

OKALOOSA COUNTY CLERK OF CIRCUIT COURT



DEPARTMENT OF INSPECTOR GENERAL



ADMINISTRATIVE REVIEW: REVIEW OF OKALOOSA COUNTY DEPARTMENT OF CORRECTIONS

REPORT NO. AR-21-02

REPORT ISSUED FEBRUARY 17, 2022

ISSUED BY: BRAD E. EMBRY, INSPECTOR GENERAL

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Executive Summary

On October 07, 2021, our office received a request from Okaloosa County Administration to conduct an independent review of the internal policies, procedures, practices, and compliance with the same, of the Okaloosa County Department of Corrections (Department). The engagement letter is attached (Exhibit A). The county jail operated under direction of the Sheriff until 1989 when the Board of County Commissioners established the Okaloosa County Department of Corrections and assumed responsibility for the jail. The County has received several complaints from current and former employees of the Department. Those complaints were separately investigated and addressed by the County; however, the County specifically asked for our office to review the effectiveness of the Department's policies and procedures including but not limited to attendance and leave, code of conduct, disciplinary actions, and prohibited harassment.

Our work resulted in a total of ten recommendations; five recommendations related to application of policy, two recommendations related to professional standards and three recommendations related to human resources.

Background

On October 07, 2021, our office received a request from Okaloosa County Administration to conduct an independent review of the internal policies, procedures, practices, and compliance with the same, of the Okaloosa County Department of Corrections (Department). The County received several complaints from current and former employees of the Department. Those complaints were separately investigated and addressed by the County; however, the County specifically asked for our office to review the effectiveness of the Department's policies and procedures including but not limited to attendance and leave, code of conduct, disciplinary actions, and prohibited harassment.

The Department was initially accredited by the *Florida Corrections Accreditation Commission (FCAC)* in October of 2004 and has been reaccredited every 3 years since. The most recent reaccreditation occurred on October 01, 2019. The Accreditation program is a voluntary opportunity for the facility's operations to be evaluated against standards developed by the FCAC. The FCAC accreditation standards are derived primarily from the Florida Model Jail Standards. Standards evaluated include Admission, Classification, Housing, Sanitation, Food Service, Personnel Issues, Fiscal Activities, Security, Training and Medical.

The Department maintains multiple General Orders (G.O.), accessible through *PowerDMS*, a document management system commonly used in Law Enforcement, Healthcare, and the Fire/EMS industries, establishing policies and procedures for multiple matters such as Employee Rules and Regulations (G.O. 03) and Internal Investigations (G.O. 04).

While the Department specifies Employee Rules and Regulations in G.O. 03, the Department refers to Okaloosa County Board of County Commissioners Human Resource Policy Manual for procedural matters relating to personnel (Equal Opportunity, Attendance and Leave, Disciplinary Actions/Appeals, Grievance Procedures, Whistleblowers Protection Policy, etc.) as the Department does not have a separate internal policy.

Scope & Methodology

The scope of our administrative review included a review of the Department's Policies and Procedures (General Orders), the County Human Resources Policy Manual, disciplinary records and closed internal investigations. The Department's policies, procedures, and practices were compared to other correctional agencies in the State of Florida including another Florida Correctional Agency administered by the county and not an Office of the Sheriff. The review included discussions with leadership and staff, facility and process walkthroughs, policy examination as well as an employee survey. Our office reviewed disciplinary actions for an 18-month period, from April of 2020 to October of 2021.

Organizational Structure

Per Department G.O. 03- Employee Rules and Regulations, "all employees fall under the supervision of the Chief Correctional Officer, who shall be responsible for employee policies relating to the care, custody, control, protection and treatment of inmates. Each employee is accountable to only one supervisor at any

given time.” Additionally, “Supervisors are held accountable for ensuring subordinates are properly briefed on matters of policy and ensuring compliance with all policies and procedures by any employee with whom they interact, regardless of the supervisor’s or the officer’s formal duty assignment.”

According to the Department’s organizational chart, there is an Administrative Services Manager (Major) that reports directly to the Corrections Director (Chief Correctional Officer). This position is currently vacant. Two Correctional Officer IVs (Captain) who oversee Support and Security respectively report directly to the Major position. There are six Correctional Officer III (Lieutenant) positions who oversee specialty units such as Professional Standards (Internal Affairs), Support Services, and Admissions, Classification and Release (ACR) or serve as Shift Commanders. The Shift Commander (either a Lieutenant or Sergeant) is the highest-ranking member on-duty and is responsible to ensure certified Correctional Officers are posted at various posts and to ensure sufficient staffing. Shift Sergeants fall under the Shift Commander, they are responsible for inspecting each post, supervising post assignments, monitoring, and supervising operations and activities, staff performance, and observing the training of new post officers. There are four shifts (A, B, C, D) with Correctional Officers assigned to each shift.

The Shift Commander generally handles complaints of a non-serious nature. More serious complaints are supposed to be initiated by a complainant completing a Complaint Form. The Complaint Form and supporting information are supposed to be forwarded to the Office of Professional Standards and to the Major who determine if an internal investigation is warranted. Interviews revealed the Chief Correctional Officer provides direction on whether an internal investigation is warranted. Criminal complaints are normally handled by a local law enforcement agency, the Okaloosa County Sheriff’s Office. Upon completion of an internal investigation, a case report is completed including a summary of findings of innocence or guilt, but the Office of Professional Standards does not recommend punishment. Presently, the discipline is determined by the Chief Correctional Officer or his designee(s).

Observations and Recommendations

A. Application of Policy

Currently, there is an appearance of inconsistent application of disciplinary policy. There were multiple factors that lead us to this conclusion to include a review of disciplinary records, actions taken for similar policy violation, as well as interviews.

Recommendation 1A: The Department should establish well-defined tiered / progressive discipline action policy. The policy should contain well-defined disciplinary categories for standards of conduct, a structured discipline process to address violations of agency policies and procedures and mitigate any appearance of subjective enforcement of discipline policy. Offenses and applicable consequences should be categorized so that discipline is applied in a consistent equitable manner. Any deviation from this policy should be documented in writing by the Chief Correctional Officer. We have attached an example of a similar policy as Exhibit B.

Recommendation 2A: The Department should develop policy outlining an employee’s duty to report specific policy violations (i.e., moral character / ethical violations, violations that endanger the safety or wellbeing of employees or inmates, sexual harassment etc.). In addition, the policy

should be developed in a manner that holds supervisors and leadership accountable for failing to report or enforce existing policy.

Recommendation 3A: The Department should develop an internal complaint form as outlined in policy. An additional internal policy outlining the process for disciplinary reviews/appeals to ensure the members are afforded due process and disciplinary action is imposed within guidelines and consistent with policy and CJSTC standards. Consideration should be made for the expansion of the ability for employees to report grievances or complaints such as through a hotline, an organizational email box, or through a uniform complaint form. Further, consideration should be made for guidance to address citizen and inmate complaints whether online through the department's website or in-person.

Recommendation 4A: The Department should develop a Chain of Command policy that requires employees to utilize a formal chain of command but also affords employees with the ability to utilize direct reporting to the Internal Affairs Unit (Complaint Form) or through County HR. It should be noted that direct reporting to the Internal Affairs Unit should not preclude policy as an inquiry recommending an internal investigation must currently be approved by the Chief or the Chief's designee.

Recommendation 5A: Current Department policy states that an employee code of conduct is posted in the muster room. We were unable to locate the code of conduct in policy or on any of the employee boards during our visits to the facility. Sworn correctional officers are held to a higher moral standard than the general public. An employee Code of Conduct is the foundation for which ethical conduct is based and disciplinary policies are established. The employee Code of Conduct should be formalized in policy and at a minimum, distributed to employees on an annual basis.

B. Professional Standards

The County and Department should consider both policy and organizational changes related to the operation of the Professional Standards section.

Recommendation 1B: The Department should develop a policy which lists offenses that the Professional Standards section shall investigate. Written notification of complaints, allegations or violations should be reported directly to the Chief Correctional Officer. Any determination made by the Chief Correctional Officer should be documented in writing, forwarded to HR for review, and placed into the complaint file. Florida Statutes and Florida Administrative Code requires, if an officer commits an act of misconduct and the employing agency has cause to believe the officer has committed a violation of good moral character, the employing agency is required to conduct an internal investigation. If the allegation is substantiated, the agency **shall** submit the investigative findings and all supporting documentation the CJSTC commission at FDLE.

Recommendation 2B: The County and Department should consider moving the Professional Standards Division directly underneath the Chief Correctional Officer. This would prevent undue

influence over the department. The County should also consider incorporating policy development and accreditation underneath the Professional Standards section.

C. Human Resources

The County should have a designated liaison between the Human Resource Department and Department of Corrections with specialized training in CJSTC standards.

Recommendation 1C: The County should consider establishing a Human Resource (HR) liaison with specialized training for the Department of Corrections to assist in developing policies specifically for sworn DOC employees. Sworn correctional officers receive occupational certification through the Florida Department of Law Enforcement (FDLE), Criminal Justice Standards and Training Commission (CJSTC). Having separate policies for the Department of Corrections would help ensure County HR policy is consistent with industry standards for sworn correctional officers. For example, excessive use of force, sexual harassment, misuse of official position, sex while on duty, unprofessional relationship with an inmate, false statements during the employment application process are considered non-criminal moral character violations and could result in suspension or revocation of the officer's occupational certificate. Findings of fact for allegations being investigated by Internal Affairs are based on a preponderance of evidence. We noted that a substantiated Internal Affairs investigation into a non-criminal moral character violation resulted in discipline that is contrary to industry practice. It appears this may have occurred because of the actions being dismissed at a CJSTC probable cause hearing. County policy should outline the differences in burden of proof and make clear that the outcome of a CJSTC hearing and enforcement of departmental policy are not contingent upon one another. A lesser burden of proof is required for determining policy violations. Furthermore, departmental and county policy should be updated to reflect that a criminal conviction or substantiated CJSTC Complaint is sufficient to prove that a member committed a policy violation, for the purpose of agency discipline, likewise, an acquittal or dismissal does not prove the employee did not violate agency policy.

Recommendation 2C: The County should implement mandatory annual refresher training related to Harassment and Ethics.

Recommendation 3C: The County should consider a rewrite of the current Department of Corrections overtime policy. Overtime should be based solely on the number of hours an employee works. Currently, the overtime policy allows employees to receive overtime compensation for the use of annual or sick leave. Hypothetically, an employee can call out sick for a shift, then work an unscheduled shift and receive pay or comp-time at 1.5 times their standard rate. The current policy not only encourages but incentivizes the use of unscheduled leave. The County may also want to consider moving to a Personal Time Off (PTO) format rather than Sick and Annual leave.

Results of Employee Survey

As part of our work, we built and disseminated a 12-question employee survey. The purpose of the survey was to ascertain the overall morale of the department as well as employee confidence in administration's ability to appropriately handle complaints. We also asked employees to identify areas, other than wages and benefits, they perceive as a major concern or obstacle in performance of their regularly assigned duties. We received 49 responses to the survey. The results of the first 11 questions are attached to this report as Exhibit C. Question 12 was an open-ended question designed to allow employees identify areas (other than wage / benefit) they perceive as an obstacle. We received 44 usable responses to this question. The responses included areas such as fair treatment among staff, favoritism, application or enforcement of policy, age / condition of facility, lack of proper protective equipment, lack of staffing, communication, and hostile work environment.



Office of the County Administrator

OKALOOSA COUNTY, FLORIDA

John Hofstad
County Administrator

October 7, 2021

Brad Embry
Inspector General
Okaloosa County Clerk of Courts
101 East James Lee Blvd.
Crestview, FL 32536
bembry@okaloosaclerk.com

Re: Review of the Okaloosa County Department of Corrections

Dear Mr. Embry:

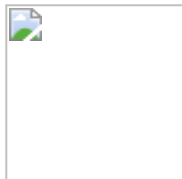
I am requesting the Department of Inspector General to conduct an independent review of the internal policies, procedures and practices of the Okaloosa County Department of Corrections (the "Department"). As you may be aware the County has received several complaints from current and former employees of the Department. Those complaints were separately investigated and addressed by the County. However, I have consulted with the County Attorney and we feel it is prudent to have a third-party, independent review of the effectiveness of the Department's policies and procedures and compliance with same. Specifically, we ask that your review include, but not be limited to, the following areas: attendance and leave; code of conduct; disciplinary actions; and prohibited harassment.

We would like to schedule a call or meeting to further discuss this engagement.

Sincerely,



John Hofstad
County Administrator
Okaloosa County, Florida

**Okaloosa County Sheriff's Office****General Order: 11.03****Subject: Disciplinary Procedures and Standards**

Revised: 05/01/2020

This General Order consists of the following sections:

- A. Purpose**
- B. Policy**
- C. Definitions**
- D. Procedures**
- E. Standards**

A. Purpose

The purpose of this policy is to create a culture in which all members will comply with the instructions of supervision and observe the agency's policies and procedures. This policy addresses the categories and levels of discipline imposed at each level of authority. The discipline policy provides for procedural due process for all members accused of policy violations and establishes provisions for receiving and documenting complaints.

B. Policy

The disciplinary standards and procedures are designed to support a clear understanding of the constraints and limitations imposed on behaviors and to convey the Sheriff's expectations of work performance. They reflect the high ethical and professional standards necessary to maintain public confidence in the integrity and professional abilities of the Sheriff's Office. Any sustained violation of disciplinary standard shall be considered misconduct and shall be grounds for disciplinary action pursuant to the Sheriff's Office Disciplinary Procedures. Members shall not commit any acts that constitute a violation of Disciplinary Standards. It shall be the policy of the agency to begin the disciplinary process in a timely and constructive manner. Should further discipline become necessary, a more progressive approach to corrective discipline may become necessary. The agency delegates certain authority in the chain of command to ensure agency discipline is maintained. Supervisors shall refer to and comply with this policy in order to attain the goals and objectives as outlined by the Sheriff.

C. Definitions

1. Exempt member - The Fair Labor Standards Act states members performing certain functions (i.e. professional, managerial, etc.) shall receive a flat salary instead of being paid on an hourly basis. This excludes them from earning overtime compensation.
2. Deputy Sheriff/Sworn Member - Law enforcement officer appointed by the Sheriff and certified under Florida State Statute (FSS) Chapter 943. The term does not include a person who performs managerial, confidential, or policymaking duties. Those individuals not covered under the conditions of FSS 30.071 - 30.079 are the Undersheriff, director, legal advisor, Sheriff's personal secretary/administrative assistant, or members of the Sheriff's personal staff, who report to or work under the direct supervision of the Sheriff, or who assist the Sheriff in the formulation of general or specific orders or in the preparation of the fiscal year budget, or appointees whose duties primarily involve the management or operation of the Sheriff's Office or a department or subdivision of that office.
3. Appeal Authority - The level of command review which a member may appeal the disposition of recommended discipline for violations of policy and procedures. The level of command review is contingent on the severity of discipline imposed.
4. Business Day - Shall mean any day, Monday through Friday, excluding holidays.
5. Progressive Discipline - Shall mean a systematic approach to discipline by which the penalty of a disciplinary standard increases in severity each time a violation occurs regardless of the standard of conduct violated. Cumulative disciplinary action shall be determined by the level and category of each sustained violation occurring within the time period specified in this policy.

6. Suspension – Shall be measured in eight (8) hour increments for work days and excludes regular days off (RDO), holidays, or other days not ordinarily worked.
7. Member- Shall mean any sworn or non-sworn member of the Okaloosa County Sheriff's Office.
8. Good Standing – Is a personnel status extended to all members who have not received disciplinary action in the form of a suspension, disciplinary probation, disciplinary demotion, or termination. It allows for promotions, voluntary reassignment, specialty pay, and other positive considerations extended by the agency.
 - a. If a member is disciplined they will be removed from Good Standing for a period of time equaling twice length of time they were placed on disciplinary probation. Example, if the member received three (3) months disciplinary probation they will be removed from Good Standing for six (6) months from the point they were served the Notice of Disciplinary Action form.
 - b. In the event a member is on leave, e.g. Military leave, Family Member leave, sick leave, etc., for a period longer than five duty days, those days will be tolled until the member returns to full duty and added to the end of the scheduled period.
 - c. Members under investigation for violations of policy or criminal laws who resign or those who resign in lieu of termination are not considered to be in good standing.
9. Tolled - To delay, suspend, or hold off the effective date.
10. IAPro - An electronic database employed by the Agency for tracking commendations, complaints, and vehicle crashes. This database will be the repository for member disciplinary files and actions and serve as an early warning system for the Office of Professional Standards.

D. Procedures

1. The Sheriff's Office stresses the importance of supervisors thoroughly examining all dimensions of a member's behavior in order to ensure the appropriate level of corrective action is applied upon the identification of any member's deficiency.
2. Supervisory measures that should be considered prior to the imposition of formal disciplinary actions are training, remedial training, documented counseling, or admonishment. These corrective measures are intended to improve behavior and/or performance of a member and are not considered disciplinary actions. It is imperative that corrective measures be properly documented in the form of letters, emails, memorandums of record, and/or [OCSO Form 1103](#). Supervisors are granted latitude for using these tools for minor policy violations (1st offense, Category 1) without the need to seek a downward departure waiver. However, supervisors are expected to transition to formal discipline when subordinates fail to respond.
3. Corrective Measures (Non-Disciplinary)
 - a. Remedial Training - Remedial Training is utilized as a means of improving member's productivity and effectiveness.
 - b. Professional Counseling - Employee Assistance Programs are available through the Sheriff's Office for agency members.
 - c. Documented Counseling - Counseling is primarily used to correct or modify undesirable or potentially undesirable behavior. Counseling may be utilized to train, motivate, redirect, or admonish members.
4. Supervisory Procedures
 - a. Remedial Training [CALEA 26.1.4 a]

I. Remedial training will be provided to members under the following conditions:

- i. At the request of the member.
- ii. At the request of the supervisor.
- iii. The failure of any member to achieve minimum standards in any training program.
- iv. For members receiving sub-standard evaluations.
- v. When directed as a result of the formal disciplinary process.

II. Members will not be released from remedial training until they demonstrate minimum proficiency levels required by the agency. Refer to [General Order 14.01](#) for further guidance.

III. Failure to achieve minimum proficiency levels in remedial training will be reported to the individual's supervisor and the Division Commander /Director for action, and may result in disciplinary actions up to and including termination.

IV. Remedial training shall be scheduled at the earliest date.

b. Professional Counseling [CALEA 26.1.4]

I. The immediate supervisor has the best opportunity to observe the conduct of his/her subordinates and detect situations requiring some type of corrective action. The supervisor can often handle behavior problems in the early stages or recommend the most effective form of corrective action. Some situations, however, may be so volatile that they are beyond the normal counseling skills of a supervisor. In these instances, the subordinate may be referred to an agency Chaplain or other professional counselor, such as the Employee Assistance Program.

c. Documented Counseling [CALEA 26.1.4 b]

I. Each supervisor has an obligation to monitor the behavior and performances of his/her subordinates and provide appropriate counseling when the situation dictates. Effective counseling, provided in a timely manner, can possibly avert the need for future formal disciplinary action. All counseling shall be documented and will be considered a training tool and not disciplinary action.

II. Written counseling will be completed utilizing [OCSO Form 1103](#), and upon completion, loaded into the Agency's commendation/complaint database, IAPro. It will be available to all supervisors in the event a member is transferred and should be reviewed prior to preparing the member's annual evaluation. Again, a documented counseling is non-disciplinary in nature and only becomes part of a disciplinary file when it is the basis of a progressive disciplinary action.

5. Disciplinary Action [CALEA 26.1.4 c]

a. Disciplinary action may be instituted for breaches of policies and procedures. Such actions include, but are not limited to, written reprimands, suspensions from duty without pay, disciplinary demotions, disciplinary probation, or termination.

b. A regularly appointed sworn member may not be terminated for lawful off-duty political activity or for a discriminatory reason.

6. Types of Discipline [CALEA 26.1.4 c]

a. Written Reprimand - A form of discipline used for minor violations of policy or as a progressive form of discipline after the member has received, but failed to respond to documented counseling. Written reprimands shall be annotated with a Complaint Tracking Number obtained from IAPro and documented on a [Disciplinary Notification/Action Form](#) detailing the reason(s) the reprimand was

given. The Written Reprimand shall be drafted in memorandum format and should contain the following elements:

- I. Description of the member's behavior or performance which is unacceptable or unsatisfactory.
 - II. The identified violation of policy and/or procedures which correlate to each event or act.
 - III. The supervisor's expectations for future behavior or work performance and any suggested remedial activities to remedy the problem.
 - IV. When progressive disciplinary action is a result of previous documented counseling, a copy of the associated documented counseling will become part of the discipline record.
- b. Suspensions - At the discretion of the Sheriff or Undersheriff, personnel may be disciplined by being suspended without pay.
- I. Days Off Without Pay.
 - i. Members suspended with Days Off Without Pay of more than five (5) business days shall promptly surrender all assigned weapons, badges, credentials, or other agency identification, and vehicle, if applicable. During the period of any suspension, the affected member is prohibited from exercising the authority of office and from wearing any part of the Sheriff's Office uniform. Any incentive pay, special pay, or holiday pay is also suspended during the period of suspension.
 - II. Members who are suspended lose the privilege of performing off-duty related employment during the period of the suspension.
 - III. Members who are suspended and are currently on any promotion list shall be removed from the list and must reapply during the next promotion process, if eligible per [General Order 15.01](#), Promotions.
- c. Disciplinary Probation - A period of close supervision, critical examination, and evaluation, which is imposed for a specified period of time. During this time, the member must not be charged with additional policy violations and must meet specified performance standards. If the standards are not met, he/she shall be subject to additional adverse personnel action up to and including termination.
- I. Members on disciplinary probation will be ineligible for:
 - i. Promotion opportunities
 - ii. Voluntary transfer from their current position.
 - iii. Special duty assignments or teams.
 - iv. Secondary employment.
 - v. Any advanced or specialized training opportunities.
 - II. In the event a member is on leave, e.g. Military leave, Family Medical leave, sick leave, etc., for a period longer than five duty days, those days will be tolled until the member returns to full duty and added to the end of the probationary period.
 - III. Disciplinary probation is required for all Category 2, 3, 4, and 5 violations.
- d. Disciplinary Demotion - A reduction in rank, job classification, and/or pay/grade step as a result of disciplinary sanctions.

e. Termination - Termination is the dismissal or revocation of appointment/employment.

f. Any or all disciplinary action may be reduced, suspended, or increased by the Sheriff or Undersheriff.

7. Levels of Authority to Discipline [CALEA 26.1.5]

a. The five (5) levels of Supervisors are hereby established:

I. Level 1 - Individuals of the rank of Sergeant or civilian Section Supervisor have the authority to impose discipline by an Administrative Written Reprimand (Category 1 Violations).

II. Level 2 - Individuals of the rank of Lieutenant or civilian Manager have the authority to impose discipline up to and including five (5) days suspension and up to six (6) months disciplinary probation (Category 2 Violations).

III. Level 3 - Individuals of the rank of Captain or civilian Division Director have the authority to impose discipline up to and including ten (10) days suspension and impose disciplinary probation up to one (1) year (Category 3 Violations).

IV. Level 4 - Individuals of the rank of Major or Chief Deputy have the authority to impose discipline up to and including thirty (30) days suspension and impose disciplinary probation up to one (1) year (Category 4 Violations).

V. Level 5 - Sheriff/Undersheriff have the authority to impose discipline of any severity up to and including termination (Category 5 Violations).

8. Disciplinary Notification/Action Form

a. When a supervisor decides to impose disciplinary action, all such action(s) shall be recorded on the [Disciplinary Notification/Action](#) form. The form shall be recorded with a Complaint Tracking Number obtained via IAPro, and uploaded to the respective case. This policy is to ensure all formal disciplinary records, including written reprimands, are maintained in official agency files.

b. The intent of this procedure is to encourage corrective counseling sessions between a supervisor and a subordinate.

9. Disciplinary Process

a. Prior to serving a "Disciplinary Notification/Action", the supervisor shall acquire a disciplinary history/summary report from the Office of Professional Standards and include the information in the investigative report. The "Disciplinary Notification/Action" form shall reflect the member's rights to appeal, and the appeal procedures will be explained to the member when serving the "Disciplinary Notification/Action".

b. The supervisor shall make a determination as to the penalty to be imposed for each violation based upon the following:

I. Category classification.

II. Disciplinary history of the member.

III. The member's productivity and work product.

IV. Any aggravating or mitigating circumstances directly related to the violation.

c. Disciplinary categories are established for each standard of conduct together with the levels of discipline established by the Sheriff. Disciplinary categories establish standards through which all members of the agency are informed of the seriousness of violations of particular agency standards

of conduct and the level of disciplinary action appropriate for each violation. Disciplinary categories can be altered up or down depending upon the disciplinary history of the member and other relevant factors, to include malicious intent.

I. Requests to deviate from any established disciplinary category shall be forwarded in the form of a memorandum via the supervisor's chain of command to the Sheriff or Undersheriff for consideration and/or approval prior to the commencement of the disciplinary action.

d. Consistent with Federal law, exempt members may receive disciplinary action including, but not limited to, the following:

I. Written Reprimand.

II. Disciplinary Probation.

III. Disciplinary Demotion.

IV. Termination.

V. Suspension or limitation of use of agency vehicle.

VI. Delay or disapproval of merit/step increases of salary.

e. Disciplinary Categories for Non-Exempt Members

I. Category 1: Written Reprimand.

II. Category 2: Written Reprimand, one (1) to five (5) days suspension without pay, and no less than three (3) months, but no more than six (6) months disciplinary probation.

III. Category 3: Written Reprimand, six (6) to ten (10) days suspension without pay, and no less than six (6) months, but no more than twelve (12) months disciplinary probation.

IV. Category 4: Written Reprimand, eleven (11) to thirty (30) days suspension without pay, and no less than twelve (12) months, but no more than eighteen (18) months disciplinary probation. And, if applicable, demotion in rank.

V. Category 5: Termination.

i. Category 5 Violations that don't result in termination will receive the same sanctions as Category 4 violations or other appropriate action as determined by the Sheriff or Undersheriff.

f. Progressive discipline shall be implemented in instances where members continue to commit violations of agency policies and procedures. Progressive discipline allows a supervisor to elevate the discipline category in accordance with the established levels of authority to discipline. Progressive discipline includes prior disciplinary actions, regardless of the standard of conduct violated and the occurrence of each violation. Progressive discipline is the accumulation of disciplinary actions and/or the seriousness of a violation which dictates a more severe action. Time consideration for violations of policy towards progressive discipline will be calculated from the point the member was served the Notice of Disciplinary Action form for the previous violation.

I. Any category offense committed within the twelve (12) calendar months of a previous Category 1 violation will receive disciplinary sanctions at the next category level. Example, if a member commits a Category 2 violation and they were previously disciplined for committing a different Category 1 violation within twelve (12) calendar months the member will be disciplined at the Category 3 level.

II. Any category offense committed within two (2) years (24 calendar months) of a previous

Category 2 violation will receive disciplinary sanctions at the next category level. Example, if a member commits a Category 2 violation and they were previously disciplined for committing a different Category 2 violation within the last two (2) years the member will be disciplined at the Category 3 level.

III. Any category offense committed within three (3) years (36 calendar months) of a previous Category 3 violation will receive disciplinary sanctions at the next category level.

Example, if a member commits a Category 2 violation and they were previously disciplined for committing a different Category 3 violation within the last three (3) years the member will be disciplined at the Category 3 level.

IV. Any category offense committed within four (4) years (48 calendar months) of a previous Category 4 violation will receive disciplinary sanctions at the next category level. Example, if a member commits a Category 2 violation and they were previously disciplined for committing a different Category 4 violation within the last four (4) years the member will be disciplined at the Category 3 level.

v. Repeated offenses will follow the requirements outlined in Section E utilizing the same time periods as reflected above. Example, if a member commits the offense of Neglect of Duty and receives Category 2 sanctions for the first offense and re-commits the same Neglect of Duty offense within twenty-four (24) calendar months the member will then receive Category 3 sanctions.

g. When the "Disciplinary Notification/Action" form is served on the affected member, he/she shall indicate, in the space provided, either acceptance of the intended disciplinary action or the desire to request administrative review.

I. If the affected member accepts the intended disciplinary action, his/her right to the administrative review is waived.

II. If the affected member requests an administrative review, he/she shall follow the procedures outlined in this policy.

h. Discipline shall be rendered when the affected member accepts the discipline, the appeal time has expired, or at the conclusion of the administrative review procedure.

10. Expectations of Disciplined Members

a. During the period between the time the "Disciplinary Notification/Action" form is served and the effective date of the discipline, the affected member shall perform his/her usual duties without disrupting fellow workers, other persons, or agency activities. If it is deemed that the member not continue to perform the same duties in the same division/district during this period, he/she may be temporarily re-assigned or relieved from duty, with pay. Members served with a Disciplinary Notice resulting in termination, shall be relieved from duty, without pay, pending the decision of the Sheriff.

11. Administrative Review/Appeal Process [CALEA 26.1.6]

a. The disciplinary review/appeals procedure is designed to serve both the member and the Sheriff, by ensuring the member is afforded due process and disciplinary action imposed is within legal guidelines and consistent with policy.

b. All exempt members are afforded a restricted disciplinary appeal process. The Undersheriff and/or Bureau Chiefs are responsible for administering discipline to persons in a restricted appeals classification. Should the member wish to appeal the discipline, the appeal will be made directly to the Sheriff. Members in the restricted appeal process class are held to a higher standard of conduct and, because of their unique position in the agency, their appeal process is limited.

c. Non-exempt members shall be allowed to have disciplinary actions reviewed through an Unrestricted Appeals Process. The Appeal Authority for each Category is as follows:

- I. Categories 1 and 2 is Captain/civilian Director or higher authority in the member's chain of command.
- II. Categories 3 and 4 is the Undersheriff or Bureau Chief in member's chain of command.
- III. Category 5 is the Sheriff.

d. The appeal process shall require the affected member to bring forth to the respective Appeal Authority, in writing, any statement(s) or new evidence which they feel should be considered in their behalf, prior to the imposition of discipline. The purpose of the administrative review is to determine if the intended discipline is consistent with the offense, the appellant's record, the evidence, and is consistent with policy. The right of a member to appeal the imposition of discipline is limited to the severity of the discipline administered and the level of the Appeal Authority as outlined in the General Order.

I. The written response shall be provided to the Appeal Authority within five (5) business days from the date the member was served with the "Disciplinary Notification/Action."

i. Additional time may be provided predicated on extenuating and justifiable circumstances. Requests for extensions must be submitted in writing to the Appeal Authority.

II. All members who have been served with a "Disciplinary Notification/Action" resulting in termination (Category 5) shall be relieved from duty without pay during the review process.

III. The Appeal Authority shall be provided a complete copy of the investigative and disciplinary package.

e. The Appeal Authority shall review the written response and, if needed, request further investigation based on the response and, if necessary, the investigation will be completed by the initial investigating authority.

I. Any additional investigative activity or requests for additional documentation shall be completed within five (5) business days.

f. The respective Appeal Authority shall render a written response within five (5) business days after receipt of the appeal.

g. After examining the issues raised during the Administrative Review, the Appeal Authority shall reach one of the following conclusions:

I. Appeal is without merit - The facts were competent to support the disciplinary action.

i. At this point the discipline shall be imposed upon the member by member's supervisor, as appropriate.

II. Appeal is with merit - The discipline imposed is not consistent with agency written directives, the severity of the charge(s), or is unfounded.

i. At this point the Appeal Authority will stipulate action to be taken.

h. The Sheriff is the ultimate authority in all matters of discipline, except as stated in FSS 30.076.

12. Probationary Members

a. Members who have not yet successfully completed their probationary period may be discharged at-will and shall not be entitled to any administrative appeal.

I. The probationary period for all members of the Okaloosa County Sheriff's Office is one (1) calendar year from date of hire.

II. Any member initiating a career change from sworn to non-sworn, or advancement in rank (promotion), shall enter a six (6) month probationary period from the date of the career change and/or their promotion.

i. Any sworn member who is required to serve a probationary period resulting from a promotion shall retain regular status in the Office of the Sheriff, but may be returned to his/her prior rank during such probationary period without right of appeal.

b. The Sheriff or Undersheriff may terminate, with or without cause, the appointment of any member who has not completed probation.

c. The Staff Attorney shall review all at-will actions for administrative and legal sufficiency.

13. Name Clearing Process

a. The purpose of a name-clearing process is to provide the member the ability to supply relevant written information to rebut or clarify information. That information will be available as public record by the Sheriff's Office.

b. In administrative proceedings that result in an at-will discharge of a probationary member, the member is entitled to the following name-clearing process:

I. The member shall be provided with an option for a name clearing hearing before a Bureau Chief, Undersheriff, or the Sheriff.

II. The opportunity to have any written statement or other documents included in his/her file.

14. Non-Appealable Actions

a. The administrative appeal process will not be invoked in the following circumstances:

I. Voluntary written resignation.

II. Voluntary demotion, voluntary reduction in pay, or a requested transfer accompanied by a signed request.

III. Voluntary retirement.

IV. Abandonment of position (termination without notice) .

15. Imposition of Disciplinary Actions

a. If the member accepts the discipline it shall commence on the date established.

b. If the member wishes to appeal the finding and imposition of discipline, he/she shall so signify on the "Disciplinary Notification/Action" form and proceed according to the procedure outlined in paragraph 11, above.

I. If the member is appealing a Category 5 disciplinary action, the member will be suspended without pay during the process.

II. If the Appeal Authority determines the appeal is without merit the discipline documents will be served on the member and the discipline will commence.

c. If the discipline involves a suspension the suspension must be completed within 90 days from the date the Appeal Authority concurs with the findings. Under no circumstances will the completion of

the suspension be delayed beyond 180 days from the date the investigation was initiated.

16. Records Management [CALEA 26.1.8]

a. All documents related to the complaint, investigation, and disciplinary action shall be incorporated as part of the case file maintained in IAPro .

17. Dismissal for Misconduct

a. Any member dismissed from the agency for misconduct shall be provided in writing:

I. The reason for the dismissal. [CALEA 26.1.7 a]

II. Notification of the effective date of dismissal. [CALEA 26.1.7 b]

III. Status of fringe and retirement benefits after dismissal; provided by the Human Resources Unit. [CALEA 26.1.7 c]

IV. Any documentation relating to the circumstances surrounding their dismissal, if requested.

E. Standards

<u>Violation Classification</u>	<u>Disciplinary Action Imposed</u>
Category 1	Written Reprimand
Category 2	Written Reprimand, one (1) to five (5) days suspension, and not less than three (3) months and no more than six (6) months disciplinary probation.
Category 3	Written Reprimand, six (6) to ten (10) days suspension, and no less than six (6) months and no more than twelve (12) months disciplinary probation
Category 4	Written Reprimand, eleven (11) to thirty (30) days suspension, and no less than twelve (12) months and no more than eighteen (18) months disciplinary probation. If applicable, demotion in rank.
Category 5	TERMINATION

1. Unsatisfactory Performance

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 5
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Personnel shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Personnel shall perform their duties in a manner which will maintain the highest standards of professionalism and efficiency in carrying out the functions and objectives of the Sheriff’s Office. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the person’s rank, grade, or position; the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police action; or absence without leave. In addition to other indications of unsatisfactory performance the following will be considered prima facie evidence of unsatisfactory performance: repeated poor evaluations, or a written record of repeated infractions of policies, procedures, directives, or orders of the Sheriff’s Office.

2. Leaving Duty Post

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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Personnel shall not leave their assigned duty posts or assigned zones during a tour of duty except as authorized by proper authority.

3. Neglect of Duty

1st Offense: Category 2	2nd Offense: Category 3	3rd Offense: Category 5
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Personnel shall not engage in any activities or personal business which would cause them to be inattentive to duty or neglectful in their assigned duties.

4. Conflicting Orders

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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Personnel who are given an otherwise proper order, which is in conflict with a previous order, policy, procedure, or directive, shall respectfully inform the superior issuing the order of the conflict. If the superior issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior. Personnel shall obey the conflicting order and shall not be held responsible for disobedience of the order, policy, procedure, or directive previously issued.

5. Illegal Orders

1st Offense: Category 3	2nd Offense: Category 5
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Personnel shall neither give, nor obey any order which they know, or should know, would require them to commit an illegal act. If in doubt as to the legality of an order, personnel shall request the issuing person to clarify the order or confer with higher authority.

6. Courtesy and Respect

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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Personnel will be courteous and respectful to their superiors, fellow personnel, and members of the general public.

7. Insubordination

1st Offense: Category 3	2nd Offense: Category 4	3rd Offense: Category 5
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Personnel shall promptly obey any lawful orders of a superior. This will include orders relayed from a superior by personnel of the same or lesser rank or classification.

8. Personal Appearance

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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Personnel on duty shall wear uniforms or other clothing in accordance with established agency procedures, except when acting under proper and specific orders from superior. Personnel on duty shall maintain a neat, well-groomed appearance.

9. Untruthfulness

1st Offense: Category 5

Personnel shall not deliberately use deception, make false statements, mislead, or intentionally omit information unless conducted in the capacity of a suspect interrogation in accordance with G.O. 18.05 (D) (1)(e).

10. Medical Examinations/Testing

1st Offense: Category 5

Personnel shall submit to any reasonable physical, psychiatric, chemical, or laboratory tests or examinations, if ordered by the Sheriff or his designee to determine fitness for duty.

11. Conformance to Laws

Felony or 1st degree misdemeanor

1st Offense: Category 5

2nd degree misdemeanor or ordinance violation

1st Offense: Category 2	2nd Offense: Category 3	3rd Offense: Category 5
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Non-criminal traffic infraction

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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Personnel will comply with laws, ordinances, rules, and the Constitutions of the United States and State of Florida, or any of their subdivisions.

12. Labor Activity

1st Offense: Category 3	2nd Offense: Category 5
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a. Personnel shall have the right to join labor organizations, but nothing shall compel the Sheriff's Office to recognize or to engage in collective bargaining with any such labor organizations, except as provided by law.

b. Personnel shall not engage in any strike. "Strike" includes the concerted failure to report for duty, willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a physician's statement, the stoppage of work, work speed-ups, or the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment; for the purpose of inducing, influencing or coercing a change in conditions, compensation, rights, privileges, or obligations of employment.

13. Behavior and Language

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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In the performance of their duties, all personnel will maintain command of temper, patience, and discretion. They shall refrain from using improper, obscene, profane, or insolent language in public or in open forum.

14. Dissemination of Information

1st Offense: Category 3	2nd Offense: Category 4	3rd Offense: Category 5
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Personnel shall treat the official business of the Sheriff's Office as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established agency procedures or state statute. Personnel may remove or copy official records or reports from the Sheriff's Office only in accordance with established agency procedures or state statute. Personnel shall not divulge the identity of persons giving confidential information, except as authorized by proper authority.

15. Endorsements and Referrals

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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Personnel shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, towing service, bondsman, mortician, etc.). In the case of a towing service, when such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, personnel shall proceed in accordance with established agency procedures.

16. Posting of Bonds

1st Offense: Category 3	2nd Offense: Category 4	3rd Offense: Category 5
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Personnel shall not post bail for any arrested person, except for their immediate family, without notification and approval of a Bureau Chief or higher authority.

17. Intervention

1st Offense: Category 3	2nd Offense: Category 4	3rd Offense: Category 5
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a. Personnel shall not interfere with cases being handled by other personnel of the Sheriff's Office or by any other governmental agency unless:

I. Ordered to intervene by a superior officer, or

II. The intervening personnel believe, beyond a reasonable doubt, that a manifest injustice would result from failure to take immediate action.

b. Personnel shall not undertake any investigation or other official action not part of their regular duties without obtaining permission from their supervisor, unless the situation requires immediate action.

18. Reporting for Duty

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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Personnel shall report for duty at the time and place required by assignment. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Judicial subpoenas shall constitute an order to report for duty under this section.

19. Moral Character

1st Offense: Category 5

Personnel shall maintain a level of moral conduct in their personal and business affairs which is in the highest standards of the law enforcement profession. Personnel shall not participate in any incident involving moral character which impairs their ability to perform as law enforcement officers, or which causes the Sheriff's Office to be brought into disrepute. The moral character offense list is established by the Criminal Justice Standards and Training Commission and provides the guide for employment and certification of law enforcement officers in the State.

20. Civil Process Service

1st Offense: Category 2	2nd Offense: Category 3	3rd Offense: Category 4
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No person will serve any civil process except as directed and authorized.

21. Accepting Compensation

1st Offense: Category 4	2nd Offense: Category 5
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Personnel shall notify the Sheriff in writing through the agency Legal Advisor prior to accepting compensation for personal injury and property damages incurred in the performance of official duties.

22. Use of Uniform and Equipment

1st Offense: Category 2	2nd Offense: Category 3	3rd Offense: Category 5
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Personnel will not use their uniform or Sheriff's equipment in any manner other than authorized by the Sheriff.

23. Gifts, Gratuities

1st Offense: Category 3	2nd Offense: Category 4	3rd Offense: Category 5
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Personnel will not solicit or accept gifts, presents, or other gratuities in return for favor(s) or official act(s).

24. Abuse of Position

1st Offense: Category 5

a. Personnel shall not abuse their official position, power, authority, or identification; nor shall they use their official position, official cards or badges for:

- I. Personal or financial gain.

II. Obtaining privileges not otherwise available to them except in the performance of duty.

III. Avoiding consequences of illegal acts.

b. Personnel shall not lend to another person their identification cards or badges, or permit them to be photographed or reproduced without the approval of the Undersheriff or Sheriff.

c. Personnel shall not authorize the use of their names, photographs, or official titles, which identify them as members of the Sheriff's Office, without the approval of the Undersheriff or the Sheriff.

25. Destruction/Alteration of Records

1st Offense: Category 5

No personnel will intentionally alter, dispose of, destroy, or remove Sheriff's files, documents, or records, except as provided for by law or by an authorized superior. This also applies to removing computer software and the deletion/alteration of official computerized records/entries.

26. Falsification of Records

1st Offense: Category 5

Personnel shall not falsify any document, record, statements, report, or communication.

27. Processing Evidence

1st Offense: Category 2	2nd Offense: Category 3	3rd Offense: Category 5
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Property or evidence which has been discovered, gathered, or received in connection with agency responsibilities shall be processed in accordance with established agency procedures.

28. Property & Evidence

1st Offense: Category 3	2nd Offense: Category 5
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Personnel shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence in connection with an investigation or other police action, except under established agency procedures. This ruling also applies to found, abandoned, surplus, and agency property.

29. Damage or Loss of Property

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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Personnel shall utilize Sheriff's Office equipment only for its intended purpose, in accordance with established agency procedures, and shall not abuse, damage or lose Sheriff's Office equipment. All Sheriff's Office equipment issued to personnel shall be maintained in proper order. Personnel shall not inappropriately abuse or damage property belonging to another party.

30. Malingering

1st Offense: Category 5

Personnel shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Sheriff's Office as to the condition of their health.

31. Misuse of Work Breaks/Meal Periods

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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Personnel are not permitted to take excessive time for work breaks and/or meal periods.

32. Use of Alcohol and Illegal Drugs

1st Offense: Category 5

Personnel are prohibited from drinking any alcoholic beverages or products that contain alcohol while on duty, or reporting for duty with any level of impairment. Personnel are prohibited from consuming illegal drugs while on or off-duty. Nothing in this regulation should be construed as prohibiting on-duty drinking when necessary to maintain cover or further an investigation when authorized to do so by the Sheriff or his designee. Personnel are also prohibited from consuming any substance to the extent the on-duty performance is impaired.

33. Alcoholic Beverages and Illegal Drugs in Agency Facilities

1st Offense: Category 5

Personnel shall not store or bring into any agency facility or vehicle alcoholic beverages (for the purpose of on-site consumption), controlled substances, narcotics, or hallucinogens, except those which are lawfully held for evidence.

34. Use of Alcohol Off Duty

1st Offense: Category 3	2nd Offense: Category 4	3rd Offense: Category 5
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Personnel, while off duty, shall refrain from consuming intoxicating beverages to the extent that it results in impairment, intoxication, obnoxious, or offensive behavior which discredits them or the Sheriff's Office, or renders one unfit to report for their next regular tour of duty.

35. Excessive Use of Control to Resistance

1st Offense: Category 5

Personnel shall not initiate or utilize any excessive levels of control of resistance directed against them other than that control which is reasonable and necessary under the circumstances. Personnel shall control resistance against themselves in accordance with statutes, agency directives/policy and current judicial precedent.

36. Weapons, Use or Display

1st Offense: Category 3	2nd Offense: Category 4	3rd Offense: Category 5
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Personnel shall not use or handle weapons, including chemical agents, in a careless or imprudent manner. Personnel shall use weapons in accordance with law and Sheriff’s Office procedures and guidelines.

37. Unbecoming Conduct

1st Offense: Category 2	2nd Offense: Category 3	3rd Offense: Category 5
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Any conduct which adversely affects the morale, operations, or efficiency of the agency or any conduct which has a tendency to adversely affect, lower, or destroy public respect and confidence in the Office of the Sheriff, or any deputy or member. Unbecoming Conduct also includes any conduct which brings the agency or any deputy or member into disrepute or brings discredit upon the agency, or any deputy or member. All members shall conduct themselves in such a manner so as to reflect most favorably upon the Sheriff’s Office at all times, both on and off duty.

38. Associations with Undesirables

1st Offense: Category 2	2nd Offense: Category 3	3rd Offense: Category 4
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Personnel shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are persons under criminal investigation or indictment, or who have a reputation in the community or the Sheriff’s Office for involvement in criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the personnel.

39. Public Criticism

1st Offense: Category 2	2nd Offense: Category 3	3rd Offense: Category 4
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Personnel shall not publicly criticize the Sheriff’s Office, its policies, or other personnel by speech, writing, or other expression, where such speech, writing, or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the Sheriff’s Office, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.

40. Political Activity

1st Offense: Category 1	2nd Offense: Category 3	3rd Offense: Category 5
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a. On-duty personnel may not use their official authority to:

- I. Solicit or receive funds, assessments, subscriptions, or contributions for a political office.
- II. Participate in political activity on behalf of, or in opposition to any candidate for political office.
- III. Interfere with any election.
- IV. Interfere with any person’s vote for a political party or candidate.

b. Personnel shall not:

- I. Display election campaign materials on Sheriff’s Office vehicles or issued equipment.
- II. Wear or display election campaign articles on uniforms while on or off duty, or on civilian clothing while on duty.

41. Vehicle Operation

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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Personnel shall operate vehicles in a careful and prudent manner, and shall obey all laws and all agency orders pertaining to such operation. Loss or suspension of any driving license shall be reported to the Sheriff's Office immediately. Personnel assigned vehicles are responsible for the maintenance and cleanliness of such vehicles.

- a. At-Fault Traffic Crashes are subject to administrative consequences as outlined by [General Order 22.06](#) which are in-addition to any disciplinary actions taken for a violation of this section.

42. Treatment of Persons in Custody

1st Offense: Category 3	2nd Offense: Category 5
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Personnel shall not mistreat persons who are in their custody. Personnel shall handle such persons in accordance with law and agency procedures.

43. Carrying Firearms

1st Offense: Category 2	2nd Offense: Category 3	3rd Offense: Category 5
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All full-time sworn Deputy Sheriffs shall carry an approved firearm on or about their person while on duty. While off duty, all full-time Deputy Sheriffs are encouraged to carry on or about their person a concealed, approved firearm, unless it would be impractical to do so by the nature of their activities, such as recreational activities, sports, etc. Deputy Sheriffs shall not carry firearms when they have been drinking alcoholic beverages.

44. Telephone

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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All personnel shall have an operational telephone at their residences, and shall immediately report any change of telephone numbers or addresses to their supervisors and to such other persons as may be appropriate.

- a. Cellular telephone service will satisfy this requirement as long as reception of the service is available at the residence.

45. Obeying of Rules

1st Offense: Category 2	2nd Offense: Category 3	3rd Offense: Category 5
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Personnel shall obey the policies, procedures, instructions, and directives of the Sheriff.

46. Identification, Carrying of

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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Sworn personnel shall carry their badges and identification cards on their persons at all times, except when impractical or dangerous to their safety or to an investigation. They shall furnish their name to any

person requesting that information, when they are on duty or while holding themselves out as having official capacity, except when withholding of such information is necessary for the performance of police duties or is authorized by proper authority.

47. Sexual Harassment

Non-Aggravated

1st Offense: Category 2	2nd Offense: Category 3	3rd Offense: Category 5
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Aggravated

1st Offense: Category 5

All personnel shall be allowed to work in an environment free from any form of improper discrimination as established by law. Sexual harassment is a form of discrimination under Title VII of the 1964 Civil Rights Act, and is a violation of Florida Statutes 110.15 and 110.233.

- a. Non-Aggravated - Sexual harassment which does not include any form of physical contact.
- b. Aggravated - Unwelcome touching, fondling, or physical contact involving sexual overtones whether direct or implied.

48. Chain of Command

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 3
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The Chain of Command designates the accepted line of authority as established from top to bottom, by which all organizational commands are transmitted. The chain of command must be followed, unless specified as exceptions in other General Orders.

49. Failure to Cooperate with Internal Inquiry/Investigation

1st Offense: Category 5

All members shall truthfully answer all questions related to the scope of employment and operations of the Sheriff's Office which may be asked of them by a superior officer, the Sheriff's designee, or any member assigned to the Office of Professional Standards.

50. Domestic Violence / Dating Violence (Related Offenses)

1st Offense: Category 5

All members are expected to maintain their personal conduct in the same manner as their professional conduct when on duty. This conduct applies to matters of restraint during times of marital discord. Employees shall refrain from violating any domestic violence injunctions or other acts of violence in the course of their personal relationships.

51. Desertion of Assignment

1st Offense: Category 5

Employees are expected to accept their assignment/duties and remain at that assignment until relieved. Any member who willfully abandons his/her post without just cause shall be deemed to have deserted their assignment.

52. Cowardice

1st Offense: Category 5

Deputy Sheriffs are expected to perform their duties as law enforcement officers even at times where they may be in grave danger. It is incumbent that other law enforcement officers have the commitment that they will not be abandoned in the face of danger or eminent peril. Any deputy who knowingly and willfully fails to respond to or abandons their duty or fellow law enforcement officers during a time of peril shall be deemed a coward.

53. Financial Obligations

1st Offense: Category 1	2nd Offense: Category 3	3rd Offense: Category 5
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All members are expected to conduct personal financial business in a responsible manner. Members are prohibited from purposefully incurring debt which would be unreasonable based upon their income or ability to repay. No member will maliciously refuse to pay for goods or services.

54. Failure to Supervise

1st Offense: Category 1	2nd Offense: Category 2	3rd Offense: Category 4
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Supervisors will be accountable for the performance of employees under their command. Supervisors shall be responsible for adherence to the Sheriff's Office rules, regulations, orders, and policies. Supervisors are charged with the responsibility of providing guidance and assistance to their personnel and determining training needs not otherwise met by the agency. Supervisors are responsible for maintaining appropriate discipline. When determining whether a supervisor had responsibility in a particular circumstance, the following standard will be used: A standard of supervision which a reasonable and prudent person in a supervisory position "should know or should have known" regarding the actions or performance of an agency member under his/her supervision. This standard includes personal interaction with agency members, personal observations, performance evaluations, and complaints brought to the supervisors's attention (See [General Order 01.02](#)).

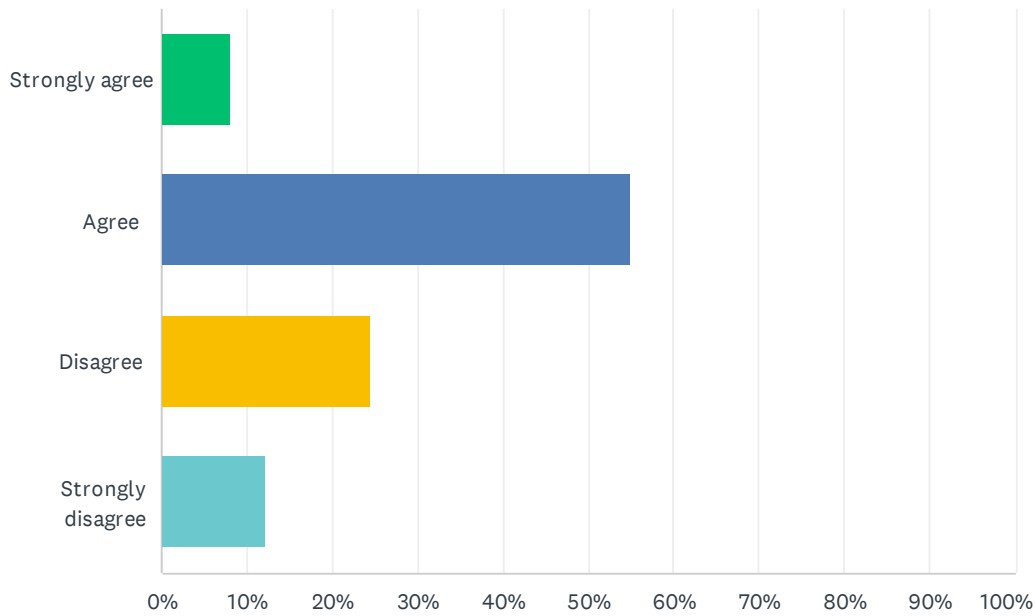
55. Sheriff's Authority

- a. No set of procedures can cover every situation which may occur in administering discipline; therefore, any situation not covered by these guidelines shall be determined by the Sheriff, designee, on a case by case basis.
- b. The Sheriff reserves the unilateral right to promulgate, amend, or delete policies and procedures.

**Approved: /S/
Larry R. Ashley
Sheriff, Okaloosa County**

Q1 Agency policies are clear, concise and easily located.

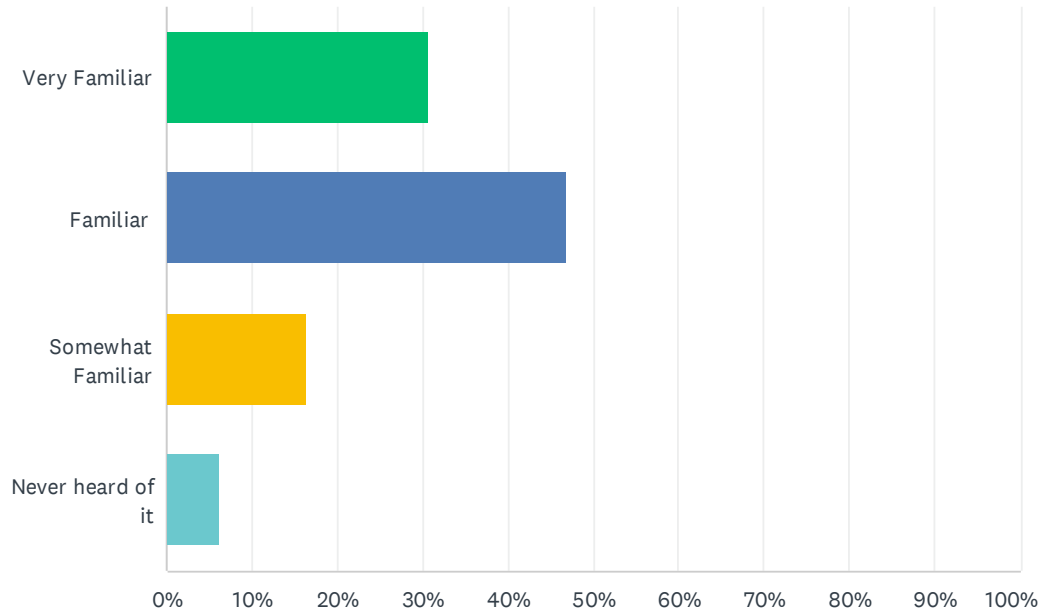
Answered: 49 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly agree	8.16%	4
Agree	55.10%	27
Disagree	24.49%	12
Strongly disagree	12.24%	6
TOTAL		49

Q2 Are you familiar with an Okaloosa County Department of Corrections employee Code of Conduct?

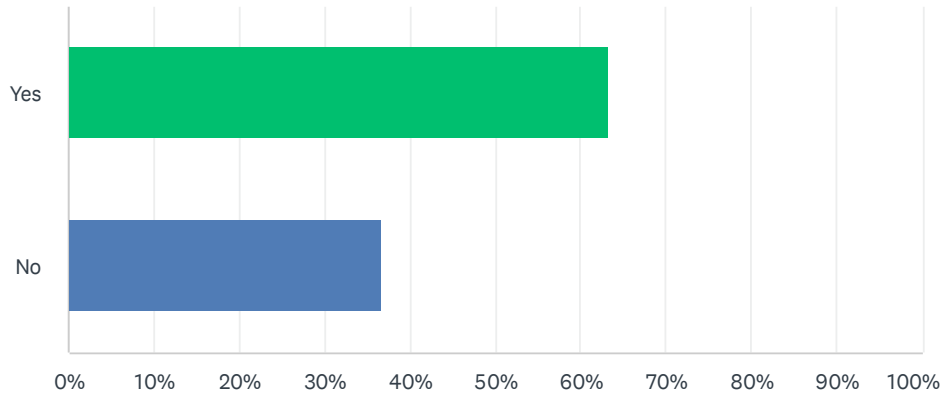
Answered: 49 Skipped: 0



ANSWER CHOICES	RESPONSES	
Very Familiar	30.61%	15
Familiar	46.94%	23
Somewhat Familiar	16.33%	8
Never heard of it	6.12%	3
TOTAL		49

Q3 Are you familiar with the department's policy related to filing an internal complaint?

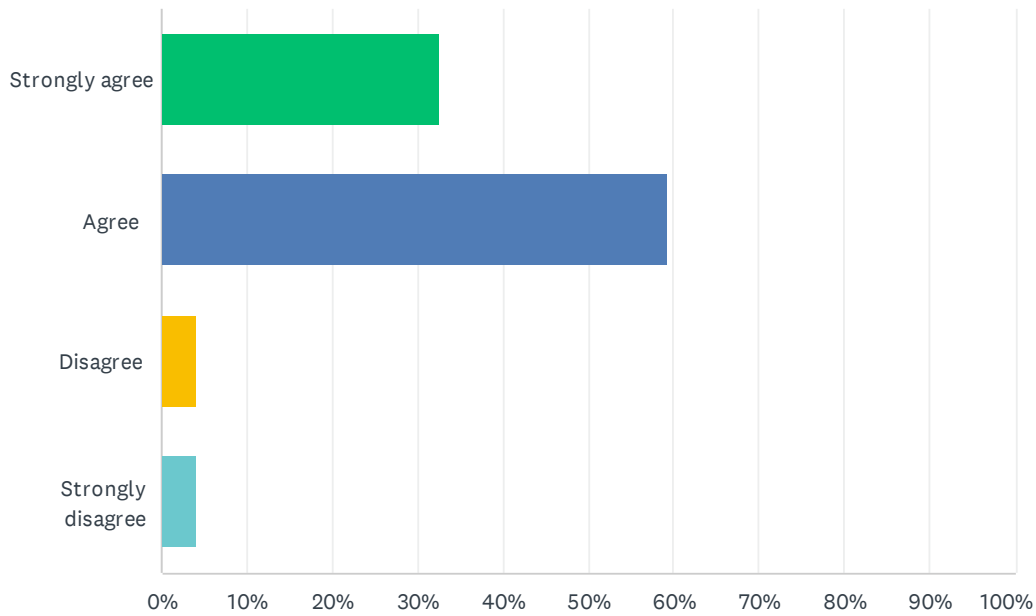
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ANSWER CHOICES	RESPONSES	
Yes	63.27%	31
No	36.73%	18
TOTAL		49

Q4 Are you familiar with the County's anti-harassment policy?

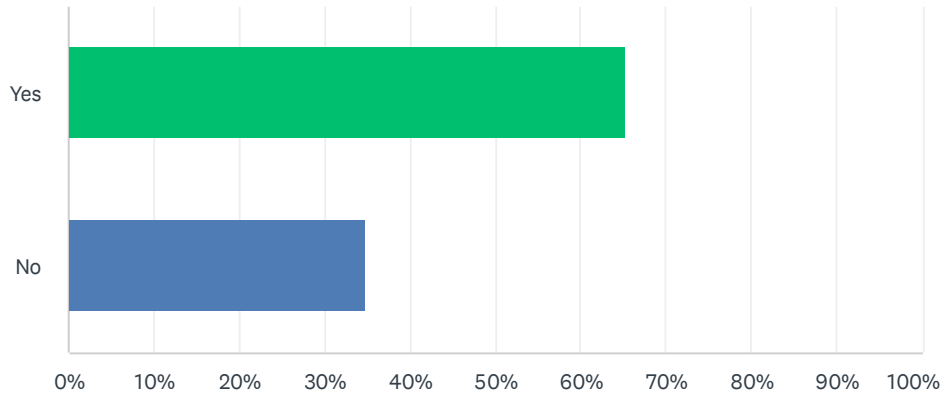
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ANSWER CHOICES	RESPONSES	
Strongly agree	32.65%	16
Agree	59.18%	29
Disagree	4.08%	2
Strongly disagree	4.08%	2
TOTAL		49

Q5 Do you understand the agency's process and policies for work related absences (i.e. sick leave or unexpected absences)?

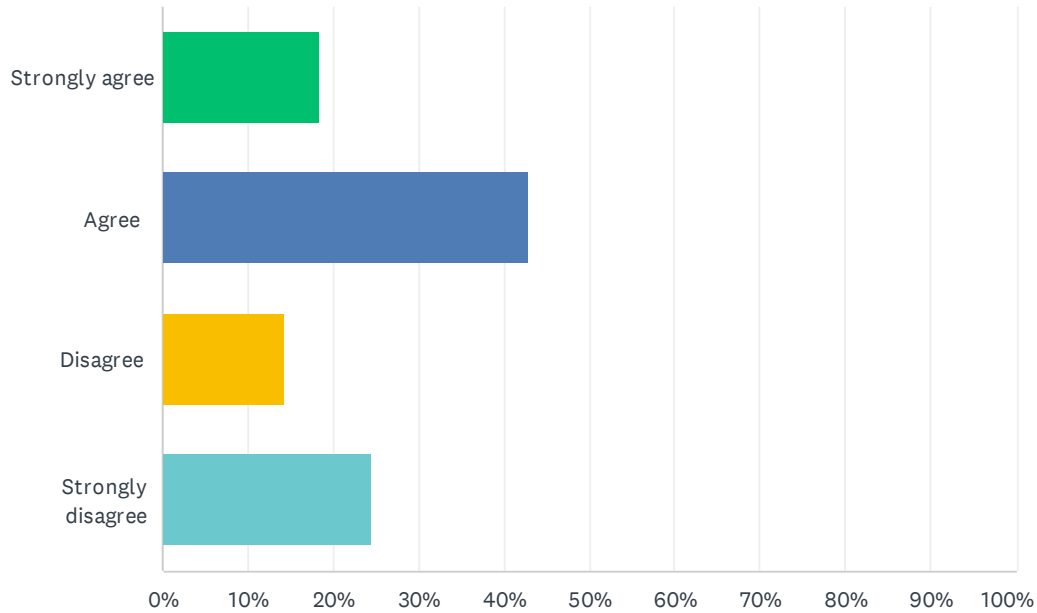
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ANSWER CHOICES	RESPONSES	
Yes	65.31%	32
No	34.69%	17
TOTAL		49

Q6 Are you comfortable approaching supervision with a work related problem or complaint?

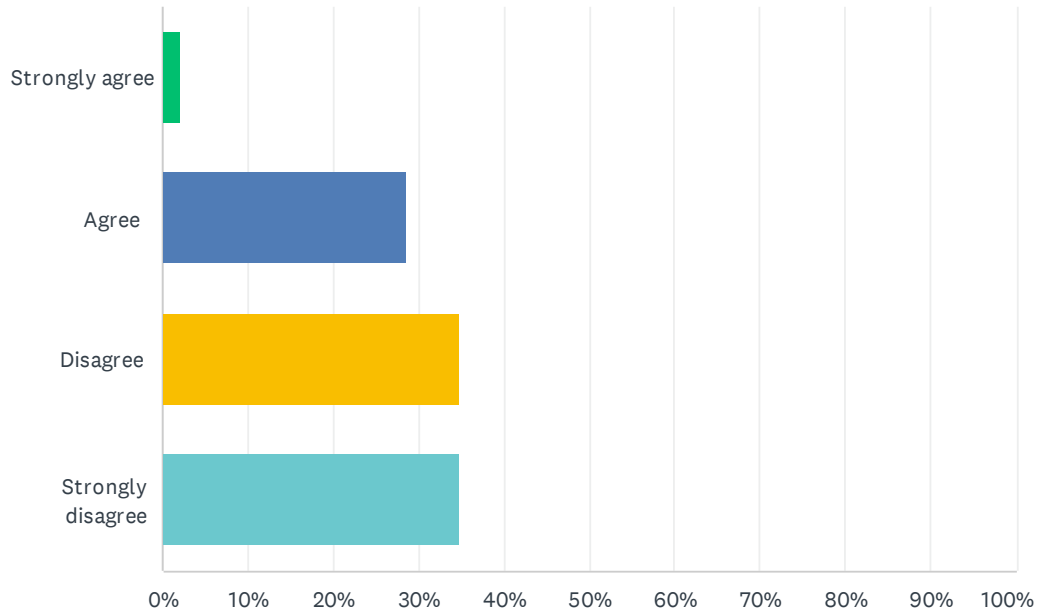
Answered: 49 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly agree	18.37%	9
Agree	42.86%	21
Disagree	14.29%	7
Strongly disagree	24.49%	12
TOTAL		49

Q7 I am confident in management's ability to handle personnel problems or complaints in a fair and equitable manner.

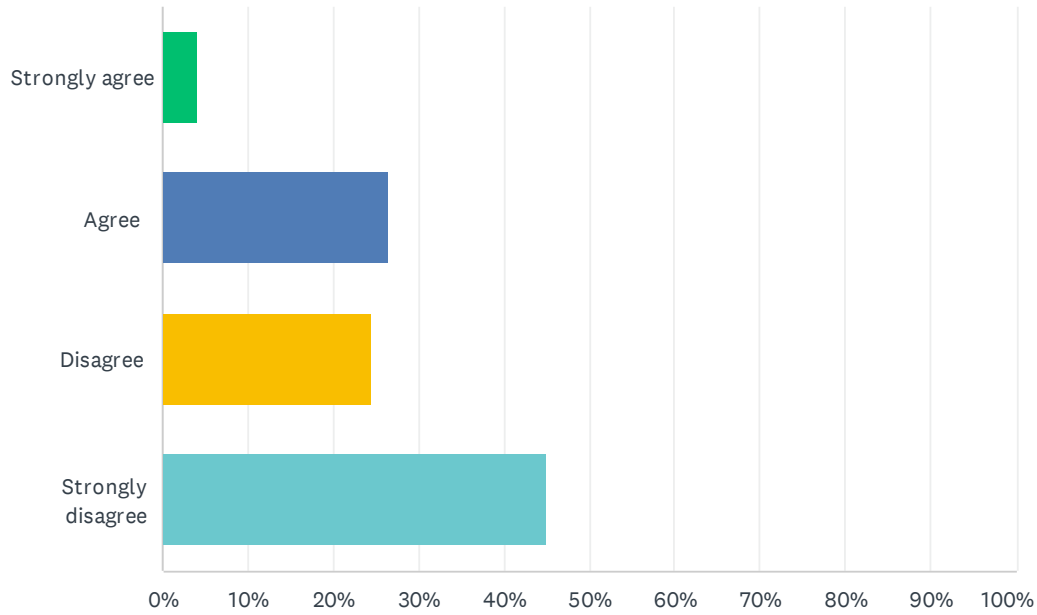
Answered: 49 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly agree	2.04%	1
Agree	28.57%	14
Disagree	34.69%	17
Strongly disagree	34.69%	17
TOTAL		49

Q8 Management ensures that current department policies are followed and enforced in a fair and equitable manner.

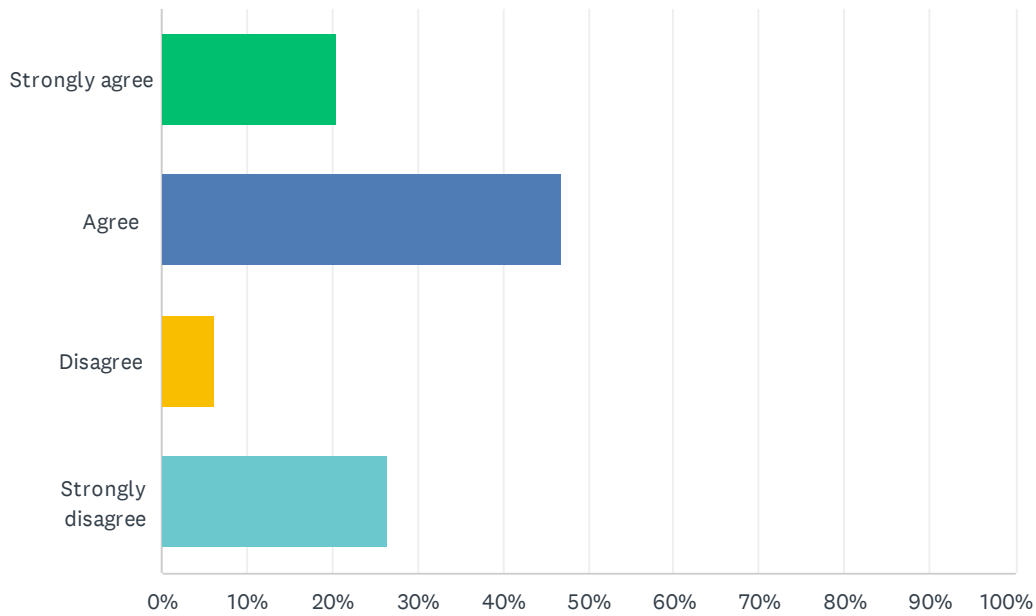
Answered: 49 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly agree	4.08%	2
Agree	26.53%	13
Disagree	24.49%	12
Strongly disagree	44.90%	22
TOTAL		49

Q9 I am comfortable approaching my supervisor with work related issues?

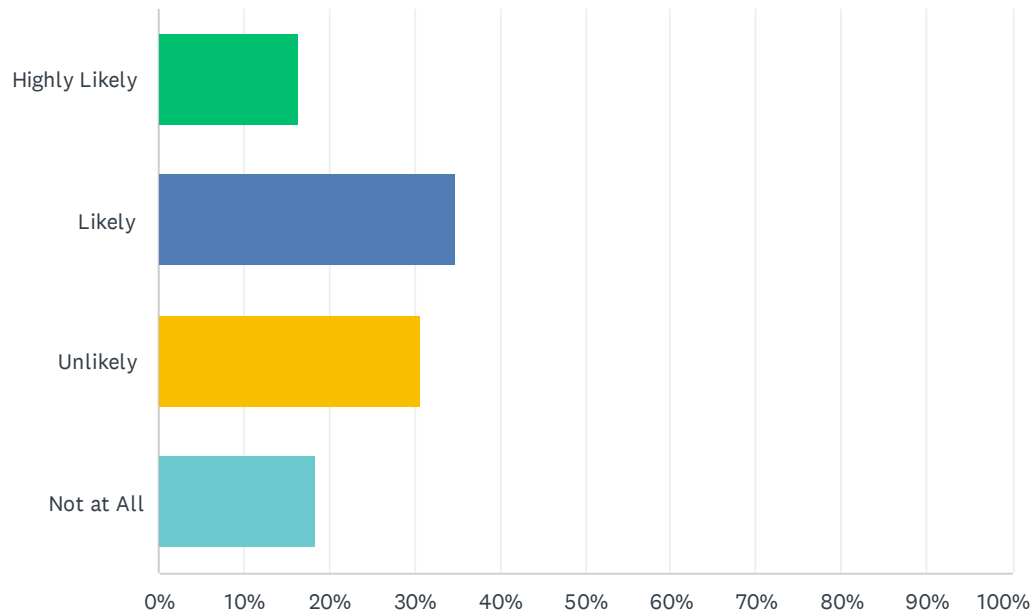
Answered: 49 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly agree	20.41%	10
Agree	46.94%	23
Disagree	6.12%	3
Strongly disagree	26.53%	13
TOTAL		49

Q10 How likely are you to recommend employment with the Okaloosa County Department of Corrections to others?

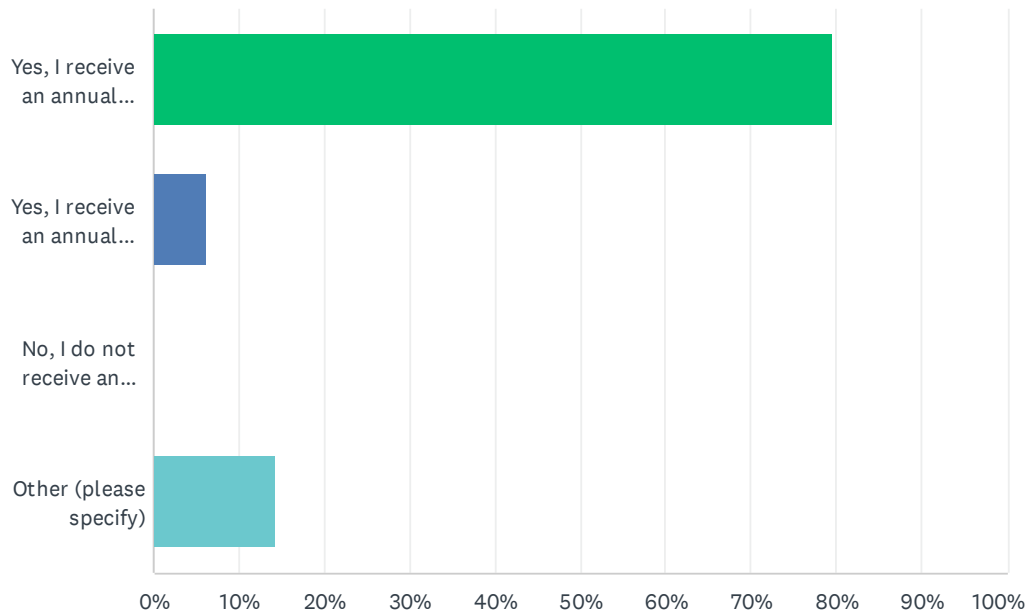
Answered: 49 Skipped: 0



ANSWER CHOICES	RESPONSES	
Highly Likely	16.33%	8
Likely	34.69%	17
Unlikely	30.61%	15
Not at All	18.37%	9
TOTAL		49

Q11 Do you receive an annual performance evaluation, the results of which are discussed with me by my supervisor.

Answered: 49 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes, I receive an annual performance evaluation and the results of which are discussed with me by my supervisor.	79.59%	39
Yes, I receive an annual performance evaluation, but my supervisor does not discuss the results with me.	6.12%	3
No, I do not receive an annual performance evaluation.	0.00%	0
Other (please specify)	14.29%	7
TOTAL		49

Q12 Understanding that wages and benefits are a top priority for most employees, what else would you classify as a major concern or obstacle in the performance of your regular duties?

Answered: 46 Skipped: 3