

Deputy Sheriff's Code of Conduct

The role of Deputy Sheriff, and the duties Deputy Sheriffs perform are an integral component in the administration of the Court Services Branch and in the achievement of its goals and objectives. It is, therefore, important that all Deputy Sheriffs carry out their responsibilities with integrity, impartiality and dignity.

In order to achieve a professional delivery of service and to command a high degree of trust, confidence, and respect, it is essential that Deputy Sheriffs exercise standards of conduct and self-discipline that meet those demanded of Court Services. This code of conduct has been prepared to provide a clear statement of the standards required.

1. Peace Officer

The Deputy Sheriff is a peace officer. S/he is afforded all the powers of a peace officer provided by both federal and provincial statutes. The exercise of these powers is applicable to situations that arise when the Deputy Sheriff is performing his/her duties as described in this manual. The Deputy Sheriff is subject to the authority of the presiding justice with respect to all activities affecting the orderly operation of the court while it is in session.

2. Improper Use of Title or Position

A Deputy Sheriff shall not use, nor permit the use of, his/her position or title in such a way as to advance the private interests of another organization, person or group of persons, or him/herself.

3. Legal Advice

In many cases, a Deputy Sheriff will be asked for legal advice from the general public. Under no circumstances shall s/he give such advice. The Deputy Sheriff should, instead, tactfully suggest that the person discuss the problem with a lawyer of his/her choice, or contact Legal Aid or the Lawyer Referral Service.

4. Standards of Dress

In accordance with approved standards, Deputy Sheriffs shall be properly dressed in uniform at all times when on duty.

5. Deportment

Deputy Sheriffs, because of the nature of their duties, are normally in full view of the public each working day. The image portrayed by Deputy Sheriffs reflects on the public service, Court Services, and their own particular office.

All Deputy Sheriffs shall use a polite and civil manner when addressing or replying to questions and inquiries or in general discussion.

Control, good judgment, and common sense must be exercised when dealing with an accused or any member of the public.

6. Use of Government Vehicles

Government vehicles must be used only for official government purposes. Government vehicles are not to be used during off-duty hours, except on government business or as otherwise authorized by management.

Off-duty hours is the time period outside an employee's normal work hours.

Passengers carried in government vehicles must be authorized by management.

Operators of government vehicles are required to obey the rules of the road, as defined in the *Motor Vehicle Act* or in municipal by-laws.

Vehicles are not to be operated in such a manner that would cause discredit to Court Services.

7. Use of Government Equipment and Property

A Deputy Sheriff shall not use or remove any government equipment or property from any government vehicle or office for his/her personal use.

8. Monetary Gain

A Deputy Sheriff shall not demand nor indirectly demand or receive any fee, reward or gratuity for performing or not performing his/her duties, except as permitted by the *Sheriff Act* or any other act.

A Deputy Sheriff shall not acquire directly or indirectly any property or goods disposed of under any execution proceeding by a Sheriff or Court Bailiff in a Sheriff's sale.

9. Off-Duty Conduct

The off-duty conduct of a Deputy Sheriff may be of concern to the employer if the act or condition detrimentally affects the reputation or public image of the employer, undermines or flaunts the employer's authority, renders the employee unable to properly discharge his/her employment obligations, causes other employees to refuse or be reluctant to work with the employee, or inhibits the employer's ability to efficiently manage and direct operations.

10. Criminal Conduct

A Deputy Sheriff shall not become engaged in any activity that may result in criminal charges or convictions wherein the act or offence jeopardizes or prejudices the employer's property or security, its public reputation, the interests of other employees, or if the offence is incompatible with proper discharge of his/her duties. It is the responsibility of the Deputy Sheriff to advise his/her manager immediately in the event s/he is subject to criminal charges.

11. Conduct Relating to Other Agencies

A Deputy Sheriff shall not become engaged in any activity, or any form of conduct, which would compromise his/her ability to work effectively with any police agency, or any other government or public agency.

12. Confidentiality

A Deputy Sheriff shall not disclose any matter which comes to his/her knowledge by reason of his/her employment, except as required by official duty.

A Deputy Sheriff shall not share personal information, including photo images, relating to other staff members without their consent outside of official duties. This includes websites, chat lines etc.

As well, all employees must be familiar with the Court Services Circular CRMC 3/94 "Disclosure of Documentation (Freedom of Information)", which establishes the guidelines pertaining to public access to information.

13. Relationships With Jury Members

Deputy Sheriffs shall not discuss the trial with the jury nor answer questions pertaining to the trial from members of the jury.

A Deputy Sheriff shall not form any personal relationship with any member of a jury while a trial is in progress.

If a member of a jury is a relative of a Deputy Sheriff or is involved in a personal relationship with a Deputy Sheriff, the Deputy Sheriff shall immediately advise his/her supervisor.

14. Neutrality

A Deputy Sheriff's role is one of neutrality in all proceedings before the court. A Deputy Sheriff shall not discuss any case with a party to a court action, witness, or counsel during recess, adjournments, or at any other time. Any remarks overheard from a Judge, counsel, or the jury must not be repeated.

15. Laying of Charges

A Deputy Sheriff who is of the opinion that a charge should be laid against any person as a result of an incident arising out of the execution of his/her duty shall discuss the incident with his/her manager before any information is sworn and when the circumstances permit. For more information refer to section 2.11 in this chapter and chapter 4.

16. Physical Restraint

A Deputy Sheriff may use a reasonable amount and means of physical restraint to carry out his/her legal duties. For example:

- a. preventing a prisoner from injuring himself/herself or others;
- b. transporting a prisoner;
- c. preventing a prisoner from escaping;
- d. performing court security duties; or
- e. while escorting a prisoner in public areas.

17. Use of Firearms/Batons

Deputy Sheriffs, when carrying either firearms or batons, shall not:

- a. engage in any frivolous behaviour;
- b. fire a warning shot; or
- c. carry unauthorized equipment.

In addition, Deputy Sheriffs will not wear firearms in lock-up areas.

18. Use of Oleoresin Capsicum (OC) Spray

Deputy Sheriffs shall follow policy set out in Chapter 4 with respect to the issuance and use of OC Spray.

19. Radio and Cellular Telephone Conduct

It is the responsibility of Deputy Sheriffs to use all radio cellular communication equipment in a proper and professional manner. It must not be forgotten that transmissions are routinely monitored by the Ministry of Transportation and Highways and improper use may result in loss of licence.

While using a radio, portable radio or cellular telephone, Deputy Sheriffs shall not:

- a. use abusive or profane language during transmittals; or
- b. make unauthorized or personal calls.

20. Air Escorts/Ground Escorts

It is the responsibility of the Deputy Sheriff to escort prisoners in a safe and secure manner. It is also his/her responsibility to present a professional appearance and attitude to all persons encountered on escorts.

While on prisoner-escort duty, or proceeding to or from such duty, Deputy Sheriffs shall not:

- a. become, in any way, argumentative;
- b. refuse to follow the instructions of appropriate prison authorities;

- c. utter any comments that may be considered unprofessional or reflect negatively on Court Services, the Ministry of Attorney General, or the government of British Columbia; or
- d. engage in any activity while on duty that will bring Court Services into disrepute

21. Condition on Reporting for Duty

Deputy Sheriffs shall not report for duty while under the influence of alcohol or drugs, nor with the odour of alcohol present.

22. General

- a. It is the responsibility of all Deputy Sheriffs to read the *Sheriffs Policy Manual* and the *Firearms Policy Manual*. Should clarification be required, s/he should discuss this further with his/her supervisor or manager.
- b. Improper conduct not expressed in the *Deputy Sheriffs' Code of Conduct* does not mean immunity from discipline