I. POLICY:

A. The important security mission of the Georgia Department of Corrections, and its inherent responsibility to provide an appropriate model of public safety to the citizens of Georgia, requires its members to adhere to higher standards of conduct than normally found in the general community. As such, all Department employees are herein given notification of the work rules and standards of behavior by which they will be governed.

B. Appointing Authorities will ensure all current and new employees read these Standards of Conduct and accomplish the Employee Standards of Conduct Acknowledgment Statement (Attachment 1). The completed acknowledgment form will be placed in each employee's personnel file.

II. APPLICABILITY:

A. All employees of the Georgia Department of Corrections, and,

B. All employees of any vendor or contractor of the Department of Corrections who work in any institution, facility, center, office or other unit of the Department of Corrections.

III. RELATED DIRECTIVES:

A. Governor’s Executive Order, dated 01-13-03, Establishing A Code of Ethics for Executive Branch Officers and Employees

B. Governor’s Executive Order, dated 01-13-03, Creating the Office of State Inspector General

C. O.C.G.A. 16-6-5.1 Sexual Assault of Person in Custody
   O.C.G.A. 40-6-391 Driving Under the Influence
   O.C.G.A. 45-10-1 Code of Ethics and Conflicts of Interest
O.C.G.A. 45-11-1 Offenses Concerning Public Officers and Employees

D. Department of Corrections Board Rules
1. 125-2-1.02 Employment
2. 125-2-1.07 Performance of Duty

E. Rules of the State Personnel Board
1. Rule 3, PAR. 3.500, Political Activity
2. Rule 3, PAR. 3.600, Conflicting Office or Employment Prohibited
3. Rule 3, PAR. 3.700, Employer-Employee Relations
4. Rule 3, PAR. 3.900, Discrimination
5. Rule 3, PAR. 3.1100, Investigation of Fraud, Waste or Abuse in Government Operations
6. Rule 9, Substance Abuse Testing
7. Rule 12, Separations, Suspension and Reduction in Force
8. Rule 15, PAR.15.300, Notice of Proposed Adverse Action

F. Department of Corrections Standard Operating Procedures
1. IK01-0006, Investigation of Allegations of Sexual Contact, Sexual Abuse, and Sexual Harassment of Offenders
2. IIA07-0001, Fitness for Duty
3. IIA07-0002, Contact or Business Dealings with Inmates/Probationers
4. IIIA02-0007, Probation Fitness for Duty
5. IVO03-0012, Obtaining and Using Records for Criminal Justice Employment
6. IVO13-0003, Unlawful Harassment (including Sexual Harassment).

7. IVO14-0005, Appearance and Dress

8. IVO14-0008, Surreptitious Recording of Department Personnel and/or Contractors

9. IVO15-0001, Secondary Employment

10. IVO15-0002, Employment of Relatives

11. IVO15-0004, Designation of Jobs Requiring Peace Officer Certification

12. IVO16-0001, Performance Management

13. IVO19-0001, Privacy of Personnel Records

14. IVO20-0001, Adverse Actions (Classified Employees)

15. IVO20-0002, Adverse Actions (Unclassified Employees)

IV. **DEFINITIONS**:

A. Close Personal Relationship: For purposes of this standard operating procedure, a close personal relationship means:

1. A familial relationship with a spouse, parent or child, step-parent or step-child, grandparent or grandchild, brother or sister, niece or nephew, aunt or uncle, guardian or ward, and including persons related by marriage within the same classes enumerated, or,

2. Any relationship that involves cohabitation, dating, or consensual sexual contact of any kind.

B. Employee: For purposes of this standard operating procedure, an employee means:

1. Any full-time or part-time employee of the Georgia Department of Corrections,
2. Any independent contractor providing services to the Georgia Department of Corrections, or,

3. Any employee of any vendor or contractor of the Department of Corrections who works in any institution, facility, center, office or other unit of the Department of Corrections.

C. Contraband: For purposes of this procedure includes electronic games, radios, recording devices, cameras, mobile or cellular phones, or any other property that is prohibited from being brought into a facility or across a guard line by statute, rule, standard operating procedure, local operating procedure or direction of the Warden/Superintendent, unless specifically approved in writing by the Warden/Superintendent or Designee.

D. Offender: For purposes of this procedure includes any probationer, inmate or other detainee, or other person under the supervision of the Departments of Corrections, Juvenile Justice or Pardons and Paroles.

E. Parolee: For purposes of this procedure includes any person who is on parole for a disposition from any jurisdiction.

F. Probation: For purposes of this procedure includes probation for any felony disposition or treatment in any jurisdiction, including first offender treatment and pre-trial interdiction programs, or otherwise under probation supervision of the Department of Corrections.

G. Probationer: For purposes of this procedure includes any person who is on probation.

H. Personal or Unauthorized Business Dealings: For purposes of this procedure means any unofficial personal transactions, dealings, relationships or contacts or any unofficial business transactions, dealings, relationships or contacts with an offender that have not been properly approved in writing by the appropriate Division Director or Designee.

I. Ethics Officer: Employee designated to take appropriate measures to ensure that the Department’s employees become
familiar with applicable ethics laws and policies, including the policies set forth in the Governor's Executive Order Establishing a Code of Ethics for Executive Branch Officers and Employees.

J. Gift: Anything of value exceeding $25, including, but not limited to, food, lodging, transportation, personal services, gratuities, subscriptions, memberships, trips, loans, extensions of credit, forgiveness of debts, or advances or deposits of money.

K. Value: Actual retail price or cost attributable to a gift, less applicable taxes and gratuities or a reasonable estimate based upon customary charges for like goods or services in the locality. A series of tickets to sporting, entertainment, or similar events shall be valued as one gift. Entrance fees, admission fees, or other tickets shall be valued at the face value of the ticket or fee, excluding any portion attributable to a charitable contribution, if provided by a charitable organization.

L. Relevant Civil Action: For purposes of this standard operating procedure, relevant civil action means any action which is brought against an employee that potentially impacts on the employee’s duties or on the Department of Corrections. Relevant civil action would include, but not be limited to, law suits alleging that the employee has engaged in any activity which violates the policies and procedures of this Department, has violated 42 U.S.C. § 1983, has used illegal drugs, has engaged in sexual harassment, misconduct or abuse, is guilty of abuse of force, has engaged in any domestic violence or has violated any law or standard arising out of any law enforcement activity. Relevant civil action includes initial law suits, third party actions, counterclaims, cross-claims, and any other manner of initiating a civil claim or cause of action.

M. Under the influence of alcohol: An employee will be deemed under the influence of alcohol if he or she is on duty or reporting for duty with a BAC of .02 or greater. An employee will be deemed under the influence of alcohol if he or she has a BAC of .02 or greater while off duty and is in uniform, inside a guard line, or driving a
state vehicle. An employee who drinks and drives a personal vehicle while off duty will be deemed to be under the influence of alcohol with a breath alcohol level of .08.

V. ATTACHMENTS:

ATTACHMENT 1 - Employee Standards of Conduct Acknowledgment Statement

VI. PROCEDURE:

A. Employees' Standards of Conduct

1. Employees shall not have personal or unauthorized business dealings with inmates, probationers, or parolees.

2. Employee Conduct
   a. Employees must conduct themselves in a manner which reflects credit upon themselves, their co-workers, and the Department. Employees shall not engage in any activity, either while on-duty or while off-duty, which would reflect discredit on the Department, undermine public trust or which would call into question the fitness of the employee to perform services for the Department.

   b. Employees shall not engage in illegal activity or other activity which would violate public safety or public trust. Such prohibited activity would include, but not be limited to, (1) driving any motorized vehicle (including but not limited to, motorcycles, automobiles, vans, trucks, all terrain vehicles, boats, etc.) under the influence of alcohol, (2) driving any motorized vehicle (including but not limited to, motorcycles, automobiles, vans, trucks, all terrain vehicles, etc.) under the influence of Marijuana, any other drug (whether legal or illegal), or other prohibited substance, (3) refusal to submit to test for alcohol or other substance under O.C.G.A.
§ 40-5-55 or O.C.G.A. § 40-5-67.1, (4) the manufacture, possession, use or distribution of Marijuana or any other illegal drug, (5) any offense involving a minor, (6) any illegal homicide, (7) any theft, (8) any sex offense, including solicitation of sex, (9) any assault or battery, (10) any offense pertaining to any illegal gambling activity, or (11) any other offense which involves moral turpitude. The conviction of or the plea of guilty or nolo contendere to any offense covered in this procedure shall be conclusive proof of its violation; however, conviction or even prosecution for any such offense is not necessary to prove a violation of this standard of conduct, if, in the opinion of the employee’s Appointing Authority or other superior, the employee engaged in the activity and brought discredit on the Department.

c. Employees shall not engage in any conduct which results in a court imposing incarceration or probation of any type or any duration. Incarceration or probation may result in dismissal from employment.

3. Employees shall not use state property or resources for personal business. State property and resources must be used only for official business. Such prohibitions include, but are not limited to:

a. State credit cards and fuel cards shall not be used for personal purchases.

b. State vehicles shall not be used for personal purposes.

c. Personal long-distance telephone calls shall not be charged to State telephones or to State calling cards. It is also inappropriate to use a State cellular telephone for personal calls.

d. State-provided internet access is intended for public business. Employee use of the internet may be recorded and monitored. No employee is
permitted to use or access the internet for pornographic, obscene, or other improper purposes.

e. State-owned/leased cameras, fax machines, copiers and other reproduction equipment should be used only to accomplish official business tasks.

4. Policy/Procedure and Orders
   a. Employees shall acquaint themselves with and comply with the rules of the Board of Corrections, the Commissioner's directives, the Department’s procedures and the procedures of the unit to which they are assigned.

   b. Employees shall comply with all lawful orders and directives issued by one of their superiors in their chain of command.

5. Employees shall not use excessive force against an offender.

6. Employee Language
   a. Employees shall not use profanity or abusive language against an offender.

   b. Employees shall not refer to an offender by use of any slang name.

7. Employees shall not use illegal drugs or abuse legal drugs at any time. Employees also shall not drink alcohol while on duty or immediately prior to reporting for duty (for at least eight (8) hours). Employees shall be subject to disciplinary action if found to possess a blood alcohol concentration of .02 grams or greater while on duty.

8. Employees shall not proceed inside the guard line of a prison or other facility with or under the influence of alcohol or any illegal drug. Prescription drugs are prohibited from inside a guard line without the express approval of the Appointing Authority.
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9. Employees shall not purchase, handle, transport, consume nor be under the influence of alcohol while traveling (either driving or riding) in a state vehicle. Employees must not drive a state vehicle while under the influence of alcohol (See section IV.M. of this SOP).

10. Employees shall not purchase, handle, or consume alcoholic beverages while in uniform.

11. Employees shall be present for scheduled duty and remain alert while on duty.

12. Employees shall not use threats, intimidation, profanity, or abusive language against other employees or visitors.

13. Employees shall not abuse arrest authority or give the impression of having an independent arrest authority. Employees may only make arrests while in performance of their official duties or as otherwise specifically permitted.

14. Employee Finances
   a. Employees shall not engage in financial dealings that conflict with the interests of the Department. They also shall not take official actions that give the appearance of benefiting their private or personal interests.
   b. Employees must meet their personal financial obligations, to include complying with all applicable laws regarding the filing of state and/or federal tax returns. Employees shall manage their personal finances in a manner that does not bring discredit on the Department nor make them susceptible to compromise their public duties.

15. Conflicts of Interest
   a. Employees shall not engage in any activity which creates a conflict of interest with their public duties or responsibilities. This prohibition applies to actual conflicts of
interest and to any other action or transaction which would create an appearance of a conflict of interest in the mind of a reasonable person. This prohibition includes, but is not limited to, the following examples:

1) Employees shall not use their status as a member of this Department to seek favor, to coerce, intimidate, or deceive others, or to receive any privilege not otherwise authorized by the performance of their duties.

2) Employees shall not solicit or accept employment from a contractor, supplier, or consultant or their representative or agent during the conduct of a procurement.

3) Employees may serve for compensation as a corporate officer or director of any for-profit or publicly held company or perform voluntary, pro bono services on behalf of non-profit organizations, on when services to such organizations would not have the potential to create a conflict and do not impair the employee’s ability to discharge his or her public duties fully, faithfully, and impartially.

4) No employee may accept any payment whatsoever for services for which fees are not legally or traditionally required, except employees may accept honoraria not related to their employment.

5) No employee shall directly or indirectly accept gift(s) from any person with whom the employee interacts on official state business; provided however that, regardless of the value, no employee may accept any money or “gift certificates,” nor may any employee accept any kick backs, points or items tied to purchases by the Department. If a gift has been personally accepted by an employee, the
Department Ethics Officer (478-992-5242) must immediately be notified to make the final determination as to the status of the gift.

b. An employee on whose behalf actual and reasonable expenses for food, beverages, travel, lodging, and registration are paid by a third party to permit the employee’s participation in a meeting related to official or professional duties of the employee shall file a report with the Department Ethics Officer (478-992-5242) no later than the 30 days after such expenses are paid.

c. Any exceptions or waivers from this Standard of Conduct, in certain individual cases due to unique or compelling circumstances, require the prior written approval of the designated Department Ethics Officer (478-992-5242). Questions regarding interpretation of this policy provision should also be directed to the Ethics Officer.

16. Employees shall not show favoritism to other employees based on familial or personal relationships. (See section IV.A. of this SOP).

17. Employees shall refrain from "close personal relationships" with other employees within the chain of command. (See section IV.A. of this SOP).

18. Notification of Citations, Arrests or Convictions

a. Employees shall notify their immediate supervisor of all traffic citations (excluding parking citations), all arrests, all convictions, and all final dispositions of criminal cases including nolo contendere by the next business day after its occurrence. Supervisors are responsible for transmitting this notification to the appropriate individuals in the chain of command, including the duty officer and the Appointing Authority. Within seventy-two (72) hours of the event, the
employee shall provide the Appointing Authority with a signed written explanation of the underlying facts.

b. Employees shall provide written notification to their Appointing Authority of any relevant civil action which has been filed against them or of any administrative action to which they are a party, including any action initiated by the Peace Officers Standards and Training (P.O.S.T.) Council, for certified employees. This notice must be provided within seventy-two (72) hours of being served or otherwise becoming a party to the action. (See section IV.L. of this SOP.)

19. Employees shall not bring any unauthorized weapons into any work area.

20. Employees shall not bring any contraband, as defined by Departmental procedure, into any facility or into any vehicle that is transporting offenders.

21. Employees shall report any violation or attempted violation of any law, regulation, policy, or procedure that could result in a breach of the Department's security to their supervisor or other responsible authority immediately upon becoming aware of such a violation.

22. Any employee who knows or has reasonable cause to believe that any other state employee has committed, or is in the process of committing an act or omission of fraud, waste, abuse or corruption shall file a report with the State Inspector General.

23. No Department employee will retaliate against any employee for disclosing or threatening to disclose a violation of or noncompliance with a law, rule, or regulation to the appropriate Department personnel or to the State Inspector General.

24. Employees shall cooperate fully with any official investigation carried out by any law enforcement or administrative agency (including the State Inspector
General). In cooperating with an official investigation, employees shall provide all information requested, respond truthfully to all questions asked, submit to any required polygraph, provide a signed affidavit if requested, and follow any other lawful orders.

25. Employees shall protect confidential information from improper release.

26. Employees are prohibited from engaging in any illegal political activity. Employees taking part in political activities are responsible for complying with applicable federal and state laws, and State Personnel Board Rules. Employees may not solicit or knowingly accept a personal hand-delivered campaign contribution in a governmental building or office. Employees may express opinions on political subjects and candidates, and take an active part in political campaigns outside of working hours, including the wearing of badges or buttons and displaying of bumper stickers and posters. Employees are encouraged to vote. Employees who wish to seek office must comply with the applicable federal and state laws. Employees must notify the Department Ethics Officer (478-992-5242) prior to announcing or qualifying for any elected position or office.

27. Employees shall not represent the Department as a spokesperson regarding any Department policy, procedure, plan, program, or activity or regarding any rule or policy of the Board of Corrections without express authorization.

28. Supervisors will maintain accurate personnel records to document employees' positive and negative performances.

29. Employees shall adhere to professional standards of neatness, cleanliness, safety, and dress, which will reflect credit upon themselves and the Department. (See appropriate SOP's: IIA07-0003, IID02-0003, IIIA02-0003, IVF01-0010, IV014-0005).
30. The unofficial circulation of scandalous or slanderous gossip (rumors) shall not be tolerated. Rumors create unnecessary distractions and are a threat to the security and to the efficient operation of the Department. A report to a superior in the chain of command or a statement to an investigator while conducting an official investigation is not a violation of this standard.

31. All employees shall treat all citizens equally in a professional and fair manner without regard to the citizen’s race, gender, creed, color, national origin, religion, age, disability, political affiliation, sophistication, or affluence in conjunction with the Governors’ Customer Service Initiative.

B. These standards are a representative and not an exhaustive list. Employees who violate these standards may be subject to disciplinary action, including dismissal, even on the first offense.

C. These are minimum standards of conduct for all employees of the Department of Corrections. Divisions, institutions, facilities, centers, offices or other units of the Department may have additional or more specific standards for its staff.

VII. RECORD RETENTION:

Attachment 1 – Employee Standards of Conduct Acknowledgment Statement

Retain permanently in the local and official personnel file.