

Amended Policy

Relationships with criminal justice clients:

This policy defines professional conduct and ethical standards of conduct for all Probation Department staff members.

As official representatives of the Probation department, all staff members are charged with the responsibility of promoting department objectives in a fair and impartial manner. The confidence of fellow employees, clients, and the general public that each employee is conducting the Department's business with uniform objectivity is essential. Additionally, the Department's effectiveness depends upon the partnership developed with the community and the respect and confidence in our ability to protect the public and supervise offenders at a level of security commensurate with the danger they represent. Conduct that distracts from this confidence is detrimental to the Department and the public's interest. The policy of the Department is to investigate these distracting circumstances and impose where appropriate, disciplinary action up to and including dismissal.

On occasion, an employee may be faced with a potential division between work duties and a family, romantic, business, or friendship relationship. It then becomes essential to determine the best approach to ensure that Department goals and responsibilities will be carried out without the relationship creating a conflict of interest, impropriety, or even the appearance of one.

When a personal relationship or the potential for a personal relationship exists with a criminal justice client from any jurisdiction, it is the employee's responsibility to immediately disclose this information to their supervisor. This includes such relationships that originate prior to employment with the Probation Department; those that exist when the other party is referred to the criminal justice system from any jurisdiction, and/or those that are initiated between an employee and a client after the client comes under any criminal justice jurisdiction. It is further the employee's responsibility to notify their supervisor at the first available opportunity, if any changes occur to the relationship already reported. All information concerning relationships defined by this policy will be reported without unnecessary delay by the supervisor to the Chief Probation Officer.

It is the responsibility of the supervisor to evaluate with the employee the nature of the relationship and its potential impact on the employee, the client, and the Department. It is possible that unless careful planning and diplomacy are used, certain elements of a relationship with a client may aggravate case problems and bring the Department and employee into public disrepute.

In some instances, professional judgment may call for and allow a mutual agreement to reduce or eliminate social contact during the active status of the case. Others may require

a different approach. Each situation must be considered separately, documented by the supervisor, with a written plan when deemed necessary by either party, subject to approval, review, and amendment by the Chief Probation Officer. A copy of the plan will be made available to the employee and a copy will be maintained in the departmental personnel file.

Employees shall, without unnecessary delay, report any relationships they become aware of between clients and other employees. They shall also report when they learn that an employee has become a client. The employee shall, without unnecessary delay, notify his/her supervisor, and it is that supervisor's responsibility to inform the Chief Probation Officer.

The following are the policy standards in evaluating each situation and developing the appropriate plan of action:

- A. In no instance may the client's case be handled directly by the employee who has a personal relationship with the client.
- B. Employees are prohibited from initiating or entering into or thereafter, maintaining any business relationship with any client of the Department during the period of probation. Pre-existing relationships may result in circumstances that preclude an outright prohibition on an employee maintaining an established business relationship. Such circumstances will be evaluated on a case by case basis as provided for elsewhere in this policy.
- C. Employees are prohibited from initiating, or entering into or thereafter, maintaining any social or romantic relationship with any client who has an active status with the Department, to include any client pending court adjudication, on bail supervision, or under probation supervision.
- D. Prior approval from the supervisor and Chief Probation Officer, or designated management team member, is required in any instance where an employee wishes to extend casework and group work services to Department clients through appropriate activities, but outside of the normal work relationship.
- E. Any employee, if so inclined, has a right to intercede as a private citizen in a case pending Court action, or a case under the control of the Probation Department or another agency. However, in all such instances, employees are precluded from representing themselves as an employee of the Department, and Department letterhead is not to be used. No such communication shall be made during working hours.

There may be occasions where an employee believes that departmental disapproval of certain employee conduct represents an invasion of privacy. An employee should recognize that it is sometimes difficult to eliminate subjectivity in evaluating personal

actions. It becomes an area of subtle interpretation to distinguish between personal privacy and certain negative actions that may extend beyond privacy, thereby attracting public attention. If the latter occurs, discredit may result for the employee and the department. The sensitive nature of correctional work involves an intelligent acceptance of minimal limitations to an employee's personal activities, but not more than is asked of any employee.

In evaluating each situation and developing an appropriate plan of action, it must always be kept in mind that the primary concern is, and always will be, the actual impact upon the employee's ability to do the job. Disciplinary action may result from the existence of "conflict of interest" or the creation of conditions that lend themselves to the appearance that favoritism, coercion, or misuse of authority is occurring.