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## **Institutions Employee Conduct Policy**

### **I. Conduct Policy**

- A. The Institutions and Department's policy and procedure manuals, Federal and State laws, and County standards provide general parameters for the various situations and issues that arise in the course of employment. They therefore have certain limitations and will not cover all contingencies. Employees must exercise sound, professional judgment and if warranted, seek supervisory assistance before making a decision. The fact that certain activities, situations, or actions may not be specifically addressed in policy manuals, or other documents, does not mean that no action should be taken to resolve a problem.
- B. The Department promotes teamwork in all facets of facility operations. All employees are considered a source of knowledge. All employees shall carry out their duties in a manner that supports teamwork and their fellow employees, and which provides for a positive, professional work environment that supports the Probation Department's policy positions.

### **II. Employee Conduct**

- A. All employees of the Probation Department are in a position of public trust. As such, staff conduct, both on and off duty, is held to a high standard. Any conduct that reflects unfavorably on an employee of the Probation Department or Santa Barbara County can result in disciplinary action. The Probation Manager, SPOs, DPO Seniors, JIO Seniors, and JIOs are peace officers, as specified in the California Penal Code.
- B. Institutional Officers and support staff are expected to set a good example for detained youth. Employees are not to use profane or vulgar language in the presence of youth, or co-workers, ancillary or contract employees, or visitors. Employees are expected to treat all youth with respect and be treated with respect by others.

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- C. All youth in the facility shall have fair and equal access to all available services, care, treatment, benefits and programming, and no person shall be subject to discrimination or harassment on the basis of actual or perceived race, ethnicity, ancestry, national origin, immigration status, color, religion, gender, sex, sexual orientation, gender identity, gender expression, mental or physical disability, or medical/HIV status, including restrictive housing or classification decisions based solely on any of the above mentioned categories.
- D. The use of any electronic or smart devices (e.g. cellular telephones, tablets, smart watches, smart glasses) while on duty is seen as a misuse of County time, as well as a potential safety and security risk. In order to maintain a safe, secure, and well-supervised facility, employees are to keep all electronic and smart devices securely locked in their personal vehicle or assigned lockers while on duty. Emergency telephone calls for staff will be relayed to them through the main reception/intake office telephone number.
- E. Employees who are not in a supervisory role or in direct contact with youth may have instances when the use of an electronic device is necessary. Such instances are at the discretion of the facility manager and are to be requested in advance. Supervisors and managers may carry and access electronic devices within the scope and duty of their assignments.

**III. Employee Ethical Responsibilities**

- A. Perform your duties honestly, with integrity, and without prejudice.
- B. Work professionally and cooperatively with other employees.
- C. Protect and maintain the confidentiality of the youth.
- D. Be objective and fair in the performance of your duties.

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- E. Uphold the law with dignity.
- F. Abide by all policies and procedures.
- G. Treat all employees and youth with respect.
- H. Be a positive role model both at work and in the community.
- I. Strive to improve the professional standards of the Probation Department.
- J. Respect the inalienable rights of all persons.
- K. Conduct your personal life with decorum.

**IV. Relationship with Youth**

- A. It is the policy of the Santa Barbara County Probation Department, in accordance with the Prison Rape Elimination Act of 2003 (PREA), to ensure accountability, prevention, detection, response and monitoring of alleged sexual assault. This includes, but is not limited to, the assurance that timely intervention takes place for any youth who may be the victim of alleged sexual assault. The Santa Barbara County Probation Department is committed to maintaining an environment free from sexual abuse and sexual harassment of youth in its facilities. There is zero tolerance for anyone engaged in any form of sexual abuse or sexual harassment of youth.
- B. All sexual misconduct is strictly prohibited and may be referred to the District Attorney for filing of criminal charges. This policy applies to all employees including: volunteers, interns, independent contractors and all probationers under the supervision of the Santa Barbara County Probation Department and/or who are in custody in the Santa Maria Juvenile Hall or the Los Prietos Boys Camp (LPBC). Sexual misconduct

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is any behavior or act of a sexual nature directed toward a person under the care, custody, or supervision of the Department and/or collateral contact by the person in authority with family members, employers, friends and other close associates.

- C. Retaliatory measures against employees or probationers who report incidents of sexual abuse will not be tolerated and will result in disciplinary action and/or criminal prosecution. Retaliatory measures include, but are not limited to, coercion, threats of punishment, or any other activities intended to discourage or prevent an employee or youth from reporting sexual abuse.
- D. An employee shall notify his/her immediate supervisor whenever a relative or friend is detained in the Juvenile Hall or LPBC, or is referred to the Probation Department as an adult or youth client. Some situations may require special arrangements, such as internal transfers, to protect against a conflict of interest.
- E. It is unacceptable to initiate a close friendship with a client, youth, or their family which originates after the client has been referred to the Department.
- F. The Probation Department prohibits any employee from engaging in or initiating a romantic, business, or social relationship with a person under probation supervision or a detained youth. These prohibitions exist for the duration of an offender's period of probation. This includes exchanges on social media.

**V. Gifts**

- A. Gifts or uncompensated services, for the personal use, possession or gain of an employee, will not be accepted from any client, client's family, or representative. Employees are also prohibited from giving any gifts or providing uncompensated or compensated services to a client, client's family, or representative.

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**VI. Youth Confidentiality**

- A. Case information is considered confidential and is to be shared only with those persons with a need to know and a right to know the information. Access to case information is strictly limited by State law and regulation, case law, court directive, and Department policy. If there is any question about complying with a request for information on a youth, a supervisor should be consulted.
- B. Staff shall refrain from needlessly identifying anyone as an offender or detained youth. Identifying anyone as a client, victim, or offender shall be done in a manner that minimizes embarrassment, humiliation, or public exposure. Cameras and video recorders shall not be taken into the facility or vehicles without the prior approval of the Manager or SPO. Photographing youth facial features is not permitted unless authorized by the Manager or SPO.

**VII. Professional Appearance**

- A. The attire and appearance of all employees shall project a positive and professional image, be appropriate to the job assignment and work location, and shall be in conformance with Administrative Manual 1104. Extremes in fashion and grooming shall be avoided, and attire and appearance must not detract from or interfere with the professional services and operation of Department. It is the responsibility of the Manager, SPOs, and other lead staff (Senior DPOs and Senior JIOs) to provide guidance for, and gain compliance with, acceptable and appropriate standards of dress and appearance.
- B. Institutions Attire:  
  
Institutions attire is to be worn by all Probation personnel assigned to an institution. Support employees are required to wear tucked-in blue polo Probation shirts, black pants and solid black closed toe

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rubber soled shoes. Attire for all JIOs is limited to tucked-in blue / black shirts, tear resistant black fatigue pants or black trousers and solid black closed toe rubber soled shoes/boots. Black Bermuda length shorts (at the knee to approximately two or three inches above the knee) may be worn by institutions personnel during the months of June through September, or if the air conditioning is not operational. Shorts shall not be worn by Juvenile Hall staff who transport youth, have court duties, or are assigned to perform intake or receiving duties. The solid black Probation jacket, sweatshirt or field jacket is approved outerwear if assigned within the facility.

**VIII. Political Activities of Staff**

- A. Limitations on political activity will be in accordance with the following prohibitions:
1. No employee shall solicit or receive funds or other contributions on behalf of any candidate or elective office while on duty.
  2. There shall be no entry into any Santa Barbara County property for the purpose of using the premises for conducting political assessment, subscriptions, or securing contributions.

**IX. Prohibited Associations**

- A. Employees shall not have regular or continuous personal associations or dealings with persons whom they know to be under criminal investigation or indictment, who are on probation or parole, are detainees or inmates of correctional institutions, or who have a reputation in the community or the Department for involvement in felonious or other criminal behavior.
1. This policy does not apply where contact is unavoidable because of personal family relationships with the employee or where the

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Department may require such contact with such persons for official duties.

- B. Employees shall not knowingly trade, barter, lend or otherwise engage in any other personal transactions with any probationer, parolee or inmate of a correctional institution.
- C. Employees shall not, directly or indirectly, give to or receive from any probationer, parolee, or inmate of a correctional institution, or member of the family of any of the above, anything in the nature of gratuity, gift or promise of a gift.
- D. Employees shall not take or send, either to or from, any detainee or inmate of a correctional institution any verbal or written message, or any item, except as part of the employee's official duties. All such letters shall be on Department letterhead and utilize a Department address and with the approval of their immediate supervisor.
- E. Employees shall not visit detainees or inmates of correctional institutions except when conducted as part of their official duties. Any other visits must be approved by the Department through the immediate supervisor.
- F. Employees shall not manage, hold for safekeeping, sell or attempt to sell, any real or personal property of any probationer, parolee, detainee, or inmate of a correctional institution when not required by state law, county ordinance, or Court order, except as authorized by policy.
- G. Employees may not be ordered or requested by supervisors or Department managers to perform any work for the personal benefit of that supervisor or manager unless their participation is completely voluntary.
- H. Probationers may be ordered to or may volunteer to perform certain work functions for rehabilitative purposes. Probationers may not

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perform any personal service pursuant to this program for any employee of the Probation Department, or their immediate families, or engage in any activity which would primarily benefit the employee.

**X. Employee Discipline**

- A. Employee disciplinary matters are governed by Civil Service Rules. A copy is available on the County's intranet website.
- B. Employees may be disciplined for a variety of reasons, including insubordination and failure to follow established policies or laws. Employees may receive verbal warnings from his/her immediate supervisor, or letters of instruction to address non-compliance with policies or practices. These are not considered discipline.

**XI. Employee Responsibilities**

- A. Corporal Punishment:

Corporal punishment is prohibited and its use could result in immediate suspension from duty and will result in discipline up to and including termination. Physical contact with a youth is prohibited except when use of force is necessary to control assaultive or violent behavior, contact is necessary to redirect or escort youth, or when restraining a youth for safety reasons.

- 1. This does not prohibit handshakes or slight touches on the arm or shoulder with an open palm used to acknowledge a youth or de-escalate their behavior.

- B. Employees are not to enter a youth's room without another person present in the unit and with their knowledge unless necessary to prevent harm to a youth or intervene in an emergency.

- C. Maintaining discipline and order:

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It is the responsibility of all JIOs to maintain order and discipline at all times. In doing so, JIOs must conform to established policies and procedures and all incidents of disciplinary action against youth are to be documented in the form of a Workers' Special Report (WSR) and forwarded to the appropriate Senior DPO or Senior JIO on duty.

- D. As a child care custodian, as defined under Section 11166.5 Penal Code (PC), employees have reporting responsibilities for incidents of suspected child abuse and alleged sexual misconduct of youth, including incidents occurring within the facility. Employees are not to make an independent determination regarding the validity of any child abuse claim or incident involving alleged sexual misconduct. Rather, they are to report the information to senior officers, child welfare and law enforcement authorities, as appropriate, and document their actions.

**XII. Contact with the News Media**

- A. The Chief Probation Officer and Deputy Chief Probation Officers act as official spokespersons for the Department. There may be occasions where others may act in that capacity when authorized. All news media requests made of an employee in a professional capacity are to be relayed to the Manager or SPO who will in turn contact the Deputy Chief Probation Officer for the Institutions Division.

**XIII. ID Card Policy**

- A. All sworn and non-sworn employees will be issued an identification card for access to the facility. Employees of Wellpath, Behavioral Wellness (BW), and the County Education Office (CEO) will be issued identification cards for access as well. This shall be the primary method for access of all employees and partner agency employees.

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1. Issuance Of Identification (ID) Cards
  - a. A SPO, AOP Supervisor or designee will authorize and issue ID cards to Wellpath, BW, and CEO employees who are employed at the Juvenile Hall.
  - b. The ID card is the property of the Santa Barbara County Probation Department and shall be returned to the Department upon separation or reassignment.
  - c. Employees shall notify a SPO of any lost or stolen ID cards immediately.
  - d. A written report regarding the circumstances of a lost or stolen card shall be provided to a SPO within 24 hours of the loss being discovered.
2. Use of ID Cards
  - a. ID cards will be for official use only. Any unauthorized use may result in discipline.
  - b. Official use means that the ID cards will be used only in areas authorized and by authorized personnel.
3. Maintenance of Cards
  - a. It will be notated on the request form when an ID card has been issued. A master list will be kept in a marked binder in the office of a SPO or AOP Supervisor.

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B. The SPO is also responsible for issuing ID cards to authorized court officers and other personnel assigned to the Juvenile Court site adjacent to the juvenile hall.

1. Issuance of ID Cards

a. The SPO will issue ID cards to Court, District Attorney, Public Defender, and Sheriff's Department employees as necessary. Cards will be issued upon receipt of the completed ID cards Request Form signed by the authorizing Department's representative.

b. These request forms will also be maintained with a SPO or AOP Supervisor.

**XIV. Juvenile Hall Manual Section**

A. Employees are to comply with Juvenile Hall policies and procedures. It is necessary for the safe and effective operation of the facility that all employees read and understand manual sections. They are placed at various locations throughout the facility and are on the Department's intranet website. These manuals are provided to explain the Department's expectations for operating the facility. They are designed to provide guidance and direction to employees, to protect employees and youth, and insure detained youth are supervised and cared for in accordance with existing law, regulations, and best practices.

B. Failure to adhere to policies and procedures can result in unsafe conditions and practices, jeopardize employee and youth safety, compromise security, and may result in disciplinary action.

C. Manuals are reviewed annually for accuracy and relevancy, and are modified as appropriate.

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