



DEPARTMENT OF JUVENILE JUSTICE
AND DELINQUENCY PREVENTION

NUMBER: DJJDP 13

PAGES: 4

SUBJECT: Ethical Conduct: Code of Ethics

AMENDS: DJJDP 13

AMENDS POLICY ISSUED: 6/21/04

APPROVED BY: *George D. Sweet*

DATE SIGNED: 2/4/08

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RELATED STANDARDS: N/A

RELATED NCAC CITATION: N/A

RELATED LEGISLATION: N.C. Gen. Stat. § 126-16, *Equal opportunity for employment and compensation by State departments and agencies and local political subdivisions.*

INDEX AS: Ethics; Conduct; Conflict of Interest

PURPOSE: To ensure that Department staff conduct daily business in a professional and ethical manner and to safeguard public trust.

POLICY STATEMENT: Every staff member shall conduct daily business in a professional and ethical manner. To accomplish this, staff shall respect the views and opinions of co-workers, treat co-workers with respect, treat juveniles in our care and/or custody with respect, and accomplish work activities to further the public trust free from personal gain.

Department staff shall uphold this Code of Ethics through unflinching honesty, compassionate service, and respect for the dignity and individuality of the juveniles and families that we serve. Staff shall not allow personal interest to impair objectivity in the performance of duty. Staff members shall not use their positions to secure special privileges or advantages. Staff shall not engage in any conduct unbecoming of a State employee.

I. DEFINITIONS

- A. **Chain of Command:** Each successive supervisor, ending with the Secretary. When a supervisor is not on-duty or on-call, and has not designated a contact in his stead, the next successive supervisor follows in the chain of command.
- B. **Communicate with the media:** To initiate contact with or to respond to the questions of a representative of the news media, either orally or in writing.
- C. **Conflict of Interest:** A situation in which a staff member's private interest conflicts or raises a reasonable question of conflict with the staff member's public duties and

responsibilities. Conflicting interests include those of a familial, financial or economic nature, or the promotion of unsolicited religious or culturally, racially, or ethically divisive beliefs.

D. **Gang/“Criminal Street Gang”:** As defined by N.C. Gen. Stat. 15A-1340.16 (d) (2a), any ongoing organization, association, or group of three (3) or more persons, whether formal or informal, having as one of its primary activities the commission of felony or violent misdemeanor offenses, or delinquent acts that would be felonies or violent misdemeanors if committed by an adult, and having a common name or common identifying sign, colors, or symbols. Membership in a criminal street gang is an aggravating factor in sentencing.

E. **Staff/Staff Member:** Includes employees, interns, co-op students, and volunteers.

II. RESPONSIBILITIES

A. Staff shall:

1. Respect and protect the civil and legal rights of all juveniles in our care and/or custody;
2. Respect and protect the right of the public to safety and security;
3. Provide care for each juvenile with no purpose of undue personal gain;
4. Seek professional cooperation within the Department and with all agencies that serve our youth, and promote mutual respect within the profession;
5. Respect fellow staff members' and juveniles' confidentiality by carefully safeguarding the integrity of private information, seeking only that personal data needed to perform the job and revealing information concerning juveniles or personnel information only to those authorized to receive that information pursuant to the Department's Confidentiality Agreement (*Form DJJDP 19 001*);
6. Report immediately any corrupt, illegal or unethical behavior that could affect either a juvenile's welfare, co-workers' welfare, or the integrity of the Department through the chain of command;
7. In any public statement, clearly distinguish between statements that are personal views and those that are statements and positions made on behalf of the Department; and
8. Only use funds, equipment, or facilities for State business or Department/facility sanctioned events.

B. Staff shall not:

1. Discriminate against any juvenile, juvenile's family member, volunteer, visitor, employee or prospective employee on the basis of race, religion, color, creed, national origin, sex, age, or handicapping condition;
2. Promote or provide unsolicited religious beliefs or any culturally, racially, or ethnically divisive beliefs;
3. Be a member of a gang or participate in gang initiation, rituals, or recruitment;
4. Accept any gift or favor that implies an obligation that is inconsistent with the free and objective exercise of work responsibilities;
5. Allow personal interest to impair objectivity in the performance of duty;
6. Use position to secure any special privilege or advantage;
7. Request or accept a gift or favor from any contractor, subcontractor, supplier, or other business entity that holds a financial interest in any matter under the Department's jurisdiction; and
8. Photograph any juvenile in the care and custody of the Department except as directed by Department management pursuant to the Fingerprinting and Photographing Juveniles Policy (YD 6).

III. REQUIREMENTS

A. Alcohol: Staff shall not consume intoxicating beverages while in uniform or on duty. Staff shall not appear for duty, or be on duty, while under the influence of intoxicants to any degree whatsoever, or with an odor of intoxicants on their breath. Staff shall not transport, bring into, nor place in a State vehicle or facility any alcoholic beverage.

B. Possession and Use of Drugs: Staff shall not possess or use any controlled substance, narcotics, or other prescription medications except when prescribed for treatment by a physician or dentist. Staff shall notify their immediate supervisor prior to reporting for duty when taking medication that may affect their performance while on duty. Staff shall not transport, bring into, nor place in a State vehicle or facility any controlled substance.

C. Courtesy: Staff shall be courteous to other members of the Department and the public, and shall be tactful in performing their job duties. Staff shall not use offensive language or engage in offensive conversation or behavior designed to embarrass or humiliate others.

D. Duty Requirements

1. All Staff: Staff shall report for duty at the time and place required by assignment or orders. Staff shall be physically and mentally fit and properly

equipped to assume their duties immediately. Staff shall notify their immediate supervisor prior to reporting to duty of any medical condition, including the use of medications, that may interfere with or prevent performance of job duties.

2. Direct Care Staff: Staff shall not engage in activities, while on duty, which cause them to be inattentive while on duty. Staff shall remain awake while on duty. If unable to do so, staff shall report to their supervisor who shall determine the proper course of action. Staff shall not leave their assigned duty post except as authorized by a proper authority.

E. Examinations: Staff may be ordered by the Secretary or his designee to submit to:

1. A polygraph examination as a result of an incident report and for investigation purposes; and

2. Medical or chemical testing to determine fitness for duty.

F. Identification: Staff shall carry their identification cards on their person while on duty. Identification must be plainly visible. Staff shall not lend to another person their identification card or permit unauthorized reproduction of a Department-issued identification card.

G. Lawfulness: Staff shall obey all laws of the United States and of any State and local jurisdiction in which the staff member is present. Staff shall notify their immediate supervisor when they have been arrested or served with a summons or citation.

H. Ethical Questions: Staff members are urged to consult with the Department's General Counsel when an ethical question arises under this policy. Such consultation is intended to generate full and frank disclosure of facts for proper initial representation of the client and advice on seeking further legal assistance.

I. Compliance: Failure to comply with this or any Department policy is grounds for disciplinary action, up to and including dismissal.

IV. ATTACHMENTS

Confidentiality Agreement (*Form DJJDP 19 001*)