


Idaho Commission of Pardons and Parole  	<b>Standard Operating Procedure</b>	Title: <b>Ethics and Standards of Conduct</b>		Page: 1 of 6
		Control Number: 107	Version: 1.0	Adopted: 07/11/2017

  
 Sandy Jones, Executive Director, approved this document on

**Open to the public:**    Yes

### SCOPE

This Standard Operating Procedure (SOP) applies to all Idaho Commission of Pardon and Parole staff.

Revision History
Revision date) version: 1.0

### TABLE OF CONTENT

Scope .....	1
Purpose .....	1
Responsibility.....	2
Standard Procedures .....	2
1. Code of Ethics .....	2
2. Requirements for Personal Conduct.....	2
3. Conflict of Interest .....	4
4. Administrative Investigation.....	5
i. Allegations of Criminal Misconduct by Staff.....	5
5. Consequences for Violations.....	5
References .....	6

### COMMISSION OF PARDONS AND PAROLE IDAPA RULE NUMBER

None

### PURPOSE

The Parole Commission (Commission) intends that the conduct of Commission staff (Staff) shall reflect the highest standards of public service. This SOP provides Staff with guidance to use whenever Staff is faced with a decision regarding duties, actions, conduct, or interaction with others both on and off the job. The Commission does not intend to regulate off-duty behavior of Staff except when it endangers the safe and orderly operation of the Commission or brings discredit to the Commission. Not every unacceptable type of action or conduct can realistically be listed; therefore, the types of conduct specified in these procedures are not all-inclusive and do not exclude or

<b>Control Number:</b> 107	<b>Version:</b> 1.0	<b>Title:</b> Ethics and Standards of Conduct	<b>Page Number:</b> 2 of 6
-------------------------------	------------------------	--	-------------------------------

excuse other misconduct found by management to be detrimental to the good order and discipline of the Commission.

## **RESPONSIBILITY**

All Commission Staff are responsible for their conduct as described herein.

### **STANDARD PROCEDURES**

#### **1. Code of Ethics**

Staff are expected to adhere to and positively exemplify the Mission, Vision and Values (Values) as established by the Commission. The Values include having respect for one another, bringing a positive attitude to work each day, and having integrity.

Staff shall not discredit the Commission or the state of Idaho. Staff shall demonstrate the highest standards of integrity, honesty, objectivity, impartiality, and professionalism to promote responsible governance as well as public confidence and trust in the Commission. Staff shall not engage in any activity that might compromise the Values of the Commission, safety of its Staff, offenders, and the public; or their ability to carry out assigned duties and responsibilities in an efficient, unbiased, and professional manner.

Staff shall serve the public, other Staff, and incarcerated individuals with respect, concern, courtesy, and responsiveness without discrimination, harassment, or retaliation to include age, race, color, national origin, gender, political beliefs, marital status, and religion. Staff shall protect privileged and confidential information, including that pertaining to incarcerated individuals and Staff.

Staff shall maintain mutual respect and professional cooperation in relationships with other staff members, supervisors, incarcerated individuals, and outside agencies.

Staff shall comply with all lawful directives from a supervisor and strive for professional excellence.

#### **2. Personal Conduct Requirements**

Staff shall adhere to applicable laws, rules, regulations, standard operating procedures, and field memorandums in the performance of their assigned duties. Staff misconduct is any violation of Commission policy, standard operating procedure, field memorandum, or lawful verbal order of the Commission, Idaho Administrative Procedure Act (IDAPA) rule, a city, county, state, or federal law or ordinance that include, but are not limited to:

Other types of Staff misconduct are actions or behaviors that disregard policies, rules, regulations or procedures for which the corrective action would generally be expected to be no greater than a Letter of Instruction, Warning or Reprimand, and/or remedial training or other type of corrective action. However, in some instances, these types of Staff misconduct may result in formal disciplinary action, up to and including dismissal.

Staff shall receive written approval from the director prior to recording conversations with other staff.

Staff shall not engage in any business, transaction, or activity in conflict with Staff duties or the public interest such as:

- Using position to secure special privileges or exemptions for self or others.
- Releasing privileged or confidential information to any person or group not authorized to receive such information.
- Using or removing state property or resources for any purpose other than official

<b>Control Number:</b> 107	<b>Version:</b> 1.0	<b>Title:</b> Ethics and Standards of Conduct	<b>Page Number:</b> 3 of 6
-------------------------------	------------------------	--	-------------------------------

business.

- Loading personal software on state-owned computers.
- Falsifying any information or official records including but not limited to reports, case notes, travel claims, time sheets, and statistics.
- Engaging in any political activity prohibited by law such as being a candidate in any partisan election, holding a partisan elective office, or directly or indirectly using official authority to interfere with the results of an election or a nomination for office.
- Using a badge, Commission identification or any other state equipment, title, or position to influence or detain individuals.

Staff shall obey all laws while on and off duty. Staff shall notify their supervisor in writing of any violation listed below.

- Staff operating state or state rented vehicles shall report a driver's license suspension to their supervisor by close of the next business day.
- Staff receiving any moving violation while operating a state or rented vehicle shall report the violation to their supervisor by close of the next business day.
- Staff shall report to their supervisor immediately upon Staff member's return to the workplace the following: notification that he is the subject of investigation; arrest; criminal summons; citation received for a misdemeanor; service of a felony complaint or indictment; or being served with a protective order or no contact order, regardless of the jurisdiction in which it occurred.
- Staff shall report court appearances related to issues identified above in writing to a supervisor upon knowledge of the court appearance.
- Staff shall report any misdemeanor or felony conviction in writing to their supervisor, including a withheld judgment or plea of 'nolo contendere,' at the beginning of the Staff member's next scheduled shift after the judgment.
- Staff shall not initiate or participate in horseplay or the hazing of other Staff or an individual under the care, custody, or supervision of the Commission.
- Staff shall report to their supervisor or designee any corrupt or unethical behavior that could affect a Staff member, an offender, or the Commission's integrity and reputation.
- Staff shall only use their Commission identification for performing the duties and responsibilities required in the scope of their employment.
- Staff shall report for work at the designated time and place. Staff shall notify their supervisor when they are going to be late or absent as soon as possible prior to their scheduled work time. Staff are to remain alert at all times, and not leave during the scheduled workday without permission. Inattentiveness, sleeping, or the appearance of sleeping is strictly prohibited.
- Staff shall immediately report on-the-job injuries and illnesses.

### **3. Conflict of Interest**

#### ***Outside Employment***

The Commission neither encourages nor objects to Staff accepting outside employment subject to the following conditions:

- The Commission is considered the primary employer unless other employment is disclosed upon acceptance of the conditional offer from the Commission. Outside employment shall not interfere with an employee's work schedule.
- Outside employment shall not conflict with Commission Values nor the proper performance of the work responsibilities.
- Prior to accepting outside employment, Commission Staff shall notify their supervisor in writing of the outside employment.
- If the supervisor determines there is a conflict, or potential conflict of interest, the supervisor shall notify the Staff member in writing and request that the Staff member reconsider acceptance of the outside employment.

<b>Control Number:</b> 107	<b>Version:</b> 1.0	<b>Title:</b> Ethics and Standards of Conduct	<b>Page Number:</b> 4 of 6
-------------------------------	------------------------	--	-------------------------------

- Any outside employment approved by the supervisor shall be documented with the Outside Employment Form.
- Staff is accountable for any conflict of interest that occurs from outside employment.
- An employee shall not accept outside employment with an employer who provides contract services to the Commission unless:
- The nature of the outside employment is clearly unrelated to the services contracted to the Commission.
- The responsibilities of the outside employment are such that the employee has no opportunity to influence the relationship between the outside employer and the Commission.
- Staff shall not use state time, materials, facilities, telephones, equipment, or other Staff in connection with the outside employment.

### ***Dual Employment***

Staff employed by more than one state agency shall ensure work hours from each agency are not in conflict. The Staff shall obtain approval from all appointing authorities prior to beginning dual employment.

An employee shall not contract for services (such as consulting, computer programming, janitorial) with another state department or entity.

### ***Outside Activities***

Staff shall ensure personal activities are not in conflict with the Commission's best interests and operations.

Staff shall not profit, directly or indirectly, from public funds under their control, nor have a private interest in any contract or grant made in their official capacity, nor sell goods directly or hold a substantial financial interest in any company that sells products or services to the Commission.

Staff shall not accept or serve in any policy-making position or office of an organization, board, or commission in which an opportunity for conflict of interest might arise between the activities of the organization, board or commission and employment with the Commission.

Staff shall not receive compensation from outside sources for services provided or information obtained as part of the employee's job responsibilities with the Commission.

Staff shall not, either individually or as a member of a group, ask for, accept, or receive any gift, favor, service, loan, or entertainment that might reasonably be interpreted as intending to influence the individual in the performance of official duties.

Staff shall not accept any compensation from the public, associations, corporations, or governmental entities for appearances or services provided in the course of employment. Awards for outstanding service on or off the job and advertising trinkets (pencils, pens, etc.) normally given to the public are exempt.

Staff shall not accept gratuities or other benefits in the course of their employment exceeding a total value of \$50.00 per calendar year.

<b>Control Number:</b> 107	<b>Version:</b> 1.0	<b>Title:</b> Ethics and Standards of Conduct	<b>Page Number:</b> 5 of 6
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#### **4. Administrative Investigations.**

An investigation occurs when it is alleged or suspected that a Staff member's conduct or behavior violates any department policy, procedure, rule, or training. The Executive Director or a member of the management team will conduct an inquiry to determine if sufficient information exists to warrant further investigation.

Staff shall cooperate in, be truthful, and maintain the confidentiality of any investigation or inquiry into alleged illegal activities, violation of Commission policy, SOP, procedure, rule or training.

Violation of this SOP may result in corrective or disciplinary action up to and including dismissal. The severity and extent of the discipline will be determined by the totality of the facts.

##### **i. Allegations of Criminal Misconduct by Staff**

When it is alleged or suspected that a Staff member engages in alleged criminal behavior, the Executive Director or member of the management team will refer the matter to the appropriate law enforcement agency for investigation. A referral to an outside law enforcement agency may suspend the Commission's investigation until further notice. Any related criminal investigation supersedes the Commission's administrative investigation. Commission Staff will not participate in an interview of the accused employee during the criminal investigation. The Executive Director or member of the management team will monitor the progress of the criminal investigation to determine whether or when to proceed with a separate administrative investigation. The Commission may rely upon the criminal investigation instead of conducting a separate administrative investigation.

If criminal conduct is found to have occurred, such violation may result in corrective or disciplinary action up to and including dismissal. The severity and extent of the discipline will be determined by the totality of the facts.

#### **5. Consequences for Violations**

Violation of this SOP may result in corrective or disciplinary action up to and including dismissal. The severity and extent of the discipline will be determined by the totality of the facts.

Any corrective or disciplinary action will be taken in accordance with IDAPA 15.04.01.

#### **REFERENCES**

IDAPA 15.04.01, *Rules of the Division of Human Resources and Idaho Personnel Commission*, Sections 021, 024 - 026, and 190.01  
Idaho Code Section 18-1356

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