

 <p>State of Connecticut Department of Correction</p> <p>ADMINISTRATIVE DIRECTIVE</p>	Directive Number 2.17	Effective Date 09/26/14	Page 1 of 7
	Supersedes Employee Conduct dated 6/3/2013		
Approved By  Interim Commissioner Scott Semple	Title Employee Conduct		

1. **Policy.** Each employee of the Department of Correction shall engage in appropriate and ethical conduct while carrying out official duties and while engaged in off duty activities which directly reflect on the Department.
2. **Authority and Reference.**
 - A. Public law 108-79. Prison Rape Elimination Act of 2003.
 - B. 28 C.F.R. 115, Prison Rape Elimination Act National Standards.
 - C. United States Code, 5 USC 1501 through 1508 (Hatch Act).
 - D. Connecticut General Statutes, Sections 1-79 through 1-80, 1-81 through 1-86, 1-86e through 1-89, 5-266a through 5-268, 18-81, 21a-267(d) 53a-65, 53a-71, 53a-73a, 53a-174 and 53a-174b.
 - E. Public Act 11-71, An Act Concerning the Penalty for Certain Non-Violent Drug Offenses.
 - F. Administrative Directives 1.10, Investigations; 1.12, Employee Legal Counsel/Representation; 1.13, Code of Ethics; 2.1, Equal Employment Opportunity and Affirmative Action; 2.2, Sexual Harassment; 2.6, Employee Discipline; 2.11, Employee Dependability; 6.12 Inmate Sexual Abuse/Sexual Harassment Prevention and Intervention; 9.6, Inmate Administrative Remedies; and 10.7, Inmate Communications.
 - G. American Correctional Association, Standards for Administration of Correctional Agencies, Second Edition, April 1993, Standards 2-CO-1A-29, 2-CO-1C-01, 2-CO-1C-04, 2-CO-1C-11 and 2-CO-1C-20.
 - H. American Correctional Association, Standards for Adult Correctional Institution, Fourth Edition, January 2003, Standards 4-4024, 4-4048, 4-4056, 4-4063 and 4-4069.
 - I. American Correctional Association, Performance-Based Standards for Adult Local Detention Facilities, Fourth Edition, June 2004, Standards 4-ALDF-7E-21, 4-ALDF-7C-01 and 4-ALDF-7C-02.
 - J. American Correctional Association, Standards for Adult for Probation and Parole Field Services, Third Edition, August 1998, Standards 3-3032, 3-3047, 3-3053, 3-3060 and 3-3068.
 - K. American Correctional Association, Standards for Correctional Training Academies, First Edition, May 1993, Standards 1-CTA-1C-01, 1-CTA-1C-07, 1-CTA-1C-12 and 1-CTA-1C-14.
3. **Definitions and Acronyms.** For the purposes stated herein, the following definitions and acronyms apply:
 - A. **CD.** Compact Disc.
 - B. **DOC.** Department of Correction.
 - C. **DVD.** Digital Video Disc.
 - D. **Electronic Devices.** Any personal electronic wireless communication device to include but not limited to a cell phone, pager, blackberry, or personal digital assistant (PDA).
 - E. **Immediate Family Member.** A spouse, parent or step parent, child or stepchild, grandparent or step grandparent, sibling or stepsibling, grandchild or step grandchild, or cohabitant.
 - F. **Inmate.** An individual under the supervision of the Department of Correction, or having any continuing sentence under the Department's

Directive Number 2.17	Effective Date 09/26/14	Page 2 of 7
Title	Employee Conduct	

supervision including but not limited to parole or community supervision.

G. MP3. An audio format for consumer audio storage and playback of music on digital audio players.

H. PDA. Personal Digital Assistant.

I. PREA. Prison Rape Elimination Act.

J. Sexual Abuse. For the purposes of this directive, Sexual Abuse shall be defined in accordance with Section 3 of A.D. 6.12 Inmate Sexual Abuse/Sexual Harassment Prevention and Intervention.

4. Employee Responsibility. Each employee of the Department shall act in a professional, ethical and responsible manner. Each employee shall become familiar with the tables of organization depicting the Department and Unit chains of command. Each employee shall show respect to any ranking member of the Department and shall obey any lawful order of a supervisor. An employee given an instruction or order which conflicts with a previous instruction or order shall inform the present supervisor of the conflict and follow the order as directed. Questions regarding any of the provisions contained in this Directive shall be directed to the employee's Unit Administrator or designee.

5. Standards of Conduct.

A. Each employee shall:

1. Maintain compliance with all PREA Standards.
2. Comply with all federal and state statutes and regulations, administrative and unit directives, department and unit policies and procedures, post orders and lawful orders/instructions.
3. Enforce all rules, regulations and policies of the Department as appropriate.
4. Ensure that a safe, secure and sanitary work environment is maintained.
5. Remain alert, aware of, and responsive to the surroundings at all times.
6. Remain on assigned post until properly relieved and/or remain at worksite as required. No employee shall be authorized to leave facility grounds without authorization from a supervisor.
7. Comply with official notices and roll call and other instructions.
8. Meet all employee responsibilities for dependability.
9. Report any arrest or receipt of any criminal summons, any charge of infraction of C.G.S. 21a-267(d) (Prohibited Acts re: Drug Paraphernalia) and/or any protective or restraining order received from a law enforcement agency or court, to an appropriate supervisor prior to returning to work or within 48 hours (whichever occurs first). Such violations are subject to investigation in accordance with A.D. 1.10. An employee shall submit supporting documentation of arrest, or receipt of summons. Employees who have been arrested must inform their supervisor of the disposition of their charges within 48 hours of a disposition being reached (to include, but not limited to, convictions, dismissal of charges, nolles, accelerated rehabilitation, probation, suspended sentences, continued without finding, payment of fines, and special terms and conditions of the court). The employee must also submit supporting documentation of the disposition within 48 hours after disposition. Any employee on extended leave shall report

Directive Number 2.17	Effective Date 09/26/14	Page 3 of 7
Title	Employee Conduct	

any arrest or receipt of summons, and subsequent disposition, to the Unit Administrator within 48 hours.

10. Report the receipt of any civil summons that impacts employment (e.g., named as a defendant in an employee or inmate lawsuit, restraining order, capias, contempt of court, etc.) associated with the employee's duties to an appropriate supervisor on or by the next scheduled work day, but no later than 48 hours after receipt of the summons.
11. Provide the Office of the Attorney General with relevant documents, subpoenas or other materials related to legal action with which they are involved in accordance with Administrative Directive 1.12, Employee Legal Counsel/Representation. Staff shall cooperate in all inquiries, depositions, interrogatories, or other legal processes that will assist the Legal Affairs Office and/or the Office of the Attorney General.
12. Inform the appropriate supervisor and the Human Resources Unit, in writing, of any change of address and/or telephone number within 48 hours.
13. Report to an appropriate supervisor any condition or use of medication the employee is taking, that may affect job performance or judgment.
14. Report any medication brought into the worksite and maintain any personal property and medication in a secure manner.
15. Act in a professional manner showing respect to other employees and the public.
16. Respect and protect the rights of inmates.
17. Intervene and attempt to stop any other employee who is objectively known to be using excessive or illegal force.
18. Report the use or observation of excessive or illegal use of force.
19. Maintain good stewardship of all state property and equipment.
20. Maintain appropriate demeanor at all times.
21. Be courteous and accommodating in all dealings with the public, to include telephone etiquette.
22. Report, in writing by completing form CN 21701, Employee-Inmate Relationship Acknowledgment to a supervisor when a friend or relative is or becomes incarcerated in any Connecticut DOC facility within 48 hours of discovery.
23. Cooperate fully and truthfully in any inquiry or investigation conducted by the Department of Correction and/or any law enforcement, regulatory or state agency.
24. Appropriately file information as required by the State Ethics Commission in accordance with Administrative Directive 1.13, Code of Ethics.
25. Promptly report to a supervisor any threat, harassment, physical or verbal abuse, assault, or act of intimidation. Incidents of discrimination or sexual harassment shall be reported in accordance with Administrative Directives 2.1, Equal Employment Opportunity and Affirmative Action and 2.2, Sexual Harassment.
26. An employee must receive written authorization from his/her Unit Administrator and the Unit Administrator housing the incarcerated family member in order to visit, phone or correspond with such family member.
27. Use reasonable, sound judgement in the performance of duty.

B. The following behavior shall be strictly prohibited:

1. Any act that jeopardizes the security of the unit, health, safety, or welfare of the public, employees or inmates.

Directive Number 2.17	Effective Date 09/26/14	Page 4 of 7
Title	Employee Conduct	

2. Excessive or Illegal Use of Force.
3. Unauthorized possession of non-department issued firearms or other weapon while on duty or state property.
4. Conveyance or possession of unauthorized items within, into or out of a facility, or other correctional unit.
5. Neglect of duty or failure to supervise.
6. Sleeping or inattentiveness while on duty.
7. Possessing unauthorized items while on duty (e.g., reading materials, personal electronic devices, etc.).
8. Abuse of workers compensation.
9. Reporting to work in an impaired condition as a result of the use of alcohol, an illegal drug, recreational marijuana, or any medication (including medical marijuana) that may impair performance or judgement. Employees are not permitted to consume alcohol or marijuana while on duty or in uniform.
10. Entering a correctional unit when off duty unless previously authorized.
11. Engaging in abusive, obscene, threatening, intimidating language or behavior.
12. Engaging in unprofessional or illegal behavior, both on and off duty that could reflect negatively on the Department of Correction or conflict with the Department's mission, to include association or membership with security risk groups, criminal enterprises, hate groups, or groups of high interest to law enforcement. It shall be the employee's responsibility to seek written clarification from the Unit Administrator regarding such association or membership.
13. Engaging in any activity, which would conflict with the proper discharge of or impair the independence of judgment in the performance of duty.
14. Engaging in bartering, gambling or games of chance with inmates.
15. Engaging in retaliation or reprisal (to include coercion or threatening behavior) against an inmate for participating in activities that are protected by law or directive. Such protected activities include, but are not limited to:
 - a. filing an appeal, grievance or property claim in accordance with Administrative Directive 9.6, Inmate Administrative Remedies;
 - b. accessing courts; and,
 - c. engaging in privileged correspondence in accordance with Administrative Directive 10.7, Inmate Communications.
16. Engaging in undue familiarity with inmates which includes, but shall not be limited to, the following:
 - a. any sexual contact between an employee and an inmate and/or person under the Department's supervision, or continuing sentence under the Department's supervision including but not limited to parole or community supervision;
 - b. sexualizing a situation without physical touching such as partaking in activities involving suggestive or pornographic photographs, suggestive or explicit letters or behavior which provides sexual gratification;
 - c. personal involvement in an inmate's private or family matters outside assigned professional duties;
 - d. performing personal favors for inmates outside assigned professional duties;

Directive Number 2.17	Effective Date 09/26/14	Page 5 of 7
Title	Employee Conduct	

- e. writing letters of recommendation, character letters, or serving as a reference for an inmate(s)
- f. discussing with an inmate any matter pertaining to the inmate's crime(s) or the crime(s) of other inmates (except as required pursuant to official business);
- g. discussing with an inmate personal and/or business matters of employees;
- h. discussing security operations of a facility with an inmate;
- i. inconsistently enforcing facility rules to favor an inmate or group of inmates over other inmates or groups of inmates;
- j. having personal work done by an inmate;
- k. visiting; corresponding with; accepting telephone calls, personal notes or letters from an inmate; or engaging in any method of communication while off duty with an inmate who is under the custody of the Department (except for an immediate family member AND only when form CN 21702, Request for Employee-Inmate Communication has been approved by the employee's Unit Administrator and the Unit Administrator of the facility where the immediate family member is incarcerated);
- l. housing an inmate who is under the custody of the Department (to include an inmate on community supervision), at the employee's home (except for an immediate family member AND when authorized in writing by the employee's Unit Administrator and the Director of Parole and Community Services);
- m. entering into a personal or business agreement with an inmate, including, but not limited to,
 - i. to acting as a bail bondsman for an inmate or
 - ii. providing the resources for the inmate to bond out without prior notification to and approval from the Unit Administrator; and,
- n. Transporting an inmate to an unauthorized location.
- o. Accepting any item that is outside the scope of their duties, gift, or commissary item from an inmate under any circumstances, regardless of the items nature, purpose or value.

17. Engaging in behavior which is sexually, emotionally, or physically abusive or harassing toward the public, employees or inmates.

18. Unauthorized appropriation or use of any property belonging to the public, state or an inmate for personal, political or union purposes (i.e., computers, electronic mail, Department letterhead, etc.).

19. Release of any confidential information or unauthorized or inaccurate release of information, records, or documents.

20. Falsification, unauthorized alteration, or destruction of documents, log books, and other records, including job applications.

21. Use of official position, uniform, identification or badge to gain any personal advantage or an advantage for another in any improper or unauthorized manner.

22. Engaging in conduct that constitutes, or gives rise to, the appearance of a conflict of interest.

23. Unauthorized acceptance of any item or service for oneself or family members, including but not limited to, a gift, loan,

Directive Number 2.17	Effective Date 09/26/14	Page 6 of 7
Title	Employee Conduct	

political contribution, reward or promise of future employment as outlined in Administrative Directive 1.13, Code of Ethics.

24. Engage in any political activities that conflict with state and federal laws to include the Hatch Act.
25. Failure to follow a lawful order.
26. Engaging in insubordination.
27. Failure to cooperate with a Department investigation.
28. Lying or giving false testimony during the course of a Department investigation.
29. Intentionally withholding information necessary for the completion of an investigation.
30. Failure to properly conduct tours and/or inmate counts.
31. Engaging in behavior to include lying or spreading false rumors that purposely defame the character of an employee, the public or the Department.
32. Engaging in any behavior or activity prohibited by Administrative Directives 2.1, Equal Employment Opportunity and Affirmative Action and 2.2, Sexual Harassment.
33. Engaging in retaliation, coercion, intimidation, harassment, threats or discrimination against any employee.
34. Conveying or possessing the following in a correctional facility unless authorized in writing by the Unit Administrator or higher authority:
 - a. any personal electronic wireless communication device (to include, but not limited to, a cellphone, pager, blackberry device, personal digital assistant (PDA));
 - b. any audio recording or playback device (to include, but not limited to, a radio, tape/CD player, ipod or MP3 player); or,
 - c. any photographic/video recording or playback device (to include, but not limited to, a television, DVD player, ipod, MP3 player, or electronic/video game).

6. **Staff Discipline** In accordance with Administrative Directive 2.6 staff shall be subject to disciplinary sanctions up to and including termination for violating agency inmate sexual abuse or harassment policies.

Termination is the presumptive disciplinary sanction for staff that have been found to have engaged in sexual abuse. All terminations for violations of agency inmate sexual abuse or harassment policies or resignations by staff who would have been terminated but for their resignation shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

7. **Supervision of Family Members**. An employee shall not be employed in any position that places the employee above or under the chain of command or possible supervision of any immediate family member as defined in Section 3(E), nor shall the employee be placed above or under the chain of command or possible supervision of any immediate family member of the employee's spouse or cohabitant. Such relationships must be reported by the family member of higher rank, in writing, to the Unit Administrator.

A relationship between family members who are not immediate family as defined in Section 3(E) of this Directive may preclude placement of an employee in a chain of command. Such relationships shall be evaluated by the appropriate Division Head on a case by case basis.

8. **Staff Relationships**.

- A. **Supervisor/Employee Relationships**. Any supervisor or manager who

Directive Number 2.17	Effective Date 09/26/14	Page 7 of 7
Title	Employee Conduct	

becomes romantically or intimately involved with a Department employee in the chain of command must report such relationship so that the Department can take appropriate actions to ensure assignments do not result in a conflict of interest or possible supervision. The supervisor or manager involved in the relationship must report such relationship, in writing, to the Unit Administrator. Failure to do so shall result in discipline.

- B. Employee/Employee Relationships. Employees who become romantically or intimately involved with one another shall be required to maintain a professional demeanor while on duty or on state property. It shall be the employees' responsibility to ensure said relationship does not affect their ability to carry out the duties and responsibilities of their respective positions.
- C. Outside Business Relationships. An employee who owns or runs an outside business shall be prohibited from employing any supervisor or subordinate in his/her chain-of-command. Conversely, an employee shall be prohibited from working for any supervisor or subordinate in his/her chain-of-command who owns or runs an outside business.

9. Reporting Policy and/or Conduct Violations. Each employee shall report to a supervisor or appropriate personnel any policy violation or breach of professional conduct involving the public, employees or inmates under the jurisdiction of the Department of Correction.

10. Forms and Attachments.

- A. CN 21701, Employee-Inmate Relationship Acknowledgment, and
- B. CN 21702, Request for Employee-Inmate Communication

11. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.