

I. PURPOSE

To provide guidance so that sworn and civilian employees may better understand prohibitions and limitations on their conduct and activities while on and off duty. The rules of conduct set forth in this policy are not intended to serve as an exhaustive treatment of requirements, limitations, or prohibitions on employee conduct and activities; rather, they are intended to:

- A. Alert employees to some of the more sensitive and often problematic matters involved in conduct and ethics.
- B. Specify, where possible, actions and inactions that are contrary to and in conflict with the duties and responsibilities of law enforcement officers.
- C. Guide employees in conducting themselves and their affairs in a manner that reflects standards of deportment and professionalism. Additional guidance on matters of conduct is provided in policies, procedures, and directives disseminated by this agency as well as from employees' immediate supervisors.

II. POLICY

It is the policy of the Fairfax County Sheriff's Office that employees conduct themselves at all times in a manner which reflects ethical standards and consistency with rules contained in agency policies.

- A. Violations of either the Standards of Conduct for County Employees ([Attachment 1](#)), Code of Ethics for the Merit Service of Fairfax County ([Attachment 2](#)), or special rules of conduct applicable to employees of this agency will result in disciplinary action.
- B. Any employee who is alleged to have violated the provisions of this Standard Operating Procedure (SOP) may be required to submit to a polygraph examination as part of an official investigation.
- C. Sexual conduct between staff and detainees, volunteers or contract personnel and detainees, regardless of consensual status, is prohibited and subject to administrative and disciplinary sanctions.

III. DEFINITION

Accountability: In the context of this policy, accountability means the duty of all employees to truthfully acknowledge and explain their actions and decisions when requested to do so by an authorized member of this agency.

IV. PROCEDURE

- A. General Conduct.
 - 1. Obedience to Laws, Regulations and Orders.

**FAIRFAX COUNTY SHERIFF'S OFFICE
STANDARD OPERATING PROCEDURE**

**SOP NUMBER: 016
SUBJECT: STANDARDS OF CONDUCT**

- a. Employees will not violate any law, agency policy, rule, or procedure.
- b. Employees will obey all lawful orders.
- 2. Conduct Unbecoming.

Employees will not engage in any conduct or activities on or off duty that reflect discredit on the employee or the agency, or which impair the agency's efficient and effective operation.
- 3. Accountability, Responsibility, and Discipline.
 - a. Employees will cooperate fully in any internal administrative investigations conducted and will provide complete and accurate information with regard to any issue under investigation.
 - b. Employees will be accurate, complete, and truthful in all matters.
 - c. Employees shall not attend any court in any jurisdiction for the purpose of testifying or appearing as a defendant while attired in a Fairfax County Sheriff's Office uniform if the purpose of their attendance does not relate directly to acts which occurred during the performance of official duties.
 - d. Employees who have contact with law enforcement outside of their normal duties shall immediately notify the on-duty Confinement Shift Commander. The supervisor receiving notification shall immediately notify the Staff Duty Officer (SDO). The SDO shall make the appropriate notifications and take action as necessary. Examples of law enforcement contact include, but are not limited to:
 - 1) The employee has been arrested or issued a traffic summons.
 - 2) Court action has been initiated against the employee.
 - 3) The employee was the subject of a contact and/or investigation with law enforcement officers of another agency.
 - e. As soon as practicable, employees shall report to their supervisor via email in the event:
 - 1) The employee is a plaintiff in a civil action or is subpoenaed to testify in a civil action where another employee is named as a defendant. No employee shall testify in a civil action unless served with a legal subpoena. This shall not apply to cases in which the employee is the plaintiff or where the employee is related to the defendant by blood or marriage. Employees shall not enter into any financial agreement regarding appearances as witnesses in any civil action except as authorized by the Sheriff.
 - 2) The supervisor receiving notification as described above shall pass this notification through the chain of command to the appropriate Chief Deputy Sheriff.

**FAIRFAX COUNTY SHERIFF'S OFFICE
STANDARD OPERATING PROCEDURE**

**SOP NUMBER: 016
SUBJECT: STANDARDS OF CONDUCT**

4. Conduct Toward Fellow Employees.
 - a. Employees will conduct themselves in a manner that will foster cooperation among members of this agency, showing respect, courtesy and professionalism in their dealings with one another.
 - b. Employees will not use language or engage in acts that demean, harass or intimidate any other individual or group. All persons will be treated with respect and courtesy.
 - c. Employees will not discriminate against other employees. Any employee who discriminates based on the sex, sexual orientation, creed, race, national origin, religion or disability of another employee will be subject to discipline.
5. Conduct Toward the Public.
 - a. While recognizing the need to demonstrate authority and control over criminal suspects and inmates, employees will adhere to this agency's use of force policy and observe the civil rights and protect the well-being of those in their charge.
 - b. Employees will treat all members of the public with courtesy and respect.
6. Use of Alcohol and Drugs.
 - a. Employees will not consume any intoxicating beverage while on duty or in uniform.
 - b. No alcoholic beverage will be served or consumed on agency premises or in vehicles operated by the Sheriff's Office.
 - c. No employee will report for duty with the odor of alcoholic beverage on his or her breath.
 - d. No employee will report for duty when his or her judgment or physical condition has been impaired by alcohol, medication, or other substances.
 - e. Supervisors will order a drug or alcohol screening when they have a reasonable suspicion that an employee is under the influence of drugs or alcohol.
7. Abuse of Law Enforcement Powers or Position.
 - a. Employees will report any unsolicited gifts, gratuities or other items of value that they receive and will provide a full report of the circumstances of their receipt if directed to do so.
 - b. Employees will not use their authority or position for financial gain; for obtaining or granting privileges or favors not otherwise available to them or others except as a private citizen; to avoid the consequences of illegal acts for themselves or for others; to barter, solicit, or accept any goods or services (to include gratuities, gifts, discounts, rewards, loans, or fees)

whether for the employee or for another.

- c. Employees will not purchase, convert for their own use, or have any claim to any found, impounded, abandoned, or recovered property, or any property held or released as evidence.
- d. Employees will not solicit or accept contributions for this agency without the expressed consent of the Sheriff or his designee.
- e. Employees are prohibited from using information gained through their position to advance their financial or other interests or those of others.

8. Off Duty Law Enforcement Action.

Employees will not use their law enforcement authority to resolve personal grievances (e.g., those involving the employee, family members, relatives or friends) except under circumstances that would justify the use of self-defense, actions to prevent injury to another person, or when a serious offense has been committed that would justify an arrest. In all other cases, employees will summon on-duty police personnel where there is personal involvement that would reasonably require law enforcement intervention.

9. Prohibited Relationships.

- a. Employees will not knowingly initiate a relationship with any person who is a current or prior inmate in this or any other correctional institution.

10. Reporting Procedures.

- a. Employees must promptly report to the Branch Chief in their chain of command any relationship with any former inmate of any correctional facility.
- b. Employees must promptly report to the Branch Chief in their chain of command any relationship with the spouse, immediate family member, or companion of persons in the custody of this agency.
- c. Given the circumstances of 10 (a & b), above, a review will be conducted by the Sheriff on a case-by-case basis to determine a suitable course of action.

B. Public Statements, Appearances, and Endorsements.

1. Employees will not, under color of authority:

- a. Make any public statement that could be reasonably interpreted as having an adverse effect upon department morale, discipline, operation of the agency, or perception by the public;
- b. Divulge or willfully permit to be divulged, any information gained by reason of their position, for anything other than its official authorized purpose; or

**FAIRFAX COUNTY SHERIFF'S OFFICE
STANDARD OPERATING PROCEDURE**

**SOP NUMBER: 016
SUBJECT: STANDARDS OF CONDUCT**

- c. Unless expressly authorized, make any statements, speeches, or appearances that could reasonably be considered to represent the views of this agency.

C. Political Activity.

Employees should be guided by the Virginia State Code, the Code of Fairfax County, and Fairfax County Personnel Regulations regarding their participation and involvement in political activities.

- 1. Employees shall not use their position in the Sheriff's Office to endorse political candidates, nor shall they use their position to solicit, directly or indirectly, funds or other services in support of a political issue. Employees shall not use their official capacity in any manner to influence the outcome of any political issue. Nothing in this section is intended to prevent employees from exercising their rights under Section 3-1-19 of the Code of the County of Fairfax.

D. Expectations of Privacy.

- 1. Employees will not store personal information or belongings with an expectation of personal privacy in such places as lockers, desks, agency owned vehicles, file cabinets, computers, or similar areas that are under the control and management of the Sheriff's Office. While this agency recognizes the need for employees to occasionally store personal items in such areas, employees should be aware that these and similar places may be inspected or otherwise entered to meet operational needs, for internal investigatory requirements, or for other reasons, at the direction of the Sheriff or his designee.
- 2. No member of this agency will maintain files or duplicate copies of official agency files in either manual or electronic formats at his or her place of residence or in other locations outside the confines of this agency without express permission.

E Additional Agency Protocols.

- 1. Financial irresponsibility is contrary to the special public trust granted all employees of the Sheriff's Office. To protect this trust and the integrity of the Sheriff's Office, employees shall make every reasonable effort to pay all debts for which they are legally responsible.
- 2. Employees will give their name and Employee Identification Number (EIN) number to any person requesting this information.
- 3. Unless authorized by the Sheriff, all sworn employees will carry their identification card and badge on their person at all times.
- 4. Employees will be punctual when reporting to work, and prompt when responding to calls or court appearances, and on all other occasions where time is a factor.
- 5. Employees will report the loss or damage of items of agency equipment to their supervisor immediately.
- 6. Employees will not deliver, aid, enable or permit the delivery of any message, correspondence, literature, contraband or anything else to or from an inmate or

**FAIRFAX COUNTY SHERIFF'S OFFICE
STANDARD OPERATING PROCEDURE**

**SOP NUMBER: 016
SUBJECT: STANDARDS OF CONDUCT**

former inmate, unless related to the official discharge of one's duties.

7. Employees will not engage in any outside employment, business or profession, during scheduled working hours or outside scheduled working hours to the extent that such employment or job performance impairs agency efficiency, creates the impression of conflict of interest, or otherwise reflects adversely upon the Sheriff's Office.
8. Employees will not divulge information found on agency files and records under their control to any outside sources unless required by law or approved by higher authority.
9. Employees are prohibited from recording conversations while on duty or regarding matters involving the Sheriff's Office unless,
 - A. All parties to the conversation are aware the conversation is being recorded and concur.
 - B. The recording is part of an authorized investigation by the Sheriff, Fairfax County Police, the Federal Bureau of Investigation, or some other law enforcement agency.

02/12/07
DATE APPROVED

06/30/2020
EFFECTIVE DATE



**STACEY A. KINCAID
SHERIFF**

Revised: March 2007, February 2012, January 2015, September 2016, June 2020