be kept together until final disposition and then returned to stock if the member is dismissed or to the member if he is reinstated. Assigned vehicles shall be returned to the Fleet Management Unit.
 - (j) All privileges and courtesies normally extended to members shall not be extended to members who are under suspension. Access to JSO facilities shall only be permitted with a visitor's pass, the same as citizens visiting the Police Memorial Building (PMB).
- (2) Corrections Emergency Suspensions:
- (a) Notwithstanding any provision or limitation of the Civil Service and Personnel Rules and Regulations, the Sheriff may immediately suspend any employee without pay whenever the circumstances of the offense are sufficiently grave to warrant such suspension (e.g., a felony, a serious misdemeanor, an incident involving moral turpitude, or if the employee represents a danger to either himself/herself or others).
 - (b) An employee who is placed on emergency suspension shall be allowed to use his own personal leave from their respective leave accounts (AL, CL or HOL).
 - (c) Emergency suspensions without pay must be issued by the Division Chief or above. If the Division Chief issuing the suspension is not the Chief of Professional Standards, the Chief of Professional Standards (or designee) must be notified.
 - (d) When an emergency suspension without pay is imposed, the commanding officer in Internal Affairs shall designate a supervisor to collect and secure the suspended member's identification (ID) card, badge, all issued weapons, and COJ vehicle.
 - (e) If an officer is temporarily suspended without pay with reinstatement to follow, the officer's division chief or designee shall retain the equipment mentioned above.
 - (f) A decision to keep the employee in a suspension without pay status must be made by the Undersheriff, or designee, in consultation with the Internal Affairs Unit and/or the Chief of Human Resources.



- (g) If the emergency suspension is not upheld, all equipment shall be returned to the member immediately.
- (h) If an officer is suspended without pay with dismissal intended to follow, all issued equipment shall be turned in to the Supply Unit. The equipment shall be kept together until final disposition and then returned to stock if the member is dismissed or to the member if he is reinstated. Assigned vehicles shall be returned to the Fleet Management Unit.
- (i) All privileges and courtesies normally extended to members shall not be extended to members who are under suspension. Access to JSO facilities shall only be permitted with a visitor's pass, the same as citizens visiting the Police Memorial Building (PMB).

(3) Civilian Emergency Suspensions

- (a) In extraordinary situations, a civilian employee may be immediately suspended without pay pending a hearing date. The suspension may be either temporary or may last through the hearing date, depending upon the circumstances.
- (b) Immediate suspensions without pay must be issued by the Division Chief or above. If the Division Chief issuing the suspension is not the Chief of Professional Standards, the Chief of Professional Standards (or designee) must be notified.
- (c) When an emergency suspension without pay is imposed, the commanding officer of Internal Affairs shall designate a supervisor to collect and secure the suspended member's identification (ID) card, badge, all issued equipment, and COJ vehicle.
- (d) A decision to keep the employee in a suspension without pay status must be made by the Undersheriff, or his designee, in consultation with the Internal Affairs Unit and/or the Chief of Human Resources.
- (e) All privileges and courtesies normally extended to members shall not be extended to members who are under suspension. Access to JSO facilities shall only be permitted with a visitor's pass, the same as citizens visiting the Police Memorial Building (PMB).
- (f) Extraordinary situations shall include, but are not limited to, those in which the retention of the employee could:
 - (i) Result in damage to property;
 - (ii) Be injurious to the employee;



- (iii) Be injurious to a fellow employee;
 - (iv) Be injurious to the general public;
 - (v) Be detrimental to the interests of the government; and
 - (vi) Substantially impair management's ability to maintain decorum and discipline.
- (g) The following are examples of extraordinary situations in which an employee may be immediately suspended without pay:
- (i) Being under the influence of alcohol or drugs on the job;
 - (ii) Use of alcohol or illegal drugs on the job or during the employee's work day, to include breaks and lunch period;
 - (iii) Commission of an act which constitutes a felony offense or a misdemeanor involving moral turpitude under the criminal laws of the State of Florida or federal government;
 - (iv) Brutality or cruelty to an inmate, an employee, or to the general public while on duty; and
 - (v) Flagrant insubordination.
- (h) In extraordinary situations (as described in this order) an employee may be immediately suspended without pay for up to 20 working days. Presentation of a detailed written notice of the disciplinary action, as provided in Civil Service Rule 9.05(2), shall be given to the employee, COJ Head of Human Resources and the Civil Service Board within three working days after commencement of suspension. Failure to notify the Head of Human Resources or the Civil Service Board within these time limits shall not constitute a sufficient reason for overturning disciplinary action where no substantial prejudice has resulted.
- (i) Upon receipt of the detailed statement (described in this order), the Civil Service Board shall immediately reserve a hearing date no later than 20 working days from the beginning of the suspension. Once the employee has properly requested a hearing, the Civil Service Board shall immediately notify the disciplined employee by hand, or registered or certified mail, return receipt requested of the date, time, and place of the scheduled hearing. It shall be the duty and responsibility of the employee to file with the board the intention to appeal or not to appeal within five working days after receiving written notification of discipline from the appointing authority in accordance with Civil Service Rule 9.05 (2)(c). An employee who fails to file timely notice with the board shall waive any further right to appeal and the action of the appointing



authority shall be deemed sustained effective as of the date of the original suspension.

- (j) If the employee has been suspended due to an extraordinary situation (as described in this order), and the reason for such suspension is that the employee has committed an act which constitutes a felony offense or a misdemeanor involving moral turpitude under the criminal laws of the State of Florida or federal government, and criminal charges are pending against said employee, the employee may request that the Civil Service Board postpone the scheduled hearing and that the employee be placed on leave without pay status until the criminal charges have been disposed of.
- (k) The Chairman or Vice Chairman of the Civil Service Board may approve such a request, provided the employee has filed with the Civil Service Board a written request for leave without pay status. Upon final disposition of the criminal charges, it shall be the responsibility of the employee to notify the board of such disposition within 10 calendar days, in writing, and request the appeal hearing be rescheduled. Failure to notify the board within this period shall constitute a waiver of any further right to appeal; and the action of the appointing authority shall be sustained, effective as of the date of the suspension. If the employee requests the appeal hearing be re-scheduled, the Civil Service Board shall reschedule the hearing as soon thereafter as possible; but the waiver of benefits shall be considered binding until the case is fully heard.
- (l) If the employee has been suspended, due to an extraordinary situation (as described in this order), for any reason other than a pending criminal charge, and the employee desires a continuance of the hearing and management agrees, such continuance may be granted, provided the employee voluntarily requests and is placed upon leave without pay status.
- (m) A suspended employee who needs additional time to prepare his defense may, by written petition filed not later than three working days prior to hearing, request the Chair of the Civil Service Board for a continuance of not more than 30 calendar days. The suspended employee's entitlement to back pay during this limited continuance shall depend on whether the employee is vindicated at the final hearing. For purposes of this section, "vindicated" means the board finds the employee has not violated any of the rules and regulations or applicable department or agency orders as charged.
- (n) If the Civil Service Board determines, after review, that the disciplinary action is inconsistent with the provisions of the City Charter or the Civil Service and Personnel Rules and Regulations, or is manifestly unjust, it shall order the modification of the disciplinary action or provide such relief as it deems appropriate, including the reinstatement to a former position, payment of forfeited pay, reinstatement to a former level of compensation, and the removal of reprimands from the employee's personnel file.



(o) Time spent on leave without pay shall not be considered to be time for which pay was forfeited or for which pay is due under any circumstances.

5. Disciplinary Appeal Options [FCAC 7.04]

a. Disciplinary Hearing Board

- (1) The Disciplinary Hearing Board (DHB) reviews recommended administrative charges and disciplinary actions for officers who are facing suspension, demotion, or termination. Any officer facing suspension, demotion, or dismissal may elect to have the DHB review the recommended administrative charges and disciplinary actions. The manner in which the hearing is conducted, the force and effect of findings and recommendations, and all appellate rights, shall be as set forth in the collective bargaining agreement approved for the officer's bargaining unit. [CALEA 26.1.6]
- (2) The DHB shall be composed of five members with two members being selected by the Sheriff or his designee, two members being selected by the aggrieved or charged member, and the fifth member being selected by the other four members. None of the members of the DHB may be related to the accused officer. The Director of Personnel and Professional Standards shall designate one of the two members selected by the Sheriff to be the Chairperson of the DHB. The Director of Personnel and Professional Standards may designate themselves as the Chairperson of the DHB.
- (3) The findings and conclusions of the DHB shall be transmitted in writing to the Sheriff (or designee) and, upon concurrence, the action shall become final. The findings, conclusions, or recommendations of the DHB are not binding on the Sheriff and, in the event of non-concurrence, the Sheriff (or his designee) may disapprove or alter an action by the DHB.
- (4) As soon as practical, after receipt of the findings and recommendations of the DHB, the Sheriff (or his designee) shall reach a decision which shall then be tendered in writing to the accused officer.

b. Civil Service Board or Arbitrator

Any member facing disciplinary action may elect to appeal the recommended administrative charges and disciplinary actions to the Civil Service Board or an arbitrator, via the grievance process, as dictated by the member's collective bargaining agreement. [CALEA 26.1.6]

6. The Disciplinary Action Guide

- a. In an effort to standardize and to uniformly apply, to the extent possible, positive and punitive disciplinary actions, and to promote progressive actions, the Disciplinary Action Guide is offered as a guide for some of the more common violations of JSO's written directives.



- b. The Disciplinary Action Guide is established for progressive discipline based on the seriousness of the violations and repeated infractions. More serious violations result in increased (progressive) discipline levels compared to less serious violations. Repeated infractions of the same violation (even if individually not serious) may also result in increased (progressive) discipline levels. In addition, employees who have repeated violations (not necessarily the same infraction) occurring during separate incidents, may also receive increased (progressive) discipline.
- c. The Disciplinary Action Guide is not all-inclusive, nor is it binding. However, it does give recommendations for the severity of discipline for different conduct. The following are general instructions for using the Disciplinary Action Guide:
 - (1) Each offense listed shows at which step disciplinary action probably would begin for the first offense of a particular misconduct after counseling has been exhausted, if appropriate, and is also based on the severity and consequence of the offense;
 - (2) More serious or minor cases of misconduct can call for deviation from the recommended discipline;
 - (3) Any deviation from the recommended step shall be explained in the documentation of the action taken; and
 - (4) Repeated misconduct or multiple acts of misconduct shall constitute a need for action more serious than the suggested level.


Mike Williams
Sheriff

References:



Appendix A

Disciplinary Action Guide	
<p>STEP 1 – Written Reprimand Level One STEP 2 – Written Reprimand Level Two STEP 3 – Suspension without Pay, Reduction of Pay, or Demotion STEP 4 – Dismissal</p>	
VIOLATION	RANGE OF DISCIPLINE
Absence without permission or legitimate illness.	STEP 2-4
Accepting employment or engaging in any business that interferes with the efficient performance of one's regular police employment.	STEP 2-3
Accepting fine money or money for a license fee or tax, contrary to JSO policy.	STEP 3-4
Accepting or soliciting a bribe.	STEP 4
Aiding or abetting the escape of a prisoner.	STEP 4
Appropriating any found property or evidence to one's own use.	STEP 4
Becoming a bailer or recommending an attorney, contrary to JSO policy.	STEP 1-2
Commission of conduct that supports criminal violations of federal, state, or local law. (Sustained based upon prima facie evidence, a plea of nolo contendere, a plea of guilty, or a judicial determination of guilt with or without adjudication).	STEP 3-4
Communication of information, which may knowingly impede an investigation, delay an arrest, aid a person to escape, destroy evidence, or remove stolen goods.	STEP 3-4
Departure from the truth.	STEP 4
Discourteous, unprofessional telephone demeanor.	STEP 1
Disrespectful, mutinous, insolent or abusive language toward a supervisor.	STEP 2-3
Engaging in controversies or making arrests in one's own disputes, contrary to JSO policy.	STEP 1-2
Exchange, alteration, or transfer of one's badge, not in accordance with JSO policy.	STEP 2
Failure by a supervisor to ensure that subordinates make all required reports promptly, legibly, correctly, etc.	STEP 1
Failure by an arresting officer to take a prisoner to jail for booking as promptly as possible after making an arrest.	STEP 2
Failure to advise arrestees of their constitutional rights (applicable to custodial interrogations only).	STEP 1-3
Failure to appear and/or be adequately prepared at a court proceeding.	STEP 2



Disciplinary Action Guide	
STEP 1 – Written Reprimand Level One STEP 2 – Written Reprimand Level Two STEP 3 – Suspension without Pay, Reduction of Pay, or Demotion STEP 4 – Dismissal	
VIOLATION	RANGE OF DISCIPLINE
Failure to attend a scheduled wellness appointment or failure to cancel a scheduled wellness appointment within 24 hours of the appointment.	<i>SEE NOTE 1</i>
Failure to be wholly candid.	STEP 3
Failure to carry an issued or approved weapon while on duty, in accordance with JSO policy.	STEP 1-2
Failure to communicate information of concern to JSO.	STEP 1-2
Failure to comply with personal appearance regulations.	STEP 1
Failure to comply with JSO policy concerning presents, loans, gratuities, privileges, or rewards.	STEP 2-3
Failure to comply with JSO policy on the use of alcohol/drugs.	STEP 3-4
Failure to comply with JSO policy on the use of force.	STEP 3-4
Failure to comply with JSO policy regarding involvement in civil cases.	STEP 1
Failure to conform to uniform wearing regulations dealing with the completeness and serviceability of the uniform and uniform equipment.	STEP 1
Failure to conform to work standards by demonstrating a lack of knowledge of the rules, regulations, procedures, directives, and/or the application of law required to be enforced.	STEP 2-4
Failure to conform to work standards by demonstrating a record of repeated infractions of the rules, regulations, procedures, or directives.	STEP 3-4
Failure to cooperate with and support other members of JSO in the line of duty.	STEP 1-4
Failure to cooperate with any investigation, consistent with one's constitutional rights.	STEP 3-4
Failure to JSO policy to furnish changes in residence address and/or telephone number, according.	STEP 1
Failure to inform one's supervisor when taking medication or using therapeutic treatments that could impair one's performance.	STEP 1-4
Failure to maintain JSO records according to JSO Policy and State Law.	STEP 2
Failure to maintain the confidentiality of official information.	STEP 2-4
Failure to obey the lawful order of a superior.	STEP 2-4



Disciplinary Action Guide	
<p>STEP 1 – Written Reprimand Level One STEP 2 – Written Reprimand Level Two STEP 3 – Suspension without Pay, Reduction of Pay, or Demotion STEP 4 – Dismissal</p>	
VIOLATION	RANGE OF DISCIPLINE
Failure to obtain permission from the Sheriff before publishing an article as an official representative of JSO or acting as a correspondent to any news media.	STEP 2
Failure to obtain written permission from the Sheriff before giving testimonials or permitting one's photograph or name to be used for advertising purposes in which employment with JSO is reflected or inferred.	STEP 1-2
Failure to respond to the needs of the public by rendering prompt and courteous service.	STEP 2-3
Failure to set an example of good driving by conforming to all traffic laws.	STEP 1
Failure to take appropriate action when required to do so by law or JSO policy.	STEP 1-4
Failure to take prompt action on reports or complaints by a private person or at situations or incidents according to JSO policy.	STEP 1-3
Failure to treat victims, witnesses, suspects, arrested persons, and other citizens with appropriate respect.	STEP 1-3
Failure to wear the complete uniform, unless authorized otherwise.	STEP 1
Falsification of official documents, records, reports, or communications.	STEP 1 - 4
Feigning sickness or injury to escape duty.	STEP 2-3
Handling COJ or JSO property roughly, negligently, or carelessly.	STEP 2-3
Improper email, database, and internet use.	STEP 1-4
Improperly intervening in the issuance, processing, or disposition of a traffic or misdemeanor citation.	STEP 2-3
Incompetence coupled with repeated poor evaluations.	STEP 4
Infliction of mental or physical abuse upon any prisoner in custody.	STEP 3-4
Insubordination.	STEP 1-4
Interference with an investigation.	STEP 2-4
Interfering with the ability of supervisors to maintain discipline and order.	STEP 2-3
Intimidating persons for personal reason under color of authority.	STEP 3-4
Knowingly associating, socializing, or conducting business with any individual, group, organization, or gang known to law enforcement as engaging in (or encouraging/permitting its members to engage in) unsavory or criminal conduct.	STEP 3-4
Obtaining an attorney or bondsman for a prisoner.	STEP 2-4



Disciplinary Action Guide

STEP 1 – Written Reprimand Level One

STEP 2 – Written Reprimand Level Two

STEP 3 – Suspension without Pay, Reduction of Pay, or Demotion

STEP 4 – Dismissal

VIOLATION	RANGE OF DISCIPLINE
Public criticism of any official act, policy, program, or member of JSO.	STEP 2-4
Removal of JSO records contrary to JSO procedure.	STEP 2-4
Secondary Employment Violation - Failure to obtain authorization to work secondary employment.	STEP 3
Secondary Employment Violation - Failure to pay administrative fees.	STEP 3-4
Secondary Employment Violation - Failure to report secondary employment.	STEP 3-4
Sleeping while on duty.	STEP 3
Social media policy violation.	STEP 1-4
Speaking disparagingly about any other member, or defaming or demeaning the nationality, creed, race, or sex of any person.	STEP 2-3
Unbecoming conduct, including the performance of any acts or making of any verbal or written statements that may bring JSO into disrepute or ridicule.	STEP 1-4
Unintentional discharge of firearm.	STEP 1-4
Unnecessary absence from the member's assigned tour of duty.	STEP 2-3
Unnecessary drawing or display of one's weapon. (No injury)	STEP 1-3
Unnecessary interference with another member's case, the operation of another Division or the courts, or with any lawful private enterprise.	STEP 2-4
Unnecessary use of force against any person.	STEP 3-4
Using a weapon without the approval of one's commanding officer and/or in a manner for which one has not been trained. (No injury)	STEP 2-3
Using JSO property without authorization.	STEP 1-3
Wearing the uniform, or any part of it, while under suspension.	STEP 3

NOTE 1

For a first offense (police), the member shall receive a formal counseling and the loss of take-home vehicle privileges for two weeks. During the two week period, officers shall not be allowed to borrow another officer's vehicle for working off-duty employment.

For a first offense (corrections), the member shall receive a formal counseling and shall not be able to work any overtime for two weeks.

Other administrative measures, such as requiring reimbursement for the cost of the missed wellness appointment and progressive discipline, may be implemented for the first and subsequent offenses.