Jacksonville Sheriff's Office **ORDER**			
Order Number: **501**	Title: **Code of Conduct**	Order Type: **A**	Version: **30**
Release Code: **R**	Owner: **Director of Personnel & Professional Standards**	Effective Date: **07/13/2026**	Page: **1 of 27**

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I. Purpose of the Policy

The purpose of this policy is to establish a universal code of conduct for all members of the Jacksonville Sheriff's Office (JSO). In addition to outlining the obligations, expectations, and constraints on behavior for members, this policy provides an overview of the JSO Progressive Disciplinary System. [CALEA 26.1.1]

II. Procedures

A. Jacksonville Sheriff's Office Code of Ethics [CALEA 1.1.2; FCAC 4.08]

All members shall adhere to the following JSO Code of Ethics, as appropriate for their job classification and position:

"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 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."

B. **Obligation to Follow All Laws, JSO Written Directives, and Lawful Orders**

1. All JSO members 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 City of Jacksonville (COJ) Civil Service and Personnel Rules and Regulations; and

   e. All JSO written directives applicable to their assignments, which include:

      (1) Accreditation standards, references to which are notated throughout the directives by the acronyms CALEA, CFA, FCAC, FMJS, and NCCHC;

      (2) Collective bargaining agreements applicable to them and any subordinates assigned to them;

      (3) Information bulletins;

      (4) Legal bulletins;

      (5) Memoranda;

      (6) Orders; and

      (7) Unit procedures for the areas to which they are assigned.

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 member's lieutenant within 24 hours of the member's return to work following the arrest or the issuance of the criminal citation. The member's lieutenant shall:

   a. Immediately notify the Lieutenant of Internal Affairs Unit; and

   b. Forward the notification to the Sheriff via chain of command.

4. Members shall obey the lawful orders of superiors, including any order relayed from a superior by a member of the same or lesser rank. [CALEA 12.1.3; FCAC 5.02]

   a. Unlawful orders shall not be followed. Any member who follows an unlawful order is subject to legal and/or disciplinary action.

   b. Any member who refuses to obey an order is required to provide an explanation for the refusal. [FCAC 5.03]

   c. Any member who is given an order that conflicts with a previously issued order or directive shall respectfully inform the issuing member of the conflict. If the issuing member does not alter or retract the conflicting order, the member shall comply unless to do so would violate the law. The member obeying the conflicting order shall not be held responsible for disobedience of the order or directive that was previously given. [FCAC 5.03]

5. All members shall fully cooperate with all criminal and administrative investigations in which they are the subject of the investigation, including submission to medical testing and participation in all interviews. Any member who is the subject of a criminal investigation is afforded the same constitutional rights as all other citizens.

6. All police and corrections officers shall maintain a valid driver's license in the state of their residence.

C. **Obligation to Report Misconduct and Intervene** [CALEA 1.2.10; CFA 2.06]

1. Misconduct is defined as the violation of any law, JSO policy, provision of the COJ Civil Service and Personnel Rules and Regulations, or lawful order given by a supervisor.

2. Any member who observes misconduct being committed by another JSO member, a member of another law enforcement agency, or a public safety associate shall safely intervene within the scope of their authority and training to prevent further misconduct.

3. Any member who observes, suspects, or is informed of misconduct committed by another JSO member, a member of another law enforcement agency, or a public safety associate shall report the alleged misconduct to a supervisor or directly to the Internal Affairs Unit. If the allegation specifically concerns a member committing a criminal violation, the notification should be made to the Integrity Unit.

D. **Obligation to Be Truthful**

1. Members shall be truthful during all criminal, administrative, and civil investigations.

2. Members shall not knowingly depart from the truth when making any verbal or written statement in connection with official duties. Members are deemed to have committed Departure from the Truth if in connection with their official duties, they make a statement that is intentionally inaccurate, incorrect, incomplete, misleading, or one that omits material information.

3. Members shall be fully candid when being questioned during a criminal, administrative, or civil proceeding. Members are deemed to have committed Failure to Be Wholly Candid if during an interview, they intentionally provide untruthful information that they later recant and correct during the same interview.

4. Members shall complete all reports, documents, and forms accurately. Members are deemed to have committed Falsification of Official Documents or Records if they intentionally falsify any official document, report, or record in connection with their official duties.

E. **Obligation to Be Courteous and Represent JSO in a Positive Manner**

1. Members shall conduct themselves at all times in such a manner that reflects favorably upon JSO and that would not:

   a. Bring JSO into disrepute or ridicule;

   b. Adversely affect the member's professional standing and reputation within the community;

   c. Impair the ability of the member to perform his official duties; or

   d. Impair the operations and workflow of JSO.

2. Members shall treat all persons with respect and shall not speak disparagingly about, defame, or demean another member, or the gender, ethnic origin, religion, race, disability, or sexual orientation of any person or group. [CALEA 44.2.3]

3. Members shall maintain command of temper, exercise patience, and refrain from using coarse, profane, or insolent language that could be considered rude or offensive to others.

4. 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.

5. When requested by the public, members shall identify themselves by name, identification number, and division. If requested by the public, members shall also provide their JSO employee identification card. Officers working in an undercover capacity are exempt from this requirement. [CALEA 22.1.8]

6. Members shall request an interpreter to facilitate communication with citizens who do not speak English or who are hearing-impaired.

7. 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]

8. Regarding interactions with other JSO members, members shall:

    a. Be courteous, civil, and respectful towards each other;

    b. Not publicly criticize another member or the actions of another member;

    c. Not use disrespectful, mutinous, or abusive language towards a supervisor or any other member; and

    d. Publicly address one another by title and last name.

9. Regarding members of other law enforcement agencies, members shall:

    a. Support other agencies in their pursuit of lawful activities without interfering with the cases, work, or operation of those agencies;

    b. Cooperate with, support, and assist members from other agencies in the performance of their official duties;

    c. Immediately notify their supervisor if police action must be taken against a member of another agency;

    d. Not publicly criticize another agency's actions or policies; and

    e. Notify their supervisor if they have any concerns or complaints regarding a member of another agency so that the supervisor can seek the most appropriate solution.

F. **Attendance Policy**

1. Members shall report promptly to the designated time and place for their shift and assignment. Members shall not be absent from work unless they are on approved leave.

2. Members who miss any part of a scheduled regular or overtime shift without prior approval shall receive an attendance occurrence.

    a. A full attendance occurrence is given when a member misses half or more of his assigned shift.

    b. A half occurrence is given for missing less than half of his assigned shift, including being tardy or leaving early.

    c. All consecutively missed time connected to an instance of unscheduled leave, provided it is for the same reason, shall be recorded as one occurrence (e.g., an employee who misses an entire work cycle due to having the flu shall only receive one attendance occurrence).

    d. Members who have an unscheduled absence for any of the following reasons shall not receive an attendance occurrence:

        (1) Administrative leave;

        (2) Approved leave due to mandatory staffing levels being met;

        (3) Bereavement leave;

        (4) Court appearances that are mandated by subpoena or related to official duties;

        (5) Family Medical Leave Act (FMLA) related absences;

        (6) Injury-On-Duty leave, or appointments related to workers compensation;

        (7) Jury duty;

        (8) Military leave; or

        (9) Proceedings related to the member having been the victim of domestic violence or other violent crimes.

    e. Supervisors are required to document each attendance occurrence that occurs within a rolling 12-month period and must ensure the appropriate action is taken in accordance with the table below. For the eighth occurrence, a member's supervisor should initiate the appropriate field administrative investigation as outlined in Order 571 (Internal Affairs). On the ninth and tenth occurrences within a rolling 12-month period, the supervisor shall contact the Internal Affairs Unit to coordinate a formal investigation.

Corrective Action Guidelines for Violation of Attendance Policy	
Number of Attendance Occurrences	**Corrective/Disciplinary Action**
1-6	Informal Counseling
7	Formal Counseling
8	Written Reprimand Level One
9	Written Reprimand Level Two
10 or more	Termination

3. At the discretion of the respective department director, probationary employees may be subject to disciplinary action, including termination, for fewer attendance occurrences.

4. Absent without Leave

    a. Any member who has insufficient leave to cover an unscheduled, unapproved absence (that is not one of the exceptions listed within this policy) is considered "Absent without Leave (AWOL)" and is subject to disciplinary action, including termination, for his first offense.

    b. A member is also considered AWOL if he is absent from work, but took no reasonable steps to notify his supervisor of his intent to miss his scheduled shift.

G. **Performance of Official Duties**

1. Members shall maintain sufficient competence and knowledge of JSO policy to carry out their duties and responsibilities in accordance with policy and training.

2. Members shall perform all required duties and shall adhere to all applicable work standards established for their position and rank.

    a. Members shall be properly groomed and neatly dressed in accordance with Order 506 (Uniforms and Personal Appearance).

    b. While on duty, members shall devote their whole time and attention to fulfilling their duties and responsibilities. Members shall keep personal telephone calls to a minimum and shall not allow them to interfere with their duties and responsibilities.

    c. Members are prohibited from sleeping on duty.

    d. Members shall remain at their place of assignment until properly relieved or dismissed by a supervisor or an assigned relief.

    e. When completing any official report, form, or correspondence, members shall ensure they do so thoroughly, accurately, and in a timely manner.

f. On each working day, members shall read and respond to, when appropriate, all emails delivered to their official JSO email accounts.

g. Any member who necessarily incurs expense in connection with official duties shall promptly submit to his lieutenant an itemized account of such expenditures, together with all the required receipts.

h. Members shall use due care and caution when operating any agency vehicle. Members shall obey all traffic laws and operate their vehicles in a manner that demonstrates courtesy to others and good driving techniques.

3. When made aware of an incident, crime, or other condition requiring their attention, members shall take the appropriate action as directed by policy and training.

   a. Members shall act promptly and with decisiveness when dealing with crimes, disorders, accidents, or any other situation requiring the performance of official duties. Members shall not cause any unnecessary delay in the public receiving service.

   b. Members shall render appropriate medical aid to any person who has sustained injuries, including injuries sustained as a result of actions taken by law enforcement. This aid should be rendered as quickly as reasonably possible, taking into account concerns regarding scene safety, control of the individual, and environmental circumstances. In addition to providing direct medical care consistent with their level of training, members shall also request assistance from the Jacksonville Fire and Rescue Department (JFRD) via radio when necessary to treat serious injuries. [CALEA 4.1.5]

   c. Outside of exigent circumstances, members are prohibited from performing official duties in matters involving themselves or family members. Members shall not complete any Incident Report for an incident in which they or a family member were the victim or otherwise directly involved.

4. When serving in a supervisory capacity, members shall take the appropriate supervisory action as directed by training and policy, including fulfilling all applicable duties and responsibilities listed in Order 502 (Direction and Supervision).

5. Members shall use proper care in the handling and maintenance of JSO property and shall not misappropriate the use of JSO property or equipment. Upon learning that any JSO property or equipment is lost, damaged, or stolen, members shall promptly report the matter to their supervisor and complete all reporting requirements as outlined in Order 474 (Supply / Copy & Mail Services).

6. Members shall use proper care when handling evidence, others' personal property, and found property and shall not misappropriate the use of such property. When any property is damaged or lost in connection with the performance of official duties, the member shall ensure the appropriate report is completed, even if the property owner does not request a report be completed.

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. Members working in a secondary employment capacity are required to adhere to all policies and procedures that would apply when working their permanent assignment, as well as the provisions of Order 282 (Secondary Employment). Members who violate the provisions of Order 282 (Secondary Employment) shall receive the following sanctions, in addition to the appropriate disciplinary action:

    a. First violation – Loss of secondary employment privileges for two days;

    b. Second violation – Loss of secondary employment privileges for seven days;

    c. Third violation – Loss of secondary employment privileges for 14 days;

    d. Fourth violation – Loss of secondary employment privileges for 30 days; and

    e. Subsequent violation – Loss of secondary employment privileges, the duration of which shall be determined by the Commander of Special Events.

9. 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. When authoring outgoing correspondence as a representative of JSO, members shall use official agency forms and documents.

10. 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.

11. All police and corrections members shall attend their scheduled wellness appointments or cancel/amend their appointments in a timely manner, as established in Order 513 (Compensation and Leave). Members who violate these provisions shall receive the following sanctions, in addition to the appropriate disciplinary action (usually a Formal Counseling for a first-time offense):

    a. For police members, loss of take-home vehicle privileges for 14 days; and

    b. For corrections members, loss of personal electronic device privileges for 30 days or secondary employment for 14 days.

12. Members shall attend all court-related appearances for which they have been subpoenaed and/or scheduled. Members who fail to appear for a scheduled court function for which they have not received an excused absence from the issuing/scheduling authority, shall

receive the following sanctions, in addition to the appropriate disciplinary action (typically a formal counseling for a first-time offense):

a. For police members, loss of take-home vehicle privileges for 14 days; and

b. For corrections members, loss of personal electronic device privileges for 30 days or secondary employment for 14 days.

13. Body Worn Camera (BWC) Activation Failure Step Track

a. Officers who fail to activate or deactivate their BWCs in accordance with Order 495 (Body Worn Camera), shall receive corrective actions in accordance with the following BWC Activation Failure Step Track:

(1) First violation – Informal counseling;

(2) Second violation – Formal counseling;

(3) Third violation – Written Reprimand Level One;

(4) Fourth violation – Written Reprimand Level Two;

(5) Fifth violation – Suspension up to 10 days; and

(6) Sixth and subsequent violations – No less than a 10-day suspension up to termination.

b. For purposes of the BWC Activation Failure Step Track, violations remain active in accordance with applicable bargaining unit contracts.

c. Whan an officer fails to appropriately activate or deactivate his BWC and commits another policy violation, the JSO Progressive Disciplinary System shall be used in lieu of the BWC Activation Failure Step Track.

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

a. 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.

b. Unless JSO directives, orders from a supervisor, or orders from another competent authority require an arrest, an officer's discretion to choose an alternative course of action is explicitly recognized and encouraged.

H. **Constraints on Behavior**

1. Abuse of Authority

a. Members shall not use the authority commensurate with their position and/or rank to obtain an improper benefit for themselves or others.

b. While conducting JSO business, lawful investigations, or personal business, members shall not threaten, intentionally intimidate, or otherwise use their position to improperly influence the decisions of others. [FMJS 5.2]

c. Unless approved by a department director or higher authority, members shall not:

(1) Seek to dismiss the criminal case against someone who has been properly charged;

(2) Become involved in any promises or arrangements designed to reduce the potential penalties being faced by someone charged with a crime; or

(3) Attempt to obtain a bond reduction or a "released on one's own recognizance" status for another person.

d. No member shall prevent or attempt to prevent the proper issuance of a traffic or misdemeanor citation.

e. Members shall only use reasonable force when effecting an arrest or preventing an escape.

f. Members shall not become bailers for non-family arrestees, provide legal recommendations (including referrals to specific attorneys, bondsmen, or bail brokers) to non-family members, or obtain attorneys or bondsmen for non-family arrestees.

g. Members shall not testify as character witnesses in criminal court proceedings while wearing any JSO insignia or JSO-authorized uniform. Should a member desire to testify as a character witness in a criminal court proceeding, he must first 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.

2. Association with Criminal or Inappropriate Activity

a. Unless doing so in accordance with their duties and responsibilities, members shall not:

(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 these provisions shall be interpreted to prohibit a member of JSO from associating or socializing with any member of their immediate family.

c. Members shall not accept employment or engage in any business which, in the opinion of the Sheriff, interferes with the efficient performance of the member's regular duties or responsibilities.

d. Members shall not affiliate 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.

3. Bias-based Conduct

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. 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 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 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 to believe 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.

c. Members shall receive initial and annual training, including a review of agency policy, 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-based 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. JSO provides public information pamphlets (e.g., Form P-0392 [What to Do During an Encounter with the Police]) to officers regarding police encounters with citizens. Officers may distribute the pamphlet to each person subjected to such activities, whenever appropriate. [CFA 2.06]

4. Covert Recording/Broadcasting of Workplace Interactions

a. Members shall not covertly record or covertly broadcast their interactions with other members (e.g., coworker meetings, roll calls, meetings with supervisors, etc.) unless in the performance of their official duties.

b. Covertly recording means the use of any electronic device to covertly record without the express knowledge and permission of the other member(s).

c. Covertly broadcasting means the use of any electronic device to transmit an interaction with other members to a location where a third party may be able to hear, observe, or record the interaction, without the express knowledge and permission of the other member(s). While not all inclusive, examples include the use of social media applications such as Facebook Live, transmission to a remote speaker via an electronic device, or in the instance of a phone conversation, the use of a speaker to allow a third party to hear the conversation.

d. Any member who needs to covertly record or covertly broadcast his interactions with other members in the performance of his official duties shall have permission from, and be acting in coordination with, one of the following units prior to covertly recording or covertly broadcasting:

(1) Integrity Unit; or

(2) Internal Affairs Unit.

5. Disclosure of Restricted 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 lieutenant 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, or lead to the destruction or removal of evidence.

c. Members shall not communicate information relating to proposed arrests or cases under investigation or to be investigated, except those directly involved in the investigation.

d. Members shall not communicate information regarding inmates and/or federal prisoners to the public or media.

e. 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.

6. Insubordination

a. Members are required to perform assigned duties and tasks in a cooperative and respectful manner and within time periods prescribed by a supervisor or policy.

b. Members shall not exhibit any form of defiant conduct towards a supervisor, including being argumentative with the supervisor or exhibiting an unwillingness to carry out assigned duties and tasks.

c. Members shall not create or facilitate a workplace environment that could inhibit the ability of a supervisor to carry out his duties.

d. Members shall not interfere with the ability of supervisors to maintain discipline.

7. Interference with an Investigation

a. Members shall not interfere with any lawful investigation, case assigned to another member, or the operations of JSO, other governmental agencies, the courts, or any lawful private enterprise.

b. Members shall not interfere with another member's ability to carry out his duties and responsibilities.

c. Members shall fully cooperate with all criminal and administrative investigations by fully disclosing any pertinent information to the assigned investigator.

8. Involvement in Civil Matters

a. While performing official duties, members shall not become involved in the civil disputes of others. Members shall not give legal advice to parties involved in civil matters and shall not serve in the capacity of a special process server, certified process server, or a court document runner. This prohibition does not apply to members of the Civil Process Unit who are performing their official duties.

b. While officers have no jurisdiction over civil disputes, they shall act to prevent or suppress any breach of peace arising from such a dispute.

c. Members who have been served with an injunction for protection shall immediately notify their lieutenant and provide him with a copy of the injunction. Upon receiving this notification, the member's lieutenant shall:

(1) Immediately notify the Lieutenant of Internal Affairs and provide him with a copy of the injunction; and

(2) Ensure the member adheres to all requirements established in the injunction.

d. Members who have been served with civil process related to the performance of any official duties shall immediately notify their lieutenant and provide him with a copy of the process. Upon receiving this notification, the member's lieutenant shall:

(1) Immediately deliver a copy of the process to both the Chief Legal Affairs Advisor and Office of General Counsel (OGC); and

(2) Notify the Undersheriff via chain of command.

e. The OGC will provide representation to members in civil cases if they were acting within the scope of their employment at the time of the incident that is the subject of litigation unless a conflict of interest exists. If the OGC cannot represent a member in a civil case, the OGC will notify the member and provide them with further direction on obtaining representation.

f. Members intending to file a lawsuit for damages suffered while performing their official duties shall:

(1) No less than five days before the intended filing date, notify the Undersheriff and OGC via chain of command;

(2) Prior to accepting any payment or settlement, notify the Undersheriff and OGC of the proposed payment or settlement terms; and

(3) Not use the authority commensurate with their position and/or rank to influence the outcome of the lawsuit.

9. Political Activities [CFA 7.08; FCAC 4.10]

a. No member shall take any active part in any political campaign while on duty. (Municipal Ordinance 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 Ordinance 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 vote for any candidate, political party, or public measure; or

(c) Take any active part in any political campaign.

(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 any active part in any political campaign.

(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 or used by COJ, JSO, or independent authority (Municipal Ordinance Code 350.303). [FCAC 4.10]

d. No member shall be given a leave of absence with or without pay, excluding the use of personal leave, for the purpose of participating in any political campaign.

e. No member shall give testimonials or permit their names or photographs to be used for advertising or campaigning while inferring their employment with the JSO unless written permission is obtained from the Sheriff.

f. As established in F.S.S. 447.505, members are prohibited from engaging in any strike or work stoppage.

10. Sexual Misconduct

a. Unless in the performance of official duties, members shall not participate or engage in any sexual activity while on duty, including the exchange of messages or media of a sexual nature.

b. Members shall not engage in any immoral, indecent, lewd, or disorderly conduct while on or off duty.

I. **Police Facilities Firearms Policy**

1. Civilian employees are prohibited from possessing firearms inside any JSO police facility.

2. Civilian employees will adhere to F.S.S. 790 regarding the possession and storage of firearms in their vehicles while in the parking areas of JSO facilities.

3. Civilian employees are prohibited from carrying, or possessing, firearms outside of their vehicles at, or inside, JSO facilities. In addition, civilian employees are prohibited from carrying, or possessing, firearms in JSO vehicles.

4. This section does not apply to retired law enforcement officers (including retirees who have been reemployed by JSO) who possess a valid certification under the Law Enforcement Officers Safety Act (LEOSA HR 218), provided they present current photographic identification and proof of qualification upon request.

J. **Corrections Facilities Policy**

1. While at any Department of Corrections (DOC) facility, members shall adhere to all safety and security procedures related to that facility and to the inmates under their supervision. [FMJS 5.1]

2. When a corrections officer's immediate family member, as defined in COJ 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.

3. Members shall not introduce contraband, chemicals, equipment, appliances, or furniture items into any area of any DOC facility without authorization from the facility commander or higher authority. [FMJS 5.2]

4. Members shall not remove any item from any DOC facility without authorization from the facility commander or higher authority. [FMJS 5.2]

5. Members should strive to set a positive example for inmates under JSO control and shall always maintain a professional, impartial relationship with them. Additionally, members shall not: [FMJS 5.2]

    a. Engage in any personal financial transactions with inmates;

    b. Initiate any actions intending to provoke or incite a volatile situation among inmates;

    c. Offer legal advice to inmates;

    d. Ask inmates to perform personal errands or conduct personal business on behalf of members;

    e. Perform personal errands or conduct personal business on behalf of inmates;

    f. Use demeaning, profane, or abusive language towards inmates; or

g. 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 5.4]

6. Personal Electronic Devices in DOC Facilities

a. The ability to bring a personal electronic device (e.g., personal cellular telephones, smart watches, or any other devices that transmits or receives phone calls and/or text messages, etc.) inside a DOC facility is a privilege that may be granted or revoked by a member's lieutenant or higher authority.

b. Members below the rank of lieutenant shall not carry or wear a personal electronic device on their person while on duty inside a DOC corrections facility. All personal electronic devices must remain in the member's assigned locker, personal bag, or purse while on duty.

(1) Use of the personal electronic device shall be limited to designated areas away from the member's assigned duty station (e.g., break rooms, officer dining rooms, areas immediately outside the facility). Members may carry their personal electronic device on their person while going to and returning from these areas.

(2) Unless authorized by a commander or higher authority, members below the rank of lieutenant shall not carry any personal electronic device:

(a) Into inmate housing areas;

(b) Into processing areas when inmates are present; or

(c) While escorting, monitoring, supervising, or communicating with inmates.

c. Members shall not allow inmates to use members' personal electronic devices.

d. Members shall not use personal electronic devices to record images from the SecurPASS scanning equipment or any other DOC equipment, programs, or software.

e. When on duty in DOC facilities, members shall not use personal electronic devices as music or entertainment devices.

f. Hands-free accessory devices (e.g., earbuds, Bluetooth devices, etc.) are prohibited in DOC facilities.

g. Members shall not use personal electronic devices to record or photograph any area inside a DOC facility without approval from a lieutenant or higher authority.

h. These provisions do not apply to investigators using personal electronic devices for official investigative purposes (e.g., a detective recording an inmate interview).

i. Members who violate the provisions governing personal electronic devices in DOC facilities shall receive the following sanctions, in addition to the appropriate disciplinary action:

(1) First violation – Loss of on-duty personal electronic device privileges for one year from the date of final disposition; and

(2) Second violation – Permanent revocation of on-duty personal electronic device privileges.

K. **Gifts and Gratuities Policy**

1. The Chief of Professional Standards is JSO's designated Department Ethics Officer (DEO) and serves as the liaison to the COJ Office of Ethics, Compliance, and Oversight (OECO).

2. Personal Gifts

a. Members shall not solicit or accept gifts, loans, or gratuities of any value that could influence, or raise questions regarding favoritism in, the discharge of official duties.

b. Members shall not accept any gift worth more than $100, or any number of gifts collectively worth more than $250 in a year, from someone doing business with the COJ, someone seeking to do business with the COJ, a lobbyist, or a lobbyist's employer. Members who, as a result of their position or affiliation with JSO, are offered a gift from anyone else worth more than $100 must obtain the approval of the Chief of Professional Standards prior to accepting the gift.

c. Members may accept awards that have a monetary value (e.g., gift card, check) upon the approval of the Chief of Professional Standards or as part of JSO's Meritorious Awards program.

d. Members are not eligible to receive any reward offered by the COJ, First Coast Crime Stoppers, or any other entity for assisting in the capture of a wanted person.

e. Members are forbidden to offer or receive any gift in exchange for a change of duty assignment, promotion, resignation, or retirement, or to promote any influence to affect such an end.

3. Gifts to JSO

a. Members may accept gifts on behalf of JSO that are not worth more than $100 (e.g., baked goods donated to a district substation) with no further approval needed.

b. Members may accept gifts on behalf of JSO worth more than $100 (e.g., an appreciation meal donated to a Patrol district, a police service dog ballistic vest donated to the Canine Unit) upon the approval of the Chief of Professional Standards. All gifts to JSO

worth more than $100 must be recorded in the COJ Gift Disclosure Database by the Chief of Professional Standards. Each entry requires the following information:

(1) The donor;

(2) The date of donation;

(3) The value of the donation;

(4) The area of the agency that received the donation (e.g., Communications Section, Canine Unit); and

(5) The purpose of the donation (e.g., officer appreciation, officer safety).

c. Due to requirements that cash and checks given to JSO be deposited directly into the COJ General Fund or the Criminal Investigative Fund, members shall not accept gifts of cash or checks on behalf of JSO.

d. Under most circumstances, JSO-related travel and training expenses should be paid for by JSO and not by an external entity. Any exceptions to this policy require further review by the Chief of Professional Standards or his designee prior to approval. Any Form SP-0036e (Travel/Training Requests) which includes a portion of costs paid by a third-party will be routed to the Chief of Professional Standards by the Budget Division as part of the review process.

(1) Generally, third-party costs paid by another government entity or paid as part of an existing legal agreement (e.g., contract with vendor, Memorandum of Understanding [MOU] with third party, etc.) will not require review beyond the Chief of Professional Standards.

(2) Costs paid by a private third-party that are not part of an existing legal agreement will require additional review by the COJ Ethics Office and Office of General Counsel as required by COJ Municipal Ordinance Code 106.703. The Chief of Professional Standards or his designee shall request any additional information necessary to facilitate the review process. Travel shall not be fully approved until this review process is complete.

(3) If any member is offered travel or training or is requested to speak or present on behalf of JSO, with some or all costs paid by a third-party, the member shall report the offer to his section commander via the chain of command.

(a) The member's commander shall decide who is the most appropriate member of JSO to participate in the travel.

(b) Once the chain of command has identified the most appropriate member of JSO for the travel or training, Form P-0036e (Travel/Training Request) may be

submitted for the traveler and the review process by the Chief of Professional Standards shall begin.

L. **Social Media Policy** [CFA 32.05]

1. As public employees, JSO personnel are cautioned that speech, on or off duty, made pursuant to or concerning 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 or disruptive to JSO operations.

2. 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:

    a. Engaging in speech, in any form, that contains obscene or sexually explicit language or images;

    b. 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;

    c. Expressing opinions about encounters with the public in the course of the member's job-related functions; and

    d. Posting any text or media that would otherwise violate any provision of JSO policy.

3. 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 written permission from the Sheriff or the Sheriff's designee.

4. Members shall not use any JSO equipment or resources to engage in social media activities, unless expressly allowed by a supervisor or policy in the discharge of official duties.

5. Members who are the subject of an administrative 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.

M. **Tobacco Policy**

1. All JSO facilities are tobacco-free and smoking-free environments. The use of smokeless tobacco, e-cigarettes, and tobacco substitutes is prohibited inside any JSO building or any building occupied by JSO for operational purposes.

2. The use of cigarettes, cigars, smokeless tobacco, e-cigarettes, chewing tobacco, and snuff products is prohibited in any JSO vehicle.

3. All visitors shall be informed of the tobacco-free policy when they register at the public reception areas of all JSO facilities.

4. Members shall not smoke or use tobacco products in public while providing a JSO service or job function involving direct contact with the public.

5. Members shall be permitted to use tobacco products only during normally scheduled break periods and in designated areas outside JSO facilities. No extra time shall be allowed during working hours for tobacco use.

6. Members shall not use tobacco products in the presence of detainees nor inmates.

7. Members shall not provide tobacco products or tobacco accessories to any detainee or inmate.

N. **JSO Progressive Disciplinary System** [CALEA 26.1.4; FCAC 7.01; CFA 2.06]

1. The JSO Progressive Disciplinary System provides a hierarchy of measures to be applied in response to a violation of law, policy, or training. The system is designed to provide for a consistent and fair application of corrective actions while promoting member morale and motivation.

2. The JSO Progressive Disciplinary System relies on two principles concerning the nature of progressive discipline:

   a. More serious violations require higher levels of disciplinary action. A single violation, if serious enough, can result in a high level of disciplinary action, including termination.

   b. Repeated violations, even if unrelated in terms of the specific policy that was violated, require a higher level of disciplinary action. Multiple minor violations can result in a higher level of disciplinary action, including termination.

3. The role of supervisors and lieutenants is vital to the disciplinary process. As the primary observers of members' performance and conduct, they are best suited to identify areas where training, counseling, and/or disciplinary action are needed. Supervisors and lieutenants are expected to address violations with the most appropriate action, as established by JSO policy and practice. Training and counseling should be considered when possible to change negative behavior before disciplinary actions must be taken. However, the severity of certain violations may require disciplinary action, even when the violation is the member's first. Regardless of the action that is taken, supervisors and lieutenants shall strive to implement the actions in a positive and constructive manner, recognizing the goal of the disciplinary system is to improve members' performance and behavior. [CALEA 26.1.5]

4. All allegations of misconduct shall be thoroughly investigated in accordance with the provisions of Order 571 (Internal Affairs) and the member's collective bargaining agreement. If any administrative investigation results in a sustained charge, the member's chain of command shall select the most appropriate corrective action(s) to address the violation(s).

5. Non-Disciplinary Actions: Training, informal counseling, and formal counseling sessions are the first portion of the JSO Progressive Disciplinary System and are not considered disciplinary actions. Instead, they are used to evaluate, track, and improve performance, hopefully preventing the need for disciplinary action in the future. References to remedial training and counseling sessions should be included on the member's annual performance evaluation. [CALEA 35.1.6]

    a. Training: Training is a positive and constructive method of improving the productivity and effectiveness of an employee and is often sufficient to avoid the need for disciplinary action in the future. Remedial training should be administered in conjunction with a counseling session to document the expectations of the member and to improve the member's performance and/or behavior.

    b. Informal Counseling: An oral communication between a supervisor and subordinate designed to correct a member's performance or behavior. This action does not require the completion of any form, but a synopsis of the session should be documented in the member's division file for future reference. Examples of Informal Counseling sessions include, but are not limited to a(n):

        (1) Procedural clarification;

        (2) Recommendation to obtain additional training or review a specific policy;

        (3) Suggestions for improving the member's performance; or

        (4) Admonishment for very minor misconduct.

    c. Formal Counseling: A written communication between a supervisor and subordinate designed to correct a member's performance or behavior.

        (1) Formal Counseling sessions are generally the next step in improving a member's performance or behavior after an informal counseling session failed to yield the desired results. However, the commission of a more significant minor violation will necessitate this step being taken in lieu of an Informal Counseling.

        (2) The details of this communication shall be documented on a Form P-0646e (Formal Counseling). The Formal Counseling shall include, at a minimum, the violation(s) committed by the member and the specific steps needed for the member to avoid repeating the violation in the future.

        (3) Upon issuance of the Formal Counseling, the member shall be provided a copy of the signed and dated document. The member also has the option to provide a

signed and dated written rebuttal statement that will be attached to the original Formal Counseling.

(4) A Form P-0646e (Formal Counseling) shall be stored in the member's division file for one year following its issuance.

d. Other non-disciplinary sanctions can be implemented to address performance and behavior issues, including the loss of certain privileges (e.g., secondary employment, take-home vehicle, on-duty personal electronic device use) or transfer from a permanent or ancillary assignment.

6. Disciplinary Actions: Following the non-disciplinary steps of the JSO Progressive Disciplinary System are the punitive steps that include formal written reprimands, loss of pay, and termination. References to previous remedial training and counseling sessions should be included on disciplinary action documents (although these references are not required when a standalone violation warrants disciplinary action) and on the member's annual performance evaluation. [CALEA 35.1.6; FCAC 7.01]

a. Written Reprimand Level One (Step 1) – A formal reprimand that serves as the first disciplinary step of the JSO Progressive Disciplinary System and is used to address minor misconduct. A Form P-1711e (Written Reprimand Level One) is issued to a member by the member's lieutenant following the completion of an administrative investigation.

b. Written Reprimand Level Two (Step 2) – A formal reprimand that serves as a more serious official censure of minor misconduct. This disciplinary action must be approved by the member's department director and is issued by the Internal Affairs Unit following the completion of a formal administrative investigation.

c. Written Reprimand Level Two with Loss of Pay (Step 3) – The first step used to address serious misconduct (or repeated minor misconduct) that includes a formal reprimand and some form of forfeited compensation. This disciplinary action must be approved by the Undersheriff and is issued by the Internal Affairs Unit following the completion of a formal administrative investigation. The Written Reprimand Level Two shall include the details of the specific loss of pay sanction(s) being applied:

(1) Suspension without pay;

(2) Reduction of pay; and/or

(3) Demotion.

d. Termination (Step 4) – Termination of the member's employment, which requires the approval of the Undersheriff, is the final step of the JSO Progressive Disciplinary System and is used to address significant serious misconduct. The Internal Affairs Unit facilitates the termination process following the completion of a formal administrative investigation.

7. Repeated violations of a similar nature shall subject a member to being administratively charged with "Repeated Infractions" and enhanced disciplinary actions.

8. The JSO Disciplinary Action Guide

    a. The JSO Disciplinary Action Guide provides a range of disciplinary actions for most administrative charges. While the guide is not inclusive nor binding to the agency, it serves the purpose of ensuring consistency and uniformity among all administrative investigations throughout the agency.

    b. Prior to taking disciplinary action, the member's chain of command shall ensure non-disciplinary options have been exhausted, if appropriate for the type of violation. The severity of some violations will require disciplinary action, even if the member has no record of previous violations.

    c. The circumstances of some cases will require action to be taken that is outside the suggested range. Higher levels of disciplinary action, to include exceeding the recommended range, are appropriate in situations involving aggravating circumstances, multiple violations of policy, and/or a history of repeated infractions.

9. As a condition of their probationary status, probationary employees are subject to dismissal and ranked probationary employees are subject to reversion. These actions are linked to the unsuccessful completion of the member's probationary period and are not considered steps in the JSO Progressive Disciplinary System.



T. K. Waters, Sheriff
Jacksonville Sheriff's Office

References:

Appendix A

JSO Disciplinary Action Guide

STEP 1 – Written Reprimand Level One
STEP 2 – Written Reprimand Level Two
STEP 3 – Written Reprimand Level Two with Loss of Pay
STEP 4 – Termination

The range of steps provided is for a single, first violation after non-disciplinary actions have been taken (when appropriate). Multiple counts of the same charge, multiple charges, and/or previous violations may necessitate enhanced disciplinary action.

Violation	Range of Steps
Absent without Leave (AWOL)	STEP 3-4
Abuse of Authority	STEP 3-4
Association with Criminal or Inappropriate Activity	STEP 2-4
Bias-Based Conduct	STEP 3-4
Chargeable Traffic Crash	See Order 572
Commission of Conduct Supporting Criminal Acts	STEP 3-4
Covert Recording/Broadcasting of Workplace Interactions	STEP 3-4
Departure from the Truth	STEP 4
Disclosure of Restricted Information	STEP 2-4
Failure to Attend Court Function	STEP 1-4
Failure to Attend Required Training or Appointment	STEP 1-4
Failure to be Wholly Candid	STEP 3
Failure to Conform to Work Standards	STEP 1-4
Failure to Obey an Order	STEP 2-4
Failure to Report Misconduct	STEP 2-4
Failure to Take Action	STEP 1-4
Failure to Take Supervisory Action	STEP 1-4
Falsification of Official Documents or Records	STEP 4
Improper Action	STEP 1-4
Incompetence	STEP 1-4
Insubordination	STEP 1-4
Interference with an Investigation	STEP 2-4
Misuse of Computer Software	STEP 1-4
Misuse of JSO Property	STEP 1-4
Repeated Infractions	STEP 2-4
Rudeness	STEP 1-3
Secondary Employment Violation	STEP 1-4
Sexual Harassment	STEP 3-4
Sexual Misconduct	STEP 3-4
Sleeping on Duty	STEP 2-3
Unbecoming Conduct	STEP 1-4
Unnecessary Force	STEP 3-4

JSO Disciplinary Action Guide

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The range of steps provided is for a single, first violation after non-disciplinary actions have been taken (when appropriate). Multiple counts of the same charge, multiple charges, and/or previous violations may necessitate enhanced disciplinary action.

Violation	Range of Steps
Violation of Vehicle Pursuit Policy	STEP 1-4
Violation of Agency Vehicle Policy	STEP 1-4
Violation of Attendance Policy	STEP 1-4
Violation of DOC Facility Policy	STEP 1-4
Violation of Uniforms and Personal Appearance Policy	STEP 1-4
Violation of Drug Policy	STEP 3-4
Violation of Response to Resistance (RTR) Policy	STEP 1-4
Violation of Social Media Policy	STEP 1-4
Violation of Weapons Policy	STEP 1-4
Workplace Discrimination	STEP 3-4