

GEORGIA DEPARTMENT OF JUVENILE JUSTICE	Transmittal # 14-08	Policy # 3.10
Applicability: {x} All DJJ Staff {x} Administration {x} Community Services {x} Secure Facilities	Related Standards & References: O. C.G.A. §21-5-70(6); §45-10-1 et. seq.; §45-10-20 et. seq.; §45-10-26; §45-20-51; §50-18-70 et. seq. Executive Order dated 1/10/11 (Establishing a Code of Ethics for Executive Branch Officers and Employees) 4-JCF-6B-14 DJJ 3.18, 3.25, 3.26, 6.1	
Chapter 3: PERSONNEL	Effective Date: 10/20/14	
Subject: STANDARDS OF CONDUCT AND ETHICS	Scheduled Review Date: 10/20/15	
Attachments: A – Executive Order dated 1/10/11 (Establishing a Code of Ethics for Executive Branch Officers and Employees) B – Standards of Conduct and Ethics Policy Acknowledgment Statement C – Executive Order dated 11/23/11 (Adding additional language to the definition of contraband)	Replaces: 1/1/12	
	Division of Training and Personnel Services	
	APPROVED:  <hr/> Avery D. Niles, Commissioner	

I. POLICY:

To earn and maintain a high level of public trust, the Department of Juvenile Justice shall conduct all activities with integrity in accordance with the highest standards of duty. Department employees shall adhere to the highest moral and ethical standards for business and personal conduct at all times. Each employee shall assume personal responsibility and accountability for his/her actions and avoid any activity or behavior that might hinder his/her ability to fulfill departmental responsibilities in a professional manner or that discredits the Department.

II. DEFINITIONS:

Contraband: Any item or article in the possession of a youth and/or staff or found within the facility/program that has not been officially issued or any other property that is prohibited from being brought into a facility by statute, rule, local operating procedure, policy or direction of the facility Director, unless specifically approved in writing by the facility Director. (See Attachment C). Contraband may also be excess quantities of approved items.

Ethics Officer: The Department official designated by the Commissioner to ensure that employees are aware of applicable ethics laws, policies, and Executive Orders. The Commissioner has designated the Department’s General Counsel to serve in this capacity.

Family Member: Spouse, domestic partner, parent, grandparent, child, brother, sister, aunt, uncle, nephew, niece, first cousin, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister.

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Gift: Anything of value exceeding \$25.00 per year, 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.

Honoraria: Payment to a person for services on which no fee is set or legally obtainable.

Youth: A child who is: (1) under the age of 17 years when alleged to have committed a delinquent act; (2) under the age of 21, who committed an act of delinquency before reaching the age of 17 years, and who has been placed under the supervision of the court (or DJJ) or on probation to the court for the purpose of enforcing orders of the court, or (3) under the age of 18 years and adjudicated to be a Child in Need of Services (CHINS) as defined by O.C.G.A. §15-11-2, paragraph 11. For the purpose of this policy, youth shall include a child or individual released from DJJ supervision within 12 months.

III. PROCEDURES:

A. General Provisions:

1. This policy sets forth general guidelines for the standards of conduct, but does not provide an exhaustive list of all types of impermissible conduct and performance. Examples are provided to establish general principles for employees in performing their work in a professional and ethical manner. Employees who violate these standards may be subject to disciplinary action, up to and including dismissal from employment.
2. Employees shall be familiar with and comply with all DJJ policies, Commissioner's directives, and procedures of the work unit to which they are assigned.
3. Employees of the Department of Juvenile Justice will practice honesty and integrity in every aspect of dealing with supervisors, fellow employees, youth, the public, vendors, and other government authorities. Employees will not engage in any form of impropriety, placement of self-interest above public interest, partiality, prejudice, threats, favoritism and undue influence and/or the appearance of such.
4. The Department is not typically concerned with the activities of employees during non-work time. Off-duty conduct becomes a legitimate concern, however, when it affects departmental operations or reflects unfavorably on the Department or State Government. Such off-duty conduct may result in disciplinary action against the employee involved.
5. All DJJ employees will be required to read this policy and sign an acknowledgement statement during on-the-job training. (See Attachment B).

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The acknowledgment statement will be reviewed and electronically signed annually thereafter. The employee's supervisor will be responsible for ensuring the acknowledgement is signed initially and annually thereafter and maintained in the employees local human resources file.

B. Law, Rule, Policy, and Ethics Order Compliance:

1. The Ethics Officer, as designated by the Commissioner, will take appropriate measures to ensure that employees become familiar with applicable ethics laws and policies, including the policies set forth by the Governor's Executive Order (See Attachment A).
2. Employees will comply with applicable State and Federal laws, rules, regulations, executive orders and Department policies.
3. Any employee with any full or partial ownership of a business that conducts business with any organizational unit of the Department or if it seeks to do business with any organizational unit of the Department will comply with reporting guidelines in accordance with DJJ 3.16 Other Employment.
4. Employees will obey all laws of the State of Georgia, including traffic laws and city/county ordinances. This includes the use of safety restraining devices by the driver and all passengers, including youth under the care of the Department. Employees will not text and drive.
5. Any violations of the Department policies and/or principles outlined in the Governor's Executive Order may subject an employee to disciplinary action, up to and including dismissal from employment. The Commissioner will ensure that the Executive Order is enforced and will report all alleged violations and their disposition to the Inspector General.
6. Questions concerning interpretation of Human Resources policy will be directed to the employee's supervisor or the Office of Human Resources or Division representative. Questions concerning interpretation of other Department policies will be directed to the Office of Legal Services.
7. Employees will be subject to the Code of Ethics for Government Service as established by O.C.G.A. §45-10-1. In accordance with this code, Department of Juvenile Justice employees will:
 - a) Put loyalty to the highest moral principles and to country above loyalty to persons, party or government department;

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- b) Uphold the Constitution, laws, and legal regulations of the United States and the State of Georgia and of all governments therein and never be a party to their evasion;
 - c) Give a full day's labor for a full day's pay and give to the performance of his/her duties his/her earnest effort and best thought;
 - d) Seek to find and employ more efficient and economical way of getting tasks accomplished;
 - e) Never unfairly give special favors or privileges to anyone, whether for compensation or not, and never accept, for him/herself or his/her family, favors or benefits that might be construed by reasonable persons as influencing the performance of his/her duties;
 - f) Make no promises of any kind upon the duties of office;
 - g) Engage in no business with the government, either directly or indirectly, which is inconsistent with the performance of his/her duties;
 - h) Never misuse any information coming to him/her confidentially in the performance of his/her duties or access information not required in the performance of his/her duties;
 - i) Report unethical behavior to the Ethics Officer;
 - j) Expose waste, fraud and abuse wherever discovered (See DJJ 3.25, Whistleblowers); and
 - k) Uphold these principles, ever conscious that public office is a public trust.
- C. Employees will not use their position to wrongfully influence other Department employees, youth, and their family members, members of the judiciary, law enforcement officials, other government agencies, or the general public.
- D. An employee will not attempt to influence the advancement, appointment, employment, promotion, or transfer of a family member to an office or position with the Department or another State agency. (See DJJ 3.26, Employment of Relatives)
- E. Financial Transactions:
- 1. Employees will not gamble while on duty.

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2. Employees will not engage in any financial transactions with youth or their families.
3. Employees will not give or accept gifts, lend anything of value to or borrow anything of value from vendors.
4. Soliciting, selling, fundraising, distribution and/or posting of advertisements, pamphlets, or similar literature or materials, including those soliciting memberships will be prohibited on DJJ property or during DJJ sponsored activities. Distribution and posting includes activities involving the use of electronic means such as faxes and e-mail. This prohibition will not apply to State or Department sponsored activities.
5. No employee, or any person on his/her behalf, will accept directly or indirectly any gift from any person with whom the employee interacts on official State business including lobbyists and State vendors.

F. Use of DJJ Resources:

1. Employees will use Department resources legally and properly.
2. Theft, or the unauthorized removal or possession of property belonging to the Department, fellow employees, or anyone in Department offices or facilities will be prohibited and may be subject to criminal prosecution in accordance with DJJ 22.3 Internal Investigation.
3. Offices, workstations, office furniture, and equipment (e.g., computers) are State property and are intended for work-related activities.
4. State-provided computers, email, internet access, and related tools, programs, and equipment are intended for public business. (See DJJ 6.1, Functions of the Office of Technology and Information Services).

G. Employees will fully cooperate with all internal and external investigations, regardless of the nature of the investigation. Failure to fully cooperate may subject an employee to disciplinary action up to and including dismissal from employment.

H. Employees will not tape record conversations unless such conversations are work-related and specifically approved, in advance, by the supervisor of the organizational unit. Supervisors will consult with the Ethics Officer, Office of Human Resources or Office of Legal Services prior to taping or authorizing the taping of any meeting or conversation. Employees in certain jobs, such as those involving investigations, will be authorized to tape record conversations when necessary and appropriate. Only the officials authorized to conduct hearings may tape employee grievance hearings.

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- I. Relationships between supervisors, employees, youth and their families will be conducted in a professional manner to avoid potential conflicts of interest, exploitation, personal bias, or significant disruption to the work unit/work environment.
 - 1. Intimate, romantic, or sexual relationships between a manager/supervisor and a subordinate staff member, through any line of authority, will be prohibited due to the potential for such relationship to create an actual or perceived conflict of interest.
 - 2. Intimate, romantic, or sexual relationships between co-workers will be prohibited when such relationship adversely impacts the performance of either co-worker or the functioning of the work unit.
 - 3. Unprofessional behavior including, but not limited to, sexual-related conversations, inappropriate touching (including kissing, hugging, massaging, and sitting on laps) racial or ethnic jokes and slurs and any other verbal or physical conduct of an offensive nature will be prohibited.
 - 4. Employees will be familiar with and comply with the Department’s Harassment policy at all times.

- J. Employees will not, without written approval of the appropriate Deputy Commissioner or Central Office Director or designee, maintain personal associations with, engage in personal business or trade with, or engage in non-work related correspondence with, or on behalf of a youth or his/her family members.

- K. When an employee’s family member comes under the control/supervision of the Department (as defined by “youth” in this policy), the employee will notify their Deputy Commissioner, Central Office Director or designee, in writing, as soon as he/she becomes aware of the situation.

- L. Employees shall not bring any contraband into any DJJ facility. Any item identified as contraband shall not be provided or made accessible to any youth transported in a Department or personal vehicle.

- M. Employees will not have personal on-going relationships with youth. Approved mentorship will be conducted in accordance with DJJ 1.7 Citizen and Volunteer.

Prohibited activities include, but are not limited to:

- 1. Procuring tobacco, alcohol or illegal drugs for or from youth;
- 2. Procuring any publications or other gifts for youth;

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3. Receiving gifts or favors from youth or their relatives, friends, or acquaintances;
 4. Gambling, buying, selling, trading, borrowing, giving or lending goods or money with youth;
 5. Using relationships or information obtained on current or former youth to take unfair advantage of the youth or their relatives, friends, or acquaintances; and
 6. Engaging in romantic, intimate or sexual relationships, physical sexual contact or inappropriate verbal sexual contact with youth, or otherwise taking sexual advantage of youth in accordance with DJJ 23.1 Prison Rape Elimination Act.
- N. Employees shall not use profanity or abusive language in the presence of or toward any youth.
- O. Employees shall not use threats, intimidation, profanity, or abusive language against other employees or visitors in the workplace or at any DJJ training.
1. Fighting and/or argumentative behavior directed toward a supervisor, co-worker, or any other party while on duty or which discredits the Department will be prohibited.
 2. No employee will be allowed to carry any firearm into any Department facility or office, unless specifically authorized by the Commissioner.
- P. There may be unique or compelling circumstances warranting exceptions to or waivers from these policies in certain individual cases. Requests for exceptions must be submitted in writing to the Ethics Officer. Any approval of such requests must be documented in writing by the Commissioner.
- Q. Employees will report violations or suspected violations of this policy to the appropriate supervisor within their chain of command or the Ethics Officer.
1. Retaliation against an employee who uses the Department's reporting process to raise legitimate concerns in accordance with this policy will not be tolerated.
 2. Alleged violations of this policy will be thoroughly investigated by the appropriate office. Appropriate disciplinary actions, up to and including dismissal, will be taken as indicated by investigative findings and results, subject to review by the applicable Deputy Commissioner or Central Office Director and Ethics Officer.
 3. If appropriate, external investigative, law enforcement agencies, or the Inspector General will be notified of allegations.

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- R. Employees shall report any violation or attempted violation of any law or DJJ policy that could result in a breach of the Department's security to the appropriate supervisor within their chain of command or to the Ethics Officer immediately upon becoming aware of such a violation.

IV. LOCAL OPERATING PROCEDURES REQUIRED: NO