

# Humboldt County Probation Department

## Probation Manual

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### **PROBATION CODE OF ETHICS**

#### **DEPARTMENT PERSONNEL - GENERALLY**

The Humboldt County Probation Department occupies a special area within the administration of justice. The courts rely upon the Probation Department and its personnel for quality services and support in the follow-through of orders issued. The image that the Department projects is also important to the perception of the local justice system by the community. Towards this goal, healthy lifestyles and behaviors are encouraged, and office attire suitable to greet the public and suitable to appear in court will be required.

As law enforcement officers, many of the personnel within the Department (i.e., those covered by Section 830.5 of the Penal Code), are especially empowered by law to perform arrests and carry out the orders of the court. This should be viewed as a privileged status and regarded with the utmost professional responsibility. Staff should not use this privileged status as a means to personal ends, and should treat the members of the public, especially victims and offenders, with as much respect as possible. Probation staff described in Section 830.5 PC should be aware of the **Law Enforcement Code of Ethics**:

"As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of peace officer service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other peace officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

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I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement."

#### **PRIMARY RESPONSIBILITY OF THE JOB**

The primary responsibility of the law enforcement service, and of the individual officer, is the protection of the people of the United States through upholding of their laws; chief among these is the Constitution of the United States and its amendments. The peace officer always represents the whole of the community and its legally expressed will, and never officiously represents the arm of any political party or clique.

#### **LIMITATIONS OF AUTHORITY**

The first duty of a peace officer, as upholder of the law, is to know its bounds upon his/her enforcing it. Because he/she represents the legal will of the community, be it local, state or federal, he/she must be aware of the limitations and proscriptions which the people, through law, have placed upon him/her. He/she must recognize the genius of the American system of government, which is given to no man/woman, groups of men/women, or institutions, absolute power, and he/she must ensure that he/she, as prime defender of that system, does not pervert its character.

#### **DUTY TO BE FAMILIAR WITH THE LAW AND WITH RESPONSIBILITIES OF SELF AND OTHER PUBLIC OFFICIALS**

The peace officer shall assiduously apply him/herself to the study of the principles of the law which he/she is sworn to uphold. He/she will make certain of his/her responsibilities in the particulars of their enforcement, seeking aid from his/her superiors in matters of technicality or principle when these are not clear to him/her; he/she will make special efforts to fully understand his/her relationship to other public officials, including other law enforcement agencies, particularly on matters of jurisdiction, both geographically and substantively.

#### **UTILIZATION OF PROPER MEANS TO GAIN PROPER ENDS**

The peace officer shall be mindful of his/her responsibility to pay strict heed to the selection of means in discharging the duties of his/her office. Violations of law or disregard for public safety and property on the part of the officer are intrinsically wrong; they are self-defeating in that they instill in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.

#### **COOPERATION WITH PUBLIC OFFICIALS IN THE DISCHARGE OF THEIR AUTHORIZED DUTIES**

The peace officer shall cooperate fully with other public officials in the discharge of authorized duties, regardless of political affiliation or personal prejudice. He/she shall be meticulous, however, in assuring him/herself of the propriety, under the law, of such actions and shall guard against the use of his/her office or person, whether knowingly or unknowingly, in any improper or illegal action. In any situation open to questions, he/she shall seek authority from his/her superior officer, giving him/her a full report of the proposed service or action.

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#### **PRIVATE CONDUCT**

The peace officer shall be mindful of his/her special identification by the public as an upholder of the law. Laxity of conduct or manner in private life, expressing either disrespect for the law or seeking to gain special privilege, cannot but reflect upon the peace officer and the law enforcement service. The community and the service require that the peace officer lead the life of a decent and honorable man/woman. Following the career of a peace officer gives no man/woman special requisites. It does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American Republic. The officer who reflects upon this tradition will not degrade it. Rather he/she will so conduct his/her private life that the public will regard him/her as an example of stability, fidelity and morality.

#### **CONDUCT TOWARD THE PUBLIC**

The peace officer, mindful of his/her responsibility to the whole community, shall deal with individuals of the community in a manner calculated to instill respect for its laws and its law enforcement service. The peace officer shall conduct his official life in a manner such as will inspire confidence and trust. Thus, he/she will be neither overbearing nor subservient, as no individual citizen has an obligation to stand in awe of him/her, nor a right to command him/her.

The officer will give service where he/she can, and require compliance with the law. He/she will do neither from personal preference or prejudice, but rather as a duly appointed officer of the law discharging his/her sworn obligation.

#### **CONDUCT IN ARRESTING AND DEALING WITH LAW VIOLATORS**

The peace officer shall use his/her powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. His/her office gives him/her no right to prosecute the violator or to mete out punishment for the offense. He/she shall, at all times, have a clear appreciation of his/her responsibilities and limitations regarding detention of the violator; he/she shall conduct him/herself in such a manner as will minimize the possibility of having to use force.

To this end, he/she shall cultivate a dedication to the service of the people and the equitable upholding of their laws in the handling of law violators or in dealing with the law-abiding.

#### **GIFTS AND GRATUITIES**

The peace officer, representing government, bears the heavy responsibility of maintaining, in his/her own conduct, the honor and integrity of all government institutions. He/she shall, therefore, guard against being placed in a position in which any person can expect special consideration is being given. Thus, he/she should be firm in refusing gifts, favors, or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing his/her judgment in the discharge of his/her duties.

#### **PRESENTATION OF EVIDENCE**

The peace officer shall take special pains to increase his/her perception and skill of observation, mindful that in many situations he/she is the sole impartial testimony of the facts of a case.

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The peace officer shall be concerned equally in the prosecution of the wrongdoer and the defense of the innocent. He/she shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In so doing, he/she will ignore social, political and all other distinctions among the persons involved, strengthening the tradition of the reliability and the integrity of an officer's word.

#### **ATTITUDE TOWARD PROFESSION**

The peace officer shall regard the discharge of his/her duties as a public trust and recognize his/her responsibility as a public servant. By diligent study and sincere attention to self-improvement, he/she shall strive to make the best possible application of science to the solution of crime and, in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety. He/she shall appreciate the importance and responsibility of his/her office, hold law enforcement work to be an honorable profession rendering valuable service to his/her community and country.

#### **JUVENILE CORRECTIONS OFFICER'S CODE OF ETHICS**

As a juvenile corrections officer, my essential duty is to be firm and fair to all who are imprisoned in my care. My duty is also to see that all those entrusted to me are given equal treatment regardless of the alleged crime or crimes they have committed or have not committed.

My responsibility does not end with the detainee, but extends to my fellow workers and supervisors as well. Teamwork is of the utmost importance. I will allow nothing, public or private, to come between me and my fellow workers that will hinder them from backing me in any crisis that may develop in the performance of my duty.

I will endeavor to always be an exemplary employee, and perform my job in the utmost professional manner, representing the faith that has been extended to me by the public I serve.